



Appeal Decision

Site visit made on 13 August 2019

by Laura Renaudon LLM LARTPI Solicitor

an Inspector appointed by the Secretary of State

Decision date: 29 August 2019

Appeal Ref: APP/C5690/D/19/3232195

64 Embleton Road, Ladywell, London SE13 7DG

- 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 M Abid against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/111937, dated 16 April 2019, was refused by notice dated 11 June 2019.
 - The development proposed was originally described as a loft conversion and mansard to rear with raised ridge on plane of existing front roof.
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Decision

1. The appeal is dismissed.

Main Issue

2. The Council's decision notice cites harm to the Ladywell Conservation Area ('the CA'), although this receives limited analysis in the Officer's Report ('OR'). The appeal site lies close to but beyond the CA boundary. It lies on a part of Embleton Road characterised by mid-century terraced houses that are not in themselves unattractive but which have been excluded from the CA. The appeal site backs onto dwellings on Ermine Road that are included in the CA, and which lie on higher ground above the site. Occasional glimpses of the rear roofs of houses on Embleton Road can be seen from the public realm on Ermine Road. Houses within the CA on Embleton Road, starting around 8 houses further to the south, can be seen from the street in front of the appeal property.
3. Although I saw, therefore, that there is some intervisibility between the appeal site and the CA, I do not consider that the appeal proposal would affect the significance of this designated heritage asset. The later terraced houses on Embleton Road, of which the appeal property is one, are of a noticeably different age and character from those that are included in the CA. The desirability of preserving the importance of designated heritage assets acquires considerable importance and weight in assessing development proposals, and I have paid special regard to the applicable statutory duties in this respect, as well as to Chapter 16 of the National Planning Policy Framework ('the Framework') and to relevant development plan policies. Nonetheless, the appeal proposal would not affect the significance of the asset and so those duties and policies do not apply.

4. The main issue in the appeal therefore is the effect of the proposed development on the character and appearance of the host property and the streetscene, notwithstanding the lack of any impact on the CA.

Reasons

5. The appeal property is an end-of-terrace 2-storey dwelling lying on Embleton Road in Ladywell. It is narrowly separated from its northern neighbour at No 62, which marks the start of a further terrace in a similar style. From the street, with the exception of occasional velux windows, the front roof planes and ridges of the terraces appear undisturbed. At the time of my visit, a rear window at No 87, to the south east of the appeal site, appeared to open above the ridge line of that property. A roof lantern protruded above the ridge of No 64 Ellerdale Street, further away. In the immediate vicinity of the appeal property, however, from the street the only evidence of rear roof developments in the two terraces to the north-western side of Embleton Road was a glimpsed view of a rear dormer extension at the neighbouring property of No 62. This affects neither the front roof plane nor the ridge of the roof.
6. The appeal proposal includes constructing a flat-roofed extension to the rear of the appeal property. This would extend the height of the roof to the rear of the property across its width to the height of the existing chimney stack (excluding pots). Although set back from the existing ridge line, the development would be conspicuous from across the street as well as from neighbouring gardens. It would result in a top-heavy development that would be detrimental to the form and character of the existing property. It would detract from the uniform appearance of the terrace's rooflines and would appear as an unsightly and unsympathetic extension.
7. The Council's Alterations and Extensions Supplementary Planning Document ('the SPD') adopted in April 2019 refers to the *don't move – improve* approach and states that the Council wishes to help residents stay in their properties by accommodating their changing needs. The appeal proposal here, which is to facilitate the delivery of improved internal space for the benefit of a family home, garners some support from this approach but not from the detailed requirements of the SPD. The SPD is set firmly against rear roof extensions that obliterate existing roof forms or which are visible from the street frontage, and the proposed development would not comply with these requirements.
8. The appeal proposal would also conflict with the specific requirement of DM Policy 31 of the Lewisham Development Management Local Plan ('the DMLP'), adopted in November 2014, providing that rear extensions will generally not be permitted where any part is higher than the height of the ridge of the main roof, as well as conflicting generally with the requirements of DMLP DM Policies 30 and 31 to achieve high standards of design. The proposal would also conflict with Policy 15 of the Lewisham Core Strategy, adopted in June 2011, requiring high quality design that is sensitive to the local context and responds to local character.

Other matters

9. An amended development description was the subject of the Council's decision notice, referring to the installation of replacement doors in the single-storey rear extension. The Council has raised no specific objection to this element of

the proposal. This element of the proposal appears unexceptionable, but I have considered the appeal proposal as a whole.

Conclusion

10. For the above reasons the appeal proposal would be an unsympathetic development, conflicting with the development plan for the area. Although the desirability of extending the existing living space is acknowledged, the form of the proposal for doing so constitutes harm that is not overcome by the benefits of the proposal. Therefore I conclude that the appeal should be dismissed.

Laura Renaudon

INSPECTOR