
Appeal Decision

Site visit made on 14 September 2021

by **Simon Warder MA BSc(Hons) DipUD(Dist) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/C5690/D/20/3264371
15A Tressillian Crescent, London SE4 1QJ

- 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 Carlos Gimeno Lavin against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/115491, dated 27 January 2020, was refused by notice dated 22 October 2020.
 - The development proposed is described as 'Conversion of roofspace into habitable accommodation, re-application for proposal given permission in 2014 where work has not yet started.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development given in the heading above is taken from the application form. However, the development proposed includes rear ground floor and roof extensions as set out in the decision notice which states 'Construction of a single storey rear extension at 15a Tressillian Crescent, SE4, together with the construction of a rear dormer roof extension.' The Council does not object to the proposed ground floor rear extension. I see no reason to disagree and have framed the main issue accordingly.
3. The London Plan 2021 has been published since the decision was issued and now forms part of the development plan. Its policies supersede those of the London Plan 2016 cited in the decision notice. Nevertheless, the broad thrust of the 2021 policies referred to in this decision are consistent with the policies cited in the Council's decision notice, on which the appellant had the opportunity to comment.

Main Issue

4. The main issue is the effect of the proposed roof extension on the character and appearance of the existing building, the terrace in which it sits and whether it would preserve or enhance the character and appearance of the Brockley Conservation Area.

Reasons

5. The appeal property forms part of a terrace. It is a two storey dwelling which sits between pairs of three storey dwellings. This is a repeated and distinctive
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feature which articulates the terrace and gives it a rhythm which reflects, to a degree, that found in the more established short terraces and pairs of buildings which characterise this part of the Conservation Area (CA). It therefore helps the terrace to contribute to the significance of the CA.

6. The front wall of the proposed roof extension would project up on the line of the existing wall below, thereby not creating a set back or allowing space for tiling above the existing eaves level. The near flat roof of the extension would meet the existing roof at ridge level. Although the proposed rear elevation shows the roof extension set in from the sides of the existing property, there is a discrepancy in that the second floor plan shows the rooms at that level extending the full width of the property. In any event, the proposed extension would dominate the rear roof slope, leaving little or, if the second floor plan is correct, none of the existing tiling. As such, it would not comply with the Council's Alterations and Extensions Supplementary Planning Document (SPD) which requires rear extensions to be set a minimum of 0.3m above the eaves line and 0.3m below the ridgeline.
7. Nor would the roof extension accord with the SPD advice on roof extensions in CAs which requires them to be of exceptional design quality, set in significantly from the eaves, ridge and sides and no wider than two thirds of the original, unextended roof.
8. The SPD also favours a contemporary design approach to large roof extensions in CAs. As the appellant notes, the proposed extension would be traditional insofar as it would have timber cladding. However, this material is not typical of buildings in this part of the CA. Moreover, the near flat roof, the scale and bulk of the extension and the large windows are not characteristic of traditional dormers. Therefore, the design cannot be regarded as 'exceptional' since it neither responds positively to its surroundings nor creates a pleasing contrast.
9. The extension would also undermine the step down in the roof level which characterises the existing building and contributes to its significance to the CA. Although the roof extension would not be visible from the street, it would be visible from the rear gardens and windows of nearby properties and such views contribute to the appreciation of the CA.
10. The appellant argues that the volume of the roof extension would be about half that allowed under permitted development rights. However such rights are not available in this case and the application must be determined in accordance with the development plan unless material considerations indicate otherwise.
11. I find that the proposed roof extension would have a harmful effect on the character and appearance of the existing building and the terrace in which it sits and, consequently, would not preserve or enhance the character and appearance of the CA. It would, therefore, conflict with Policies D3 and HC1 of the London Plan 2021. These policies require development to respond to local character by identifying its special and valued features and characteristics, respect and enhance the features that contribute towards that character and to conserve the significance of heritage assets.
12. The roof extension would also conflict with Policies 15 and 16 of the Council's Core Strategy 2011 and Policies 30, 31 and 36 of its Development Management Local Plan 2014. Together, these policies seek high quality design which protects or enhances the historic environment, is compatible with the special

characteristics of the CA, contributes to local distinctiveness such as building features and roofscapes and, in the case of roof extensions, complements the form of the original building.

13. Nor would the proposal accord with paragraph 197 of the National Planning Policy Framework (the Framework) which requires the desirability of sustaining and enhancing the significance of heritage assets to be taken into account. Although the harm to the heritage asset would be less than substantial, I am required to give great weight and importance to any harm to a designated heritage asset. In terms of the test at Framework paragraph 202, there would be no claimed public benefits of the proposal sufficient to outweigh that harm.

Other Matters

14. The appellant notes that the Council has not raised concerns regarding the effect of the proposal on the living conditions of neighbouring occupiers. However, the absence of further harm is not a positive point in favour of the proposal.

Conclusion

15. For the reasons set out above, the appeal should be dismissed.

Simon Warder

INSPECTOR