

Appeal Decision

Site visit made on 22 May 2017

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 June 2017

Appeal Ref: APP/C5690/W/17/3169249
219-221 Lee High Road, London SE13 5PQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Yitzchok Reichmann against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/098386, dated 14 September 2016, was refused by notice dated 22 December 2016.
 - The development proposed is construction of a new floor to Nos 219-221 Lee High Road to provide 1 x 2 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposal on the character and appearance of the host property, terrace and surrounding area.

Reasons

3. The appeal relates to two, three storey plus basement properties comprising of commercial use at basement and ground floor levels and four self-contained studio flats on the upper floors. The properties are part of a traditional terrace of shops with residential above fronting Lee High Road.
 4. Although there have been some unsympathetic alterations to the commercial elements at ground floor level the traditional features of the upper floors are clearly still legible including the shallow pitched roofs, deep overhanging eaves and vertically proportioned windows. The rhythm of the terrace is emphasised by the regular fenestration pattern and the pattern of raised fire walls and chimneys.
 5. There are no roof extensions in this part of the terrace and so only the chimneys stacks, pots and raised fire walls are visible above the roof. The proposed materials would match the existing building and the fenestration would reflect the pattern and detailing of the existing windows. However, the proposal would create an additional storey which would be higher than the ridges of adjoining roofs and the flat roof would be in stark contrast to the existing shallow pitched roofs. In addition, it would result in the loss of historic features including the chimney stack and raised fire walls. The additional storey and loss of these features would disrupt the visual uniformity of the terrace.
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6. Furthermore, the hipped roof would be replaced with a flat roof in contrast to the hipped roof which closes the eastern end of the terrace thus undermining the symmetry of the terrace. Moreover, the proposal would be highly visible in the street scene being situated on a busy road.
7. Taking these factors in combination, I consider that the proposal would introduce an incongruous feature which would dominate the street scene and disrupt the visual uniformity, symmetry and cohesive nature of the terrace. The proposal would, therefore, harm the character and appearance of the host property, terrace and surrounding area.
8. Attention is drawn to the adjacent development known as 'the Cube' which is a modern building which has a flat roof which sits higher than the host terrace. However, this development has a clear visual distinction between the modern design of the Cube and the traditional design of the terrace. The appeal property clearly relates visually to the group of terraced properties to the east. The presence of 'the Cube' does not, therefore, justify the harm which I have identified.
9. Attention is also drawn to other planning permissions granted in the area. I note that in the case of 181 Lee High Road the approved extension would be subtle in its appearance with the existing roof pediments and parapets acting as a screen. Furthermore, it would retain a clear subordinate relationship in the hierarchy between the roof pediments and decorations. The proposals at 32-34 and 122-124 Lee High Road both relate to the construction of new buildings as opposed to an extension to an existing building. Furthermore, the context of both sites is entirely different to the appeal site. None of these cases are directly comparable to the appeal proposal which limits the weight which I can attach to them in my Decision.
10. The proposal would create an additional residential unit in a sustainable location, lead to the refurbishment of an existing building and may have some economic and social benefits. However, the proposal would harm the character and appearance of the host property, terrace and surrounding area and would not, therefore, meet the environmental dimension of sustainable development. Consequently, I do not consider that the benefits would outweigh the significant harm which I have identified.
11. For the reasons stated, I conclude that the proposal would harm the character and appearance of the host property, terrace and surrounding area. It would, therefore, be contrary to Policies 7.4, 7.5 and 7.6 of the London Plan 2016, Policy 15 of the Core Strategy (2011) and Policies DM30 and DM31 of the Development Management Local Plan (2014) which collectively seek to ensure that development and extensions to buildings are of a high quality design which reflects local character.

Conclusion

12. For the reasons stated and taking all other considerations into account the appeal should be dismissed.

Caroline Mulloy

Inspector