



Appeal Decision

Site visit made on 27 October 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2020

Appeal Ref: APP/C5690/D/20/3247098 **90 Malpas Road, London SE4 1BU**

- 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 Matt Kiteley against the decision of the London Borough of Lewisham Council.
 - The application Ref DC/19/114353, dated 18 October 2019, was refused by notice dated 12 December 2019.
 - The development proposed is Mansard roof extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. An application for costs was made by the appellant against the Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site forms part of a terrace of mid 19th Century houses in a street scene of other similar terraces and modern flatted development. It is part of a larger group of locally listed buildings, recognised by the Council for their architectural and historic significance, and adds to the local distinctiveness of the borough. The appeal property is therefore a non-designated heritage asset.
5. The proposal for a large mansard roof would add considerable mass, bulk and height to the roof given its size. Mansard roof extensions may not be uncommon elsewhere in Lewisham or indeed London, and the Council generally accepts the insertion of mansard roofs where they are an example within the street scene. There are no other roof extensions along the terrace, however. The roof retains significant character as it provides continuity with the other unaltered roofscapes, save for the additions of domestic aerials.
6. Due to the harmonious roof form, the proposed addition would appear unduly pronounced, and its mid-terrace location would further highlight its discordant appearance. Even though it would be set back from the continuous parapet

- wall, and that 'stepping up' of the terrace may already occur, the addition of the proposal would distort the rhythm of the uninterrupted roof form.
7. As a consequence of its size, the proposal would stand significantly above the parapet wall and would inevitably be viewed extensively both from the street and from neighbouring buildings. Furthermore, it would be visible in longer range views of the terrace from both north and south directions.
 8. Turning to the effect of the proposal on the rear elevation, butterfly roofs are an important and historic typology and development should retain the shape and be incorporated into it. The rear elevation is very exposed within the street scene and the proposed development would infill the 'V' area between the butterfly roofs. By contrast the proposal would appear as an excessively large and out of proportion extension completely at odds with the rear of the terrace where all properties in the terrace retain the signature feature butterfly roof.
 9. I therefore find that the proposal would not appear as a subordinate addition to the host dwelling. Neither is there evidence before me to suggest the proposal could reasonably be described as innovative design. It would not relate to local character as a sensitive addition to the property, the terrace, or the street scene as a whole. It would instead result in harm arising to the significance of the non-designated heritage asset.
 10. I have taken account of the advice contained within the National Planning Policy Framework (the Framework) to encourage making effective use of land, and where it may be appropriate to use airspace as a means to provide internal space. However, the acceptability of such development is dependent on the prevailing character of the area. In this instance I have identified a mansard roof is not a feature.
 11. Therefore, the proposal would not accord with Policies 7.4, 7.6 and 7.8 of the London Plan 2016 and policy HC1 of the emerging draft London Plan in their collective aims to protect local character and heritage assets and achieve good design. It would conflict with the Lewisham Core Strategy Policies 15 and 16 and policies 30, 31 and 37 of the Development Management Local Plan in their overarching objectives for development to respect local character and to complement the original building, as well as to protect heritage assets. It would not meet the objectives within the design advice for roof alterations contained within the Alterations and Extensions Supplementary Planning Document (2019). Furthermore, it would be contrary to the provisions of the National Planning Policy Framework that seeks to conserve and enhance the historic environment.

Other Matters

12. I understand the desire for the appellant wanting to extend their family home and this would provide effective use of their land and could allow them to remain in their home and as part of the community.
13. The appellant explains they have a fallback position to be able to benefit from permitted development rights to extend the dwelling by removing the parapet wall and extending the roof, and that this is a very real possibility. However, I have not been provided with details of such a scheme to enable a proper comparison between the appeal proposal and any such fallback, and can therefore afford this matter limited weight.

14. Even though changes and additions may have been made to the appeal property including render, as well as changes to other houses within the group, they retain their essential characteristic form and original features. Changes that have occurred do not detract from the area. Whilst the proposed use of appropriate fenestration and material details could result in a high quality finish, this would not overcome the harm I have identified.
15. I note there were no objections from the immediate neighbours and that some support for the proposal was forthcoming. However, I must determine the appeal with regard to the planning merits of the case.
16. Whilst the scheme would lead to no harm arising to the living conditions of neighbouring occupiers, an absence of harm is a neutral matter which weighs neither for nor against the appeal proposal.
17. Issues regarding the Council's service should be in the first instance referred to the Council and is not within my remit to comment on how positive and proactive they have been with the appellant.

Conclusion

18. The proposal would conflict with the development plan as a whole and there are no other material considerations which lead me to determine the appeal otherwise than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR