

Appeal Decision

Site visit made on 31 October 2022 by T Bennett BA(Hons) MSc

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2022

Appeal Ref: APP/C5690/D/22/3303690

46 Stanstead Road, London, SE23 1BW

- 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 Michael Walden against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/22/126001, dated 18 March 2022, was refused by notice dated 12 May 2022.
 - The development proposed is 250mm ridge raise, maintaining existing front roof pitch, to accommodate an L-shape loft conversion with tile clad dormers and installation of two rooflights to front roof slope.
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Decision

1. The appeal is dismissed.

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.

Preliminary Matters

3. There is some variation between the original description of development as shown on the application form and that used by the Council on the decision notice. The application form includes reference to the ridge being raised whilst the decision notice does not refer to this. The above description of development has therefore been taken from the application form, which is also replicated on the appeal form, as I consider this to be a more accurate reflection of the proposed development.
4. The Council has drawn attention to an error on the decision notice, in that plan number P005 was incorrectly listed. The Council has confirmed that this was a typographical error and should be plan P007. I have made my recommendation on this basis.

Main Issues

5. The main issues are the effect of the proposed development on the:
 - Character and appearance of the street scene and host property.
 - Living conditions of the neighbouring occupiers at 48 Stanstead Road (No 48) with particular regard to outlook.

Reasons for the Recommendation

Character and Appearance

6. The appeal property comprises of a two-storey mid-terraced dwelling with a two-storey rear mono pitched outrigger, typical of the properties on this side of the street in this part of Stanstead Road. Due to the gentle gradient of the road, a gradual staggered roof line is a characteristic feature of the long terrace, with the adjacent property at No 44 maintaining the same roofline and No 48 set lower. That staggered roofline, punctuated regularly by the projecting firebreak walls, provides an attractive rhythm which contributes positively to the character of the area.
7. The proposal would see the ridgeline of the roof increase by 0.25 metres, it would therefore be higher than the adjoining property at No 44. Whilst this is only a modest increase, it would nevertheless appear as an anomaly by visually disrupting the staggered roofline causing harm to the appearance of the long terrace in the street scene.
8. I have taken into account that the pitch of the front roof would be maintained and that the parapet walls would assist in partially screening the increased ridge height. However, this part of Stanstead Road is wide and open which makes the consistent staggered roofline more prominent in wider views, even with the varied roofscapes on the opposite side of the road. Furthermore, unlike the appeal examples provided by the appellant on Ivydale Road¹, the appeal property does not have a projecting front gable which further assists in minimising the visual impact. I therefore do not find these examples directly comparable.
9. The rear dormer which would be prominent from public vantage points on Rojack Road, would extend to just below the height of the raised ridgeline and would occupy the full extent of the roof slope on the main house. It would then step down and extend nearly the full length of the rear outrigger creating the visual effect of a three-storey development. As a result of its scale and mass, with minimal set back from the eaves and parapet walls it would appear as an unduly bulky and dominant addition to the host dwelling, heightened by the increase in the roof height.
10. Moreover, the width of the window above the outrigger would be notably wider than the window below, appearing visually discordant. Whilst I recognise that the windows align with those at first floor and that the overall design incorporates tiles that match the existing dwelling, this would not provide sufficient visual mitigation to overcome the harm already identified.
11. The appellant contends that a similar scheme could be constructed by utilising permitted development rights and has referred to other dormers, including those at 50 and 82 Stanstead Road and 6 Rojack Road. No certificate of lawfulness or plans for an alternative proposal has been presented and it is not for me to determine whether an alternative would be lawful. The current proposal is before me and I am required to assess it on its individual merits. The other dormers referred to are not so numerous that they have significantly eroded the original character of the terrace and their presence does not justify the harmful effect of the proposal, as described above.

¹ Appeal Reference: APP/A5840/D/15/3136834, APP/A5840/D/16/3158902, APP/A5840/D/17/3188908

12. For the reasons above, the proposal would have a harmful effect on the character and appearance of the street scene and host property, conflicting with Policy 15 of the Core Strategy (CS) (2011), DM31 of the Development Management Local Plan (LP) (2014) and the Supplementary Planning Document on Alterations and Extensions (SPD). Together these seek to ensure that development responds to local character, maintaining the quality of the street scene and is of a high quality design.

Living Conditions

13. The rear amenity space of No 48 already has an enclosed feel owing to its relatively shallow garden depth, siting of the single storey extension and its close proximity to the rear of the properties on Rojack Road. The principal outlook from the rear window and door at No 48 is down the passageway, between the outrigger and the boundary fence. Consequently, the proposed roof extension would not be perceptible in views from the rear window and door due to the height of the existing roof at the appeal property. Where the outdoor amenity space at No 48 opens out and becomes more useable, this would be a sufficient distance away from the proposal to limit any perceived additional sense of enclosure as a result of the proposal.
14. Taking all the above factors into account, the proposal would not result in an overbearing sense of enclosure or harmfully diminish the outlook for the neighbouring occupiers at No 48 over and above the existing situation. In this regard, it would accord with DM31 of the LP and the SPD which, amongst other matters, seeks to ensure residential amenity is protected.

Other matter

15. The appellant has highlighted how the proposals would improve their standard of living. However, there is nothing to suggest that the existing level of accommodation is inherently unsuitable for occupation and any private benefit to the occupants would not outweigh the harm to the character and appearance of the street scene and host property identified above.

Conclusion and Recommendation

16. I have concluded that the proposed development would not result in harm to the living conditions of the neighbouring occupiers at No 48. However, the proposed development would harm the character and appearance of the host dwelling and street scene. The development therefore conflicts with the development plan taken as a whole and there are no other considerations, including the Framework, that outweigh this conflict. Accordingly, I recommend that the appeal should be dismissed.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR