



Appeal Decision

Site visit made on 16 September 2019

by Laura Renaudon LLM LARTPI Solicitor

an Inspector appointed by the Secretary of State

Decision date: 7 October 2019

Appeal Ref: APP/C5690/D/19/3235770

148 Chudleigh Road, Ladywell, London SE4 1EE

- 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 Ben Rosewall against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/111643, dated 26 March 2019, was refused by notice dated 19 June 2019.
 - The development proposed is described as the construction of a first-floor side extension together with a dormer extension to the rear roof slope and rooflights at the front in connection with the conversion of the loft space.
-

Decision

1. The appeal is allowed, and planning permission is granted for the construction of a first-floor side extension and dormer extension to the rear roof slope at 148 Chudleigh Road, Ladywell, London SE4 1EE, together with the installation of rooflights in the front roof slope, in accordance with the terms of the application Ref DC/19/111643 dated 26 March 2019 subject to the following conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:

RK Design Proposed Alterations Plans at 148 Chudleigh Road dated 23 February 2019, consisting of sheets:

- 1) Subject Property
 - 2) Existing Ground Floor and Existing First Floor
 - 3) Existing Roof Plan
 - 4) Existing Front Elevation and Existing Rear Elevation
 - 5) Existing East Elevation and Existing West Elevation
 - 6) Proposed Ground Floor and Proposed First Floor
 - 7) Proposed Second Floor and Proposed Roof Plan
 - 8) Proposed Front Elevation and Proposed Rear Elevation
 - 9) Proposed East Elevation and Proposed West Elevation
 - 10) Section A-A
 - 11) Section B-B
- 3) The external facing materials of the development hereby permitted shall match those of the existing building.

Procedural Matter

2. The Council's decision notice on the application amended the above description slightly, referring to the construction of a first-floor side extension and dormer extension to the rear roof slope at 148 Chudleigh Road SE4, together with the installation of rooflights in the front roof slope, and accordingly it is this for which permission is now granted.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. 148 Chudleigh Road is a semi-detached dwelling facing south west, near to the junction of Chudleigh Road with Bexhill Road to the south. To the west, the road begins with some distinctive Victorian terraced houses, particularly on the south side backing onto the railway tracks behind. Proceeding south east, the road gradually acquires a more spacious character as the traditional terraced buildings give way to more modern semi-detached houses, of which No 148 is one.
5. The transition is not immediate, and infill developments of varying styles and inventiveness have taken place. Most of the semi-detached dwellings are joined at the ground floor by the addition of side garages. Some are also joined at the first floor as the result of side extensions at that level. From the eastern end of the road near to the junction with Bexhill Road, the houses on the northern side of the road are perceived as a terrace between Nos 146 and 160. Nos 146 and 148 sit further forward than No 150 and the western neighbours, so the existing gap at first floor is obscured on viewing from the east. A willow tree in the front garden of No 150 obscures the view of No 148 on approaching from the west. No 150 has itself been extended to the side, with a slight set back at first floor and a rather incongruous yellow-bricked parapet wall to the side.
6. The proposal (which includes other elements to which the Council raises no objection) is to build up to that parapet wall by the addition of a side extension to No 148, above the existing ground floor garage. The front elevation would be set back from the existing dwelling's principal front wall by around 0.9m, although would protrude beyond the front elevation of No 150 by around 0.3m. The eaves and ridge heights of the proposed extension would be slightly lower than the existing.
7. Policy 7.4 of the London Plan of 2016 requires a high quality design that has regard to the pattern and grain of existing development. Policy 7.6 requires high quality design, materials and architecture. Policy 15 of the Lewisham Core Strategy similarly requires high quality design that is responsive to its local context and character. Development Management Policy 30 requires high quality design that creates positive relationships, and DM Policy 31 gives specific advice on residential alterations and extensions. Such extensions are required to respect and complement the original buildings and, where necessary, side extensions should normally be set back and down in order to maintain architectural subordination. Extensions will not be permitted where they would adversely affect architectural integrity or the important features of a character area.

8. The recently-adopted Alterations and Extensions supplementary planning document of April 2019 ('the SPD') gives more specific advice, including that side extensions of more than one storey can significantly harm the openness that forms the character of much of the borough. To avoid this harm, such extensions should be set back at least 1m from the front elevation and 1m in from the side boundary, or back at least 2m from the front elevation where it is appropriate to build to the boundary.
9. Presently, there is a limited view of the sky and vegetation beyond the houses in the gap between No 148 and 150, but this is rather marred by the appearance of the side parapet wall to the extension at No 150. The terracing effect that has resulted from other developments in the street westward of No 148 means that a sense of openness between houses does not prevail in the immediate vicinity of the appeal site. The proposed development would not comply with the strictures of the SPD, but this advice is directed towards the objective of preserving the borough's open character where it exists. In this case I do not find that the harm the SPD seeks to avoid would arise, because that open character does not prevail in this part of the street. Building up to, and thus largely obscuring, the parapet wall to No 150 would achieve an improvement to the existing position. The setting back and down of the ridge, eaves and front elevation of the proposed extension would achieve an acceptably subordinate relationship, and so I find no conflict with DM Policies 30 or 31, or with the development plan overall.

Conditions

10. The Council has suggested 3 planning conditions in the event that permission is granted, and I concur that all these are necessary. A time limit within which development must be begun (if at all) is needed to comply with statutory requirements. A requirement to comply with the application plans is necessary to achieve certainty about what has been permitted. A requirement for the materials to match the existing dwelling is needed to ensure a satisfactory finished appearance.

Conclusion

11. As discussed above I find that the SPD has limited applicability to the circumstances of this case, because the open character of the borough that it seeks to protect does not exist at the appeal site, as a result of the extensive previous developments in the street. The proposed development would result in an extension that is acceptably subordinate to the original house. I find no overall conflict with the development plan for the area, and subject to the conditions I have imposed, I conclude that permission should be granted.

Laura Renaudon

INSPECTOR