



Appeal Decision

Site visit made on 22 May 2023

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 June 2023

Appeal Ref: APP/C5690/D/23/3319673

41 Drakefell Road, London SE14 5SL

- 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 Inglis against the decision of the London Borough of Lewisham Council.
 - The application Ref DC/22/127799, dated 28 July 2022, was refused by notice dated 9 January 2023.
 - The development proposed is the construction of a single storey rear and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a single storey rear and side extension at 41 Drakefell Road, London SE14 5SL in accordance with the terms of the application DC/22/127799, dated 28 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2065-P-02 Revision B.
 - 3) No development above ground floor slab level of any part of the development hereby permitted shall take place until details of brickwork and bond have been submitted and approved by the Local Planning Authority and physical samples of the bricks, mortar and roofing window materials to be used on the development hereby permitted have been viewed on site and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the agreed details.

Preliminary Matters

2. As the description of development varies between the documents submitted for the purposes of this appeal, I have used the description from the Council's decision notice as this is an accurate description and has also been used by the appellant for their statement.

Main Issues

3. The main issues are the effect on the character and appearance of the appeal dwelling and that of the local area with reference to the Telegraph Hill Conservation Area (the CA).

Reasons

4. The appeal dwelling is a late Victorian palisaded two storey semi-detached house. It is on a street of similar properties and is located adjacent to the entrance to Telegraph Hill Park. The street in which the appeal dwelling sits forms part of a coherent high quality streetscape, which, along with the presence of the park results in a varied but harmonious streetscene that contributes to the significance of the CA.
5. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
6. I agree with the council that the significance of the appeal dwelling, given its mainly unaltered appearance and prominence in relation to the entrance to the park, which forms a key feature in the context of the CA, results in it being a Non-Designated Heritage Asset (NDHA), as defined by the provision of the PPG¹. I have considered the effect of the proposal in line with paragraph 203 of the National Planning Policy Framework (2021) (the Framework) accordingly.
7. The proposed single storey extension would wrap around the rear and part of the side of the existing two storey rear outrigger. This would replace a smaller existing single storey lean to extension that sits to the rear of the outrigger. The proposed extension would have a crown roof form, with rooflights to the crown and the side roof-slope that would face towards the park entrance walkway. It would be constructed in two brick tones in a diaper pattern with a slate roof. It is indicated that the main tone of brick would match the London stock brick used for the appeal dwelling and outrigger.
8. The limited 'L' shaped floor plan of the proposal and its crown roof form would result in it appearing to be relatively modest in scale. This modest scale, combined with the proposed use of complimentary materials to the appeal dwelling, used in a simple and understated design idiom, would result in the proposal appearing as an unassertive and subordinate addition to the appeal property. The proposal would, therefore, accord with design guidance set out in the Lewisham Alterations and Extensions Supplementary Planning Document (2019). Consequently, the proposed extension would not result in any significant harm to the appeal dwellings significance as an NDHA.
9. As the proposal is at the rear of the property, views of the proposal are substantially limited to those from the walkway access to the park. Due to the topography of the local area, the garden of the appeal dwelling is set below that of the entrance walkway to the park. As such the proposal would be set behind the brick retaining wall that forms the boundary between the park and the appeal site and would be substantially screened in view by this change in level.
10. There is also currently a timber fence on top of the retaining wall and mature shrubbery sitting between the proposed location of the proposal and

¹ Planning Practice Guidance: Historic Environment (2014) (as amended)

the walkway to the park. The shrubbery appears to be planted on the park side of the boundary. Whilst these would result in a substantial degree of screening of the proposal, I am mindful that these are not necessarily permanent and have considered the effect of the proposal accordingly.

11. It is noted that there is a recent single storey extension to the rear and side of the house on the opposite side of the access walkway to the park from the appeal dwelling. This nearby extension is in a contemporary style but in traditional materials. The proposal would be similar in scale to this existing nearby extension. Given the local topography, this nearby extension is at the same level as the walkway to the park. However, due to the garden level of the appeal dwelling being below that of the walkway, the proposed extension would not appear so prominently in views from the walkway and park as this nearby extension. The difference in levels and prominence between the proposal and this nearby extension would result in a weak visual relationship between the two and they would not present as symmetrical structures.
12. I am satisfied that the subservient scale and appearance of the proposal in relation to the appeal dwelling, the drop in levels between the walkway, and the concomitant limited views of the proposal, would result in the preservation of the character of the CA.
13. For these reasons I find that the proposal would not result in any significant harm to the character and appearance of the appeal dwelling, or that of the local area and would not result in harm to the significance of the NDHA or that of the CA.

Conditions

14. I have had regard to the Council's suggested condition relating to the restriction of the potential use of the roof of the extension as a balcony or roof garden. However, I find this would not be directly related to the proposal and/or would potentially limit permitted development rights, for which there are no exceptional reasons.
15. Along with the standard conditions relating to timing of implementation, I have had regard to the Council's suggested conditions and have attached conditions to ensure design quality. These require compliance with approved drawing and the submission and approval of details of materials to be used in the construction and finishes of the extension.

Conclusion

16. The appeal is allowed.

Victor Callister

INSPECTOR