



Appeal Decision

Site visit made on 7 October 2019

by L Gilbert BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07th April 2020

Appeal Ref: APP/C5690/W/19/3233792

106 Erlanger Road, London SE14 5TH

- 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 Alan Yuen, Nitroweld against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/17/100300, dated 4 May 2017, was refused by notice dated 28 January 2019.
 - The development proposed is replacing existing rear extension with new three storeys rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the appeal development on:
 - whether the proposal would preserve or enhance the Telegraph Hill Conservation Area; and
 - the effect on the living conditions at No.104 Erlanger Road with reference to outlook and loss of daylight and sunlight.

Reasons

Character and appearance

3. The site contains an end of terrace double fronted Victorian villa on the corner of Erlanger and Arbuthnot Road, similar to the opposite villa of No.105 Erlanger Road. It falls within the Telegraph Hill Conservation Area (CA) and is covered by an Article 4 Direction. The street predominantly contains semi-detached and terraced buildings with longer and narrower projecting rear outriggers, compared to the appeal site. The rear of the appeal site is prominent along Arbuthnot Road. The buildings in the locality are of a similar style and era, which positively contributes to the character of the area.
4. The design of the appeal building, including its rear addition, differs from the neighbouring properties along Erlanger Road, which adds variety to the character of the CA. The existing two storey rear projection has a hipped roof that extends to the eaves of the building. The proposal would replace it with a deeper three storey extension that would have a prominent gable end that would link to the roof of the main building. Although it would sit below the ridge line, the increased scale would have a greater presence when viewed

from Arbuthnot Road, compared to existing. It would replicate the design and style of rear projections found at other properties in the locality to the north and south of the appeal site. However, the proposed design and scale of the extension to the end of terrace building would appear dominant rather than subservient from Arbuthnot Road and its design would result in the erosion of some of the villa's historic features including the original rear design. This in turn would harm the character and appearance of the building and the conservation area.

5. Paragraph 193 of the National Planning Policy Framework (the Framework) states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'. Paragraph 196 of the Framework explains 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.
6. For the reasons outlined above, the proposal would lead to a less than substantial harm to the CA. The public benefits would be the creation of additional and upgraded residential accommodation within the House of Multiple Occupation, improvements to the accommodation and the provision of level access to the building. I do not consider the public benefits of the proposal would outweigh the less than substantial harm to the heritage asset.
7. Accordingly, the proposal would fail to preserve or enhance the character and appearance of the conservation area and fail to accord with Policies 7.4, 7.6 and 7.8 of the London Plan (2016) and Policies 15 and 16 of the Lewisham Core Strategy Development Plan Document (2011) and Policies 30 and 36 of the Lewisham Development Management Local Plan (2014) and the National Planning Policy Framework. These seek amongst other things, that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Living conditions of No.104 Erlanger Road

8. The neighbouring building of No.104 Erlanger Road stands at three storeys high and is located on higher ground than the appeal site. It has windows on the inset rear wall of the main house and side windows on the rear outrigger, which would face the proposed development.
9. The eaves on the existing outrigger's hipped roof are located just below the second floor flank windows of the neighbouring property. In contrast, the proposed eaves on the replacement outrigger would be raised to the same level as the main roof and above the level of the second floor flank windows. This along with the increased projection and introduction of a gable roof would create an overbearing effect upon flank windows at No.104 Erlanger Road, and in particular to those at second floor level.
10. The Schroeders Begg Daylight and Sunlight Report notes that the proposal would have an overall 'moderate effect' on the neighbouring property, with two rooms sustaining noticeable daylight and sunlight reductions. Although this

Report says this should not be considered a reason for refusal, these findings reinforce my view that the proposal would not be acceptable.

11. I find the proposed development would harm living conditions of No.104 Erlanger Road with reference to outlook and loss of daylight and sunlight. It would fail to comply with Policy 7.6 of the London Plan (2016), Policy 15 of the Lewisham Core Strategy Development Plan Document (2011) and Policy 33 of the Lewisham Development Management Local Plan (2014) and the Residential Standards Supplementary Planning Document (adopted 2006, updated 2012). These seek amongst other things that proposals provide no significant loss of amenity for adjoining residential development.

Conclusion

12. I conclude, for the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L Gilbert

INSPECTOR