



Appeal Decision

Site visit made on 5 March 2024

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 March 2024

Appeal Ref: APP/C5690/W/23/3325715

20-22 Eden House, Deptford High Street, Lewisham, London SE8 4AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Lakh Kallar of Kallar Investments Limited against the decision of London Borough of Lewisham.
 - The application Ref is DC/23/130926.
 - The development proposed is construction of an additional storey at part third floor level to provide 1 additional self contained dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) has been published since the appeal was lodged. Both main parties have had the opportunity to comment on any relevant implications for the appeal. I have had regard to the Framework in reaching my decision.
3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the Deptford High Street Conservation Area (CA); and
 - Whether the form of dwelling proposed is appropriate with regards to development plan policy.

Reasons

Conservation Area

5. The CA has a mixed character containing properties which vary in terms of age, style and quality. However, the character of the CA as a district centre for Deptford remains, with the scale and design of buildings as well as dense

- pattern of development contributing to that character and the importance of the CA as a designated heritage asset.
6. The appeal site relates to 2 properties which date from the mid-1800s. The evidence suggests that the date of construction of the 2 properties was different, but despite some differences in detailing they are part of a terrace of properties which are of a relatively consistent and cohesive character. An important feature is a parapet roof which runs along the front of the terrace and which is a strong and unifying feature in this group of buildings.
 7. To the south of the site is the higher building of 18 Deptford High Street which includes a double pitched hipped mansard roof adjacent to No 20. The building and roofscape of No 18 is of a different character to the appeal site and associated terrace, and the mansard is a jarring and incongruous feature in views along the streetscape.
 8. Flats have been provided in a building to the rear of the appeal property, part of which extends above the appeal site. It is proposed to provide the new self-contained dwelling in an extension to the front of this projecting towards the High Street, although the extension and the enclosed terrace would be set back from the frontage so that it would not be visible from the streetscape directly in front of the site. The proposed extension is of a relatively understated design, although the angled side elevations would be of an unorthodox appearance.
 9. The appellant has prepared computer generated images which show the potential impact of the proposal. Due to the design and set back of the proposal it is apparent that the extension would not be visible in near distance views from the street.
 10. However, based on the images supplied by the appellant and my observations on site, the proposed extension would be visible in longer distance views from the north along Deptford High Street. Even when viewed within the context of existing extensions on the site and the double pitched mansard on No 18, in these longer distance views the extension would be apparent as an awkward and obtrusive addition to the host building. Indeed, the proposal would have an awkward relationship with the roof of No 18 which would exacerbate the harm arising from that unorthodox mansard roof.
 11. The proposal would appear as a flat roofed extension projecting further to the front of this terrace. Even allowing for the set-back from the parapet and the oblique and distant nature of views, the extension would detract from the appreciation of the consistent roofscape to the front of the terrace of buildings, with subsequent harm to the contribution it makes to the character and appearance of the CA. Given the relatively consistent roofline of the terrace, this harm would arise even allowing for the variety of building heights and the juxtapositions that this creates as referred to in the CA Appraisal.
 12. Residential activity and associated paraphernalia on the terrace to the front of the extension would also be apparent. Although this would be transient and of a limited scale, this would exacerbate the harm arising from the introduction of this obtrusive form of development projecting towards the front of the roofscape of this terrace.
 13. I have had regard to the evidence provided by the appellant, including the Heritage Impact Assessment which concludes that the proposal would not

erode the character of the CA. However, this does not lead me to a different conclusion on the effect on the CA based on my own observations. Although the harm to the significance of the CA would be less than substantial, and would be at the lower end of the less than substantial scale, great weight should still be given to the CA's conservation in accordance with paragraph 205 of the Framework.

14. I am mindful of the public benefits of the proposal. It would bring investment to the area and would add to the supply and mix of housing in a location with very good access to services and facilities on a previously developed site. However, the benefits arising from a single dwelling would be limited, and mindful of the lack of an identified need for single person dwellings as referred to by the Council, the public benefits arising from the proposal would be very limited and would not outweigh the harm I have identified to the CA.
15. The proposed development would therefore not preserve or enhance the character and appearance of the CA, and there are no public benefits that would outweigh that harm. The proposal would therefore be contrary to the design and heritage considerations of policy HC1 of the London Plan 2021; Core Strategy Policies 15 and 16 of the Core Strategy 2011; and DM Policies 30, 31, 33 and 36 of the Development Management Local Plan 2014 (DMLP). The proposal would also conflict with the Framework in respect of conserving and enhancing the historic environment.
16. The proposal would also be contrary to the advice of the Small Site Supplementary Planning Document 2021 with regard to vertical intensification within Conservation Areas.

Form of Dwelling

17. The proposed dwelling would have a single aspect, with all windows providing an elevated view onto Deptford High Street across a roof terrace and a green roof. DM Policy 32(4c) of the DMLP sets out that there is a presumption that residential units should be dual aspect. Any single aspect dwellings provided will require a detailed justification as to why a dual aspect dwelling is not possible and a detailed demonstration that adequate lighting and ventilation can be achieved.
18. Given the constraints of the site, including the relationship with adjacent properties, it is clear that a dual aspect dwelling cannot be provided. The Council also accepts that adequate levels of light and ventilation would be provided. The proposal would therefore comply with DM Policy 32(4c).
19. The proposed flat would provide accommodation for a single person. DM Policy 32(4e) states that single person dwellings will not be supported other than in exceptional circumstances. Developments of this form will be required to have an '*exceptional design quality*' and be in highly accessible locations. The Council also refers to a lack of need for single person dwellings.
20. The Council's reason for refusal on this issue refers to the single aspect of the proposed dwelling and the effect on outlook and ventilation. However, the proposal would provide suitable access to light and ventilation, and the Council has not set out why this could not be considered to be '*exceptional*' given the outlook onto a roof terrace and the provision of a rooflight.

21. However, despite the Council's reference to outlook and ventilation, I consider the reference to exceptional design in DM Policy 32(4e) should also encompass the visual impact of the proposal. Although of an understated appearance, the proposal would not be of an exceptional design and indeed I have concluded that it would be harmful to the character and appearance of the CA. The proposal would therefore conflict with this element of DM Policy 32(4e).
22. The proposal would be in a location with very good access to public transport and other services. However, my assessment of this criteria does not negate my conclusion that the proposal would not be of an exceptional design with regards to character and appearance.
23. Given that the proposal is a single person dwelling and would not be of an exceptional design, the proposal would conflict with the relevant criteria of DM Policy 32 of the DMLP. It would therefore not be an appropriate form of dwelling with regards to development plan policy. The proposal would also be contrary to Policy 1 of the Core Strategy with regards to achieving an appropriate mix of dwellings having regard to the character of the building and its setting.
24. I find no conflict with Policy D6 of the London Plan as the proposal would provide suitable living conditions for residents. But this does not negate my conclusions on this main issue and the conflict with other development plan policies.

Conclusion

25. For the reasons given I conclude that the appeal proposal is contrary to the policies of the development plan and the Framework. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR