



Appeal Decision

Site visit made on 11 September 2023

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

an Inspector appointed by the Secretary of State

Decision date: 28TH September 2023

Appeal Ref: APP/C5690/D/23/3324642

53 Leyland Road, Lewisham, London SE12 8DW

- 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 B Bahra against the decision of the London Borough of Lewisham Council.
 - The application Ref DC/23/131049, dated 4 April 2023, was refused by notice dated 26 May 2023.
 - The development proposed is a first floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the appeal dwelling.

Reasons

3. The appeal dwelling is a two storey detached house located in a street predominantly made up of semi-detached houses and mid-20th century three storey town houses. It has been the subject of previous extension and alteration, including a two storey side extension, ground floor rear extension and box dormer roof extension that is almost the full width of the original house.
4. The proposal is for a first floor rear extension that would sit above the existing ground floor rear extension and would sit centrally on the rear elevation being set in substantially from the flank elevations. From my site visit, it would appear that construction of the proposal is substantially completed.
5. The roof of the proposal would be in two parts. Approximately 2 thirds of the rearmost part of the proposed roof would be mono-pitch in form, the angle of the slope of which would reflect that of the existing roof of the appeal dwelling. The remaining 1 third of the roof of the proposed extension would be flat.

It is proposed that the flanks of the mono-pitched element would be continued in obscured glazed panels for the full depth of the flat area. This would result in the proposed flat roof element being fully enclosed. Whilst the proposal does not include the use of the proposed flat roofed area as a balcony or terrace, the proposal would appear to create such an enclosed outside amenity space,

- which would and would be accessible from the windows in the existing dormer extension.
6. The vertical rear of the mono-pitched roof element would sit in front of approximately 2 thirds of the rear facing windows of the existing dormer extension. The ridge of the proposed mono-pitched roof element the proposal would sit approximately halfway up the windows to the existing dormer extension.
 7. By sitting directly in front of the windows of the existing dormer extension, the roof of the proposed extension would not reflect the appeal dwelling's existing roof composition and would appear as an unduly prominent and dominating. Given the bulk of the proposal, in combination with the proposed side glazed panels, this would result in the proposal appearing as disruptive and discordant to the appearance of the appeal dwelling.
 8. The proposal, therefore, fails to accord with design guidance set out in the Lewisham Alterations and Extensions Supplementary Planning Document (2019). This sets out that such proposal should demonstrate exceptional design quality due to their visual prominence.

Other matters

9. There has been a question about the exact date of the construction of the appeal dwelling and the need for a planning application for the proposal, however, it is refusal for such an application that is the subject of the appeal before me. From the material submitted for the purposes of this appeal, there appears to remain an open question about the date of original construction of the appeal dwelling. As such, I do not find that the appellant has established that there is a legitimate permitted development¹ fall-back position with regard to the proposal.
10. For the reasons given above, I find that the proposal would appear as a dominating and incongruous addition to the appeal dwelling that would result in substantial harm to its character and appearance. This would be in conflict with policy 15 of the Lewisham Core Strategy (2021) policies DM30 and DM31 of the Lewisham Development Management Local Plan (2014), policy D3 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2023). These collectively seek to ensure that development is of a high standard of design and that extensions respect and/or complement the original building.

Conclusion

11. The appeal is dismissed.

Victor Callister

INSPECTOR

¹ The Town and Country Planning (General Permitted Development etc.) (England) Order 2015 (as amended)