



Appeal Decision

Site visit made on 15 September 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2020

Appeal Ref: APP/C5690/W/20/3254529

183 Deptford High Street, London SE8 3NT

- 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 Jonathan Malka against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/114453, dated 28 October 2019, was refused by notice dated 23 December 2019.
 - The development proposed is a mansard roof extension and internal reconfiguration in order to provide 1no 1-bedroom residential flat and 1no 2-bedroom duplex flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are a) whether the proposed development would preserve or enhance the character or appearance of the Deptford High Street Conservation Area (CA) and b) whether the proposed development would provide satisfactory living accommodation for future occupiers.

Reasons

Character and appearance

3. The appeal property is a mid-terrace, three-storey building which forms part of a wider terrace block of eight units along Deptford High Street. This terrace block due to its substantial frontage and location near to the junction with Hamilton Street is particularly prominent. These buildings also form part of the CA, which largely centres along Deptford High Street and incorporates mainly period buildings and some modern development. As such, the significance of the CA is largely derived from the quality architecture of its individual buildings in a range of scales and styles, which collectively contribute to the high-quality appearance of the area.
4. The wider terrace block which the appeal property forms a part of is characterised by its Victorian flat-fronted facades with sliding sash timber windows at first and second floors below brick arch lintels, and the tall masonry parapet walls to the front elevation, which incorporate a painted rendered string band. Most notably, with the exception of some personalisation of the ground floor commercial frontages, this block is largely unaltered to the front and rear and demonstrates a relatively complete composition of its period.

5. Despite not being locally listed, along with other nearby buildings, the appeal property is identified by the Council as a non-designated positive contributor and therefore can also be considered a non-designated heritage asset. As such, and in accordance with the National Planning Policy Framework (the Framework) and Planning Practice Guidance, it has a degree of significance meriting consideration in this decision. More significantly, the appeal property is integral to the cohesive design and established roofline of the wider terrace block and together they make a positive contribution to the character and appearance of the area and the significance of the CA.
6. In contrast, and regardless of some attention to its design and materials, the proposed extension with party walls projecting beyond its new roof and existing chimney features would appreciably alter the existing height of the appeal property and distort the roofline of the terrace block. In particular, in views from the rear of the appeal property, the form and height of the proposed extension would appear strident against the characteristic 'V' shaped profile of the other roofs within the terrace block. Also, the front of the proposed extension would incorporate fenestration that would not reflect the size and design of those below. Consequently, due to its form, siting and design, the proposed extension would significantly disrupt the uniformity of the wider terrace block, appearing particularly incongruous.
7. Notwithstanding the appellant's submissions, based on my observations, views of the terrace block and the proposed roof extension would be available from along sections of Deptford High Street and parts of Hyde Street. Consequently, the incongruity of the proposed development would be amplified by the mid-terrace and prominent location of the appeal property.
8. The proposal would also result in the permanent loss of the original butterfly roof to the appeal property. Although this feature is largely screened in views from the highway, the requirement for development proposals to preserve or enhance the character or appearance of the CA applies whether or not the proposal is prominent or in public view.
9. Cumulatively, for the above reasons, the proposed development would harm the character and appearance of the appeal property and area, and the significance of the CA would be harmed.
10. The harm the proposal would cause to the significance of the CA would be less than substantial. Paragraph 196 of the Framework states that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal. In this case the proposal would deliver additional self-contained flats. However, given its modest scale (two units), the benefits derived from this would be limited.
11. Having special regard to the desirability of preserving or enhancing the character or appearance of the CA¹, despite finding the harm to be less than substantial, I still attach significant weight to this. Such harm can be outweighed by public benefits. Having given limited weight to the public benefits identified in this instance, they are not sufficiently forceful to outweigh the less than substantial harm that I have identified.

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

12. Drawing on the above reasons, the proposed development would fail to preserve or enhance the character or appearance of the CA. The proposal would therefore be contrary to Policies 7.4, 7.6 and 7.8 of the London Plan (2016), Policies 15 and 16 of the adopted Core Strategy (2011) and Policies 30, 32, 36 and 37 of the Development Management Local Plan (2014) (DM). Together, these policies seek to secure high quality developments which sustain and enhance the significance of designated and non-designated heritage assets.

Living conditions

13. At appeal the appellant has confirmed that Flat A is designed as a 1 bedroom/1 person flat and Flat B as a 2 bedroom/3 person flat. On this basis, the minimum Gross Internal Area and storage requirements for the proposed accommodation accord with the 'Technical housing standards – nationally described space standard' (2015) and Policy 32 of the DM.
14. However, Policy 32 of the DM also requires that residential development incorporates readily accessible, secure, private and usable external space. In this case, the proposed flats do not incorporate any external private amenity space. Therefore, overall, the proposed development would fail to provide satisfactory living conditions for future occupiers, contrary to Policy 32 of the DM.

Other Matters

15. I have been referred to examples of approved roof extensions to properties locally, including along Deptford High Street. In general, these relate to buildings on corner plots or those which are varied in design and/or heights to adjoining properties. Such buildings and locations are therefore better able to accommodate new additions. However, the proposal before me relates to a prominent, mid-terrace building within a wider block with a notably uniform height and appearance. As such, it is not directly comparable to the examples before me.
16. Irrespective of the Council allowing the removal of butterfly roofs as part of other proposals in the Borough, in the scheme before me, this is just one of the elements which I have found to be unacceptable. Therefore, this in itself is not decisive.
17. In any event, each proposal is considered on its individual merits and while some of the approved schemes illustrate that the Council supports roof extensions in the CA, they do not alter my findings in respect of the main issues relating to the appeal before me, the harm I have identified and overall conflict with the development plan.

Conclusion

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

M Aqbal

INSPECTOR