



Appeal Decision

Site visit made on 29 October 2020

by Steven Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 10 November 2020

Appeal Ref: APP/C5690/W/20/3249864

11B Rubens Street, London SE6 4DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Cyril Jones (Maurice Laurent Ltd) against the decision of the London Borough of Lewisham.
 - The application Ref DC/19/115052 dated 15 December 2019 was refused by notice dated 11 March 2020.
 - The development proposed is described as the erection of 2 x dormer extensions to the existing main roof. No change of use proposed.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The London Plan 2016 (LP) forms part of the development plan. Reference is made in the appeal to the draft, revised London Plan which has been published and been the subject of an Examination but is not yet adopted. Therefore, I can only afford the draft plan limited weight.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the property and the street scene.

Reason

4. The development relates to a detached two storey dwelling converted to two apartments and situated between the rear gardens of the dwellings on Tugela Street to the West and a private cricket club to the East. The building has a double hipped roof and a two-storey square bay below a steep gable. Most of the surrounding dwellings in this area have unbroken, double pitch roofslopes with an absence of dormers, and this design uniformity adds positively and distinctively to the character and appearance of the area.
5. The appeal proposal is for the removal of a chimney and the construction of two flat roofed dormers, one to the East facing elevation looking towards the cricket ground and one to the West facing elevation looking towards the rear gardens of the dwellings on Tugela Street. The proposed development would enable the loft space to be used for an additional bedroom with en-suite, including an access stairway and lobby.

6. The proposed dormers would have a width of approximately 3.5 metres and a depth of about 2.7 metres, with a height of some 2.0 metres. They would be set back from the existing ridge to the property by approximately 0.3 metres and would be some 0.2 metres behind the line of the eaves. The casement windows would be constructed with uPVC, as are the existing windows to the ground floor apartment.
7. However, by their size, bulk and particularly their flat roof construction, they would not relate well to the existing roof planes and would appear incongruous, top heavy additions to the building, significantly detracting from its character and appearance.
8. Neither would they, by their size, appearance and their flat roofs, be comparable or compatible with surrounding properties where such features are generally absent. The proposed development would be visible from Rubens Street and also from the adjoining cricket ground and, by the appearance of the proposed dormers, would significantly and adversely affect the character and appearance of the street scene. Therefore, I find that the proposed development would not be sustainable because of its detrimental environmental impact upon the built environment.
9. Therefore, I conclude that the proposed development would not accord with policy 7.6 of the LP or with the Lewisham adopted Core Strategy 2011(CS) policy 15 which promotes good design. It would be contrary to the design requirements of the Lewisham Development Management Local Plan 2014 (DMLP) and with DMLP policy 31 which requires roof extensions to be of a sensitive design quality which respect the characteristics of the original building. Furthermore, it would not accord with the Council's Alterations and Extensions Supplementary Planning Document 2019 (SPD) which aims to ensure that side extensions complement the roof profiles adjoining them. Neither would the proposed development accord with the National Planning Policy Framework 2019 (the Framework) chapter 12 with its aim of developing well designed buildings and places.

Other Matters

10. The proposed development would provide additional residential accommodation which stands in its favour. However, this is not a benefit that would overcome my conclusion on the main issue which is a matter of overriding concern.
11. As part of the appeal, I was asked to consider the effect of the dormer upon the occupier of No 2 Tugela Street in respect of privacy and overshadowing. In this case, the west facing dormer would relate to a stairway and not to a habitable room and it does not exceed the ridge of the existing building. Consequently, I do not consider that the proposal would result in any significant loss of privacy or overshadowing. However, this does not alter or outweigh the fact that the proposal would cause significant harm to the character and appearance of the area.

Conclusion

12. For the above reasons, I conclude that the appeal should be dismissed.

Steven Hartley

INSPECTOR