



Appeal Decision

Site visit made on 24 January 2024

by David Smith BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2024

Appeal Ref: APP/C5690/W/23/3322046

58 Sydenham Road, 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 Ms W Pan against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/23/130248, dated 6 February 2023, was refused by notice dated 4 May 2023.
 - The development proposed is described as "retention of slates to façade, GRP roofing and elimination of front gable wall to kitchen window".
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Decision

1. The appeal is allowed and planning permission is granted for construction of a mansard roof extension to provide a one bedroom self-contained flat at 58 Sydenham Road, London, SE26 5QE in accordance with the terms of the application, Ref DC/23/130248, dated 6 February 2023, and the accompanying drawing nos 58SR/P4/01, 02 and 05, subject to the following condition:
 - 1) Within two months of the date of this decision, details of the roof covering (which shall be natural slates), the finish of the dormer cheeks and of the lead roof ridge, shall be submitted to the local planning authority for its approval. The approved materials shall be used to replace the existing roof covering and dormer cheek finishes and shall be undertaken in accordance with a timescale previously agreed in writing by the local planning authority.

Background and Preliminary Matters

2. Planning permission was given in 2017 for the construction of a mansard roof extension to provide a one bedroom self-contained flat. However, the development was not constructed in accordance with the approved plans in a number of respects. The application is essentially to keep the works undertaken but the proposal should encompass the entire development and be described in the same way as the original permission. This is because "retention" is not an act of development.
3. There is no objection to the replacement of the small front gable with a flat roof dormer or to one of the side dormers being a single casement. In response to the Council's concerns the appellant now proposes to alter the 'as built' scheme by using natural rather than artificial slate for the roof and by changing the dormer cheeks to a continuous flat black finish with no joints. It is also proposed to add lead capping to the roof ridge instead of the existing detail. These adjustments are not significant and considering them as part of the appeal would cause no procedural unfairness.

4. The Council considers that a slate finish and an upgrade to the quality of the dormer cheek materials is acceptable subject to a condition requiring further details and subsequent implementation. Nevertheless, objections remain to a projecting party wall between the appeal property and its neighbour and to the proposed lead capping.

Main Issue

5. As explained above, the majority of the development has been accepted by virtue of the 2017 permission. Furthermore, most of the works carried out or now proposed are unobjectionable. In the light of this, the main issue is therefore whether the projecting party wall and the proposed lead capping would preserve or enhance the character or appearance of the Sydenham Thorpes Conservation Area.

Reasons

6. The Thorpes is a planned development of terraced and semi-detached houses along a grid-like road network. It is a well-preserved Edwardian suburb. The parades along Sydenham Road were added to the conservation area in 2007. Whilst the ground floors are commercial in appearance the upper floors exhibit similar qualities of architecture and detailing as the estate to the north. The three-storey buildings generally have a strong cohesiveness and uniformity which contributes to the significance of this heritage asset.
7. Party walls between buildings are an established element of the local townscape. Others within the conservation area, including those in the line of properties to the east, are visible from street level. However, the one built at No 58 is of a different design and has a steeper alignment. Nevertheless, it is finished in red brick to match the main elevations and reflects the projection below. Furthermore, this small section of party wall is seen from Sydenham Road against the backdrop of the gable at No 60. Overall, it is a minor and insignificant feature within the street scene and does not mar the terrace or have an adverse effect on the conservation area.
8. The Council's original objection to the prominence of the existing roof ridge commented that historically it would have been covered by lead or terracotta ridge tiles. Indeed, lead is a commonly used finish on slate roofs. It has a dull appearance that would complement the proposed natural slates and would provide a softer profile than the existing detail. Whilst not typical of a flat-topped roof it would be a traditional and unobtrusive finish to the roof that would terminate it in a satisfactorily fashion.
9. Both parties refer to works undertaken at 80 Sydenham Road some years ago without planning permission. These are outside the conservation area and have had little bearing on the assessment undertaken.
10. The materials and form of the roof extension are and would be acceptable. The development would therefore preserve the character and appearance of the Sydenham Thorpes Conservation Area. As a result, there would be no conflict with relevant policies in The London Plan, the Core Strategy and the Development Management Plan. These are concerned with heritage, high quality and urban design, local character and alterations to existing buildings. Neither would it be at odds with the Alterations and Extensions Supplementary Planning Document.

Condition

11. A condition is required to obtain approval of the exact materials to be used. As part of that process, it will be for the Council to confirm when the works should be completed by, rather than a date six months from this decision. The revised plans are specified in the decision itself.

Conclusion

12. The roof extension as built and the changes proposed to it accord with the development plan. There are no material considerations that outweigh this finding. Therefore, for the reasons given, the appeal should succeed.

David Smith

INSPECTOR