



Appeal Decision

Site Visit made on 27 July 2021

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2021

Appeal Ref: APP/A5840/D/21/3269148

79 Lyndhurst Grove, London SE15 5AW

- 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 R Staszewski and Ms Sam-Daliri against the decision of the London Borough of Southwark.
 - The application Ref 20/AP/3139, dated 27 October 2020, was refused by notice dated 18 December 2020.
 - The development proposed is construction of mansard roof extension; loft conversion.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the host property and area including whether it would preserve or enhance the character or appearance of the Holly Grove Conservation Area (CA).

Reasons

4. The appeal property is a two-storey mid terrace dwelling located within a CA. Whilst the wider area displays variety in terms of scale and architecture the host property sits within a group of terrace properties with uniform roof lines and parapets that are consistent. The form of the properties and their main roofs disguised behind a parapet positively contributes to the character and appearance of the area resulting in a coherent and pleasant residential street scene.
5. Despite the use of sympathetic materials and a setback, the proposed development would unacceptably change the roofscape significantly disrupting the simple form and appearance of the host property's roof. The increased bulk of the roof would interrupt the unaltered and coherent roof form along the terrace resulting in unacceptable harm.

6. The increased height and bulk would appear top heavy and noticeably taller than the neighbouring properties and despite the appellant's contention, it would be visually prominent from the surrounding area appearing as an incongruous feature along the terrace being the only roof alteration in an otherwise uninterrupted run of dwellings. It would diminish the contribution the host property makes to the CA harming the character and appearance of the host property, the terrace of which it forms part and the area.
7. Albeit localised, the impact on the CA would be harmful. Whilst the harm I have identified would not result in substantial harm, it would still result in harm that requires clear and convincing justification. Paragraph 202 of the National Planning Policy Framework (the Framework) states that where a development proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate securing its optimum use.
8. Based on the evidence before me no public benefits have been presented and taking into consideration the points above the harm to the CA would clearly outweigh the public benefits of the proposal. The proposed development would fail to preserve or enhance the character and appearance of the CA.
9. The proposed development is therefore contrary to Policies 3.15 and 3.16 of the Southwark Local Plan (2007) and Strategic Policy 12 of the Southwark Core Strategy (2011) which, amongst other things, require development to preserve or enhance the special interest or historic character or appearance of buildings or areas, respect the context of conservation areas and do not introduce design details or features that are out of character with the area. It would also be contrary to the aims and objectives of the Framework.

Other Matters

10. My attention has been drawn to the presence of other properties in the area including some with mansard roofs which the appellant considers relevant. However, the circumstances behind each development is likely to be different including that some lie outside of the CA or involve the complete redevelopment of a site. In any event, every appeal must be considered on its own merits, as I have done in this case. The presence of other roof extensions and extended properties in the area is not a reason to allow unacceptable development.
11. I note the comments that the proposal would improve the living arrangements and conditions of the appellant. However, I am mindful of the advice contained in the Planning Practice Guidance that in general, planning is concerned with land use in the public interest. For this reason, I find that this factor is not sufficient to outweigh the harm that I have identified.

Conclusion

12. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR