



Appeal Decision

Site visit made on 23 November 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2021

Appeal Ref: APP/C5690/D/20/3257849

99 Pepys Road, London SE14 5SE

- 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 Tim Austen against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/116448, dated 14 April 2020, was refused by notice dated 18 June 2020.
 - The proposed development is loft conversion within existing roof space and 3 no conservation style roof windows.
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Decision

1. The appeal is allowed and planning permission is granted for loft conversion within existing roof space and 3 no conservation style roof windows at 99 Pepys Road, London SE14 5SE, in accordance with the terms of the application, Ref DC/20/116448, dated 14 April 2020, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 3. The development hereby permitted shall be carried out in accordance with the approved plans: 2002-99PR-001 Rev A, 2002-99PR-002 Rev A, 2002-99PR-003 Rev A, 2002-99PR-004 Rev A, 2002-99PR-005 Rev A, 2002-99PR-006 Rev A, 2002-99PR-007 Rev A and 2002-99PR-008 Rev A.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Telegraph Hill Conservation Area (the THCA).

Reasons for the Recommendation

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that with respect to development affecting buildings or other land in a conservation area, "special attention shall be paid to the
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desirability of preserving or enhancing the character or appearance of that area.”

5. The appeal site comprises a semi-detached, two-storey Victorian property with a lower ground floor level. The site is situated on the eastern side of Pepys Road and lies within the THCA, whose significance is largely derived from its suburban character and the uniform and cohesive architecture of its Victorian dwellinghouses. The appeal property is designated as a “positive building” within the Telegraph Hill Conservation Area Character Appraisal 2008, which also states that the installation of obtrusive roof lights within front roof slopes causes harm to the special interest of the Conservation Area.
6. During my site visit, I observed that there were many examples of properties along Pepys Road, most notably at Nos 87 and 100 nearby, and generally within the vicinity of the appeal site, which had multiple roof lights within their front and side roof slopes. Roof lights are therefore an established feature of properties on Pepys Road, contrary to the comments of the Conservation Officer and the findings of the planning officer set out in the delegated report. As the proposed front roof lights would be similar to nearby examples in terms of their small size and regular positioning within the front roof slope, they would not appear particularly incongruous or obtrusive when seen as part of the wider streetscene. Furthermore, the proposed roof light within the side roof slope would not be visible within views from the north, nor would it appear particularly prominent from the south as it would be largely obscured behind the bulk of No 101 which lies immediately to the south of the appeal site. As the proposal would cause no harm to the significance of the THCA as a designated heritage asset, it would preserve the character and appearance of the THCA.
7. The Council has referred me to an appeal decision at No 74 Pepys Road. I am familiar with that case, having visited that site and made the recommendation in question. In that recommendation, I noted that many properties had roof lights within their front roof slopes. However, I found that that proposal was unacceptable due to the size and orientation of the roof lights which were proposed. As I have found that the proposed roof lights in this case would be acceptable in terms of their size and positioning, my recommendation regarding No 74 does not provide justification for dismissing the proposal before me.
8. For the above reasons, I conclude that the proposed development would preserve the character and appearance of the THCA. The proposal would therefore comply with Policies 7.4 and 7.6 of the London Plan 2016 (the London Plan), Policy 15 of the Core Strategy 2011 (the Core Strategy), and Policies DM30 and DM31 of the Development Management Local Plan 2014 (the DMLP), which broadly state that development should have regard to the form of an area, make a contribution to a coherent streetscape, be sensitive to local context, attain a high standard of design and be in keeping with the original pattern of the host building. The proposal would also comply with Policy 7.8 of the London Plan, Policy 16 of the Core Strategy and Policy DM36 of the DMLP, which state that development should conserve the significance, value, character and appearance of heritage assets such as Conservation Areas.
9. The proposal would also comply with Paragraphs 127 and 130 of the National Planning Policy Framework 2019, which respectively state that developments

should add to the overall quality of the area and that permission should be refused for development of poor design.

10. The proposal would also comply with the Alterations and Extensions Supplementary Planning Document 2019, which states that where traditional conservation style roof lights have been established as an accepted and prevailing characteristic on front roof slopes, proposals for small traditional conservation style roof lights may be acceptable.

Conditions

11. The conditions which are imposed are those which have been suggested by the Council, with due regard given to the advice on imposing conditions as set out in the NPPF and the National Planning Practice Guidance.
12. In addition to the standard timescale condition, a condition requiring that the scheme be built in accordance with the approved plans is necessary in the interests of clarity. A condition relating to materials is necessary in the interests of character and appearance.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR