



Appeal Decision

Site visit made on 24 January 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th February 2023

Appeal Ref: APP/C5690/W/22/3306535

72 Sydenham Road, Lewisham, London, SE26 5QE

- 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 Graham Lawrence against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/22/127119, dated 9 June 2022, was refused by notice dated 4 August 2022.
 - The development proposed is described as the construction of roof extensions to the side and rear roof slopes at 72 Sydenham Road SE26 in connection with the alteration and conversion of the roof slope to provide a two bedroom self-contained flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the existing building and the surrounding area, including on the Sydenham Thorpes Conservation Area;
 - The effect of the proposal on the living conditions of future residents; and
 - Whether the proposal makes adequate provision for cycle and bin storage.

Reasons

3. The appeal property is a three storey end of terrace with attic above. The ground floor of the property is in a commercial use, whilst the upper floors comprise of two, two-bedroom flats.
4. The appeal site is located within Sydenham Thorpes Conservation Area (STCA). The STCA was designated in June 2001 and comprised the Edwardian Thorpes Estate consisting of six roads laid out between 1901 and 1914 by Edmonson and Sons. The STCA was extended in 2007 to include the parade of shops along Sydenham Road. These terraces are three storeys plus attics and are mainly constructed in red brick with stone dressing with some having decorative curved Dutch gables. The special character of the STCA is derived from the compact, strong cohesiveness and uniformity of the buildings.

5. The appeal proposal is for roof extensions to the side and rear roof slopes to facilitate the alteration and conversion of the roof space to provide a two bedroom flat.
6. The Council's Alterations and Extensions Supplementary Planning Document (2019)(SPD) whilst non-statutory, provides useful guidance on roof additions. It states (among other things) at paragraph 5.11 that L-shaped roof extensions are generally considered too harmful to the existing roof structure as they do not respect the original roof form and are therefore not subservient. The SPD states that in the exceptional circumstances where they are accepted, they should be no higher than the existing ridge line, should be set up from the eaves by 30cm and should be significantly set back from the rear elevation. It also states that in most cases L-shaped extensions within Conservation Areas will be resisted.
7. The roof space of the appeal property already benefits from an attractive window on its front elevation and no other changes are proposed to the front of the building. Rear and side roof extensions with a 'L' shaped configuration are proposed which would incorporate three windows on the side elevation and one window on each of the rear elevations. The roof extensions would represent large additions to the existing roof, being set down only marginally from the main ridge of the property and from the eaves of both the main and secondary roof. The side roof extension would be set in around 0.5m from the end of the existing rear projection.
8. The proposed rear roof extension would be screened from Sydenham Road by the existing flank parapet wall of the building. The appeal property is also adjacent to a large, flat roof building in use as a gym which whilst lower than the proposed roof alterations, would nonetheless also screen potential longer distance views of the rear and side roof extensions from both Sydenham Road and Girton Road.
9. Views of the rear elevation of the appeal property are however obtainable from the access road immediately to the rear and obliquely from Tannsfeld Road and neighbouring gardens. The simple roof form of the rear of the host terrace appears mostly unaltered, resulting in the terrace having a strong cohesiveness and uniformity that is characteristic of the STCA. An exception to this is at No 58 which is the end of the terrace adjacent to Tannsfeld Road. This property has been significantly altered and has a prominent mansard roof form which the Council explain was allowed following significant damage to the property in an attempt to replicate a similar detail on the end of the adjacent terrace. However, I do not consider that the alterations and extensions to No 58 justify further extensions which would be harmful to the cohesiveness and uniformity of the remainder of the terrace.
10. The rear elevation of the building would be significantly altered, resulting in a gable end which would be at odds with the distinctive hipped roof form of the rear projection of the adjoining property and as also displayed along the wider terrace (other than at No 58). Furthermore, the proposed side roof extension would be set in only 0.5m from the rear wall of the host building. Due to overall scale of the proposed roof extension and in particular, the lack of a significant set back, the side roof extension would appear as a bulky and dominant addition. The hip to gable alteration, together with the side roof extension would have an adverse effect on the character and appearance of the

host building and the wider STCA where its cohesiveness and uniformity is a significant characteristic.

11. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. For the reasons given above, the proposal would have a negative effect on the significance of a designated heritage asset and would result in "less than substantial" harm in the words of the National Planning Policy Framework (2021) (the Framework). The proposal is in a sustainable location and would contribute to the Council's housing stock as well as resulting in some limited economic and social benefits. However, as public benefits, these would not outweigh the less than substantial harm caused to the STCA.
12. In conclusion, the proposal would harm the character of the existing building and would fail to preserve the character and appearance of the STCA. Consequently, it would fail to accord with the heritage, design, character and appearance objectives of the Framework, Policies HC1, D1 and D3 of the London Plan (2021) (LP), Policies 15 and 16 of the adopted Core Strategy (2011) (CS), Policies 31 and 36 of the Development Management Local Plan (2014) (DM) and the SPD.

Living conditions

13. Amongst other matters, DM Policy 32 confirms that the standards in the London Plan will be used to assess whether new housing development provides an appropriate level of residential quality and amenity. Policy D6 of the LP states that housing development should be of a high quality design and provide adequately-sized rooms. In this regard, a one bedspace single bedroom must have a floor area of at least 7.5sq.m whilst that of a two bedspace double bedroom must of a floor area of at least 11.5sq.m.
14. Both proposed bedrooms fall slightly below the minimum floor area set out above. In addition, the proposal fails to make provision for built-in storage where Table 3.1 of the LP sets a standard of 2 sq.m for a two bed unit. Whilst the floor area of the proposed two bedroom flat would exceed the 61sq.m required under Policy D6, the policy states that any area with a headroom of less than 1.5m is not counted within the Gross internal Area unless used solely for storage. DM Policy 32 similarly states that habitable rooms and kitchens and bathrooms are required to have a minimum floor height of 2.5 metres between finished floor level and finished ceiling height. Space that does not meet this standard will not count towards meeting the internal floor area standards. Furthermore Policy D6 states that the minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.
15. The floor to ceiling height in the extension on the secondary roof (i.e. bedrooms and bathroom) would have a floor to ceiling height of 2.3m which falls short of the 2.5m required under DM Policy 32 and LP Policy D6. In my view, the shortfall in floor area of the bedrooms together with the low ceiling height would fail to meet the high quality of design required by the above policies.
16. The Council state that the proposed roof extension would also be close to air conditioning units on the adjacent commercial premises which currently operates as a gym. The air conditioning units are not visible from the appeal

site. However, I note from the aerial view in the appellant's Design and Access and Heritage Statement, the air conditioning units would also appear to be close to windows serving the existing second floor flat. In the absence of any substantive evidence to suggest that noise from the units is problematic, I am not persuaded that any future residents of the proposed flat would be subject to noise disturbance.

17. Policy D6 of the LP requires a minimum of 5 sq.m of private outdoor space for 1-2 person dwellings and an extra 1 sq.m for each additional occupant where there are no higher local standards in the borough Development Plan Documents. Whilst no additional outdoor amenity space is proposed, the appellant's Planning and Heritage Statement confirms that future residents would have use of the existing amenity area at ground floor level. I am satisfied that area to the rear would provide a sufficient amount of outdoor space for the occupiers of both the existing and proposed flats.
18. However, my overall conclusion on this issue is that the proposal would have a harmful effect on the living conditions of future occupiers with reference to internal space. Thus, the proposal is contrary to paragraph 130(f) of the Framework, Policy D6 of the LP, Policy 15 of the CS and Policy 32 of the DM. Collectively these policies require development to be sensitive to local context and to provide an appropriate level of residential amenity for future occupiers.

Bin and Cycle storage

19. The appellants Planning and Heritage statement confirms that bin and cycle storage would be provided to the rear of the building. Whilst I am satisfied that sufficient space exists to the rear, I do not have any specific details before me. Therefore, in the absence of such information it has not been demonstrated that the proposal meets Policy T5 of the LP or Policy 14 of the CS in respect of bin and cycle storage provision.

Conclusion

20. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR