



Appeal Decision

Site visit made on 22 March 2024

by N Perrins BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22.04.2024

Appeal Ref: APP/C5690/D/23/3332862

209 Baring Road, Lewisham, London SE12 0PX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with a condition subject to which a previous planning permission was granted.
 - The appeal is made by Mrs Eunice Oladapo against the decision of the London Borough of Lewisham.
The application Ref is: DC/23/132345.
 - The application sought planning permission for the construction of a loft extension comprising dormer window extensions to each flank roofslope and one dormer window to the rear roofslope, at 209 Baring Road, SE12, together with installation of two rooflights to the front roofslope and two to the rear roofslope without complying with condition 2 attached to planning permission Ref DC/21/123860, dated 21 October 2021.
 - The condition in dispute is No 2, which states: The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below: AD/21/BAR 209/PL01 (page 1 of 4); AD/21/BAR 209/PL00 (page 2 of 4); AD/21/BAR 209/PL00 (Page 3 of 4); AD/21/BAR 209/PL00 (page 4 of 4); Photo1; Photo2 (received 23 Dec 2021).
 - The reason given for the condition is to ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application was submitted seeking to vary condition 2 of decision Ref: DC/21/123860 to substitute amended plans to change the approved roof design from a pitched roof with dormers and rooflights to a crown roof with dormers and an additional rooflight.
3. The development has been carried out and, therefore, this appeal is being considered for retrospective development under S.73A of the Town and Country Planning Act 1990 (amended).

Main Issue

4. The main issue is the effect of the development on the character and appearance of the dwelling and surrounding area.

Reasons

5. The appeal property is a two storey detached house on the north side of Baring Road. The character of the area is mainly residential comprising a mix of terraced, detached and semi-detached dwellings. The properties immediately adjacent to the appeal site are detached dwellings with hipped roofs.
6. The development has been constructed at the site and comprises a crown roof with side dormer windows. I have had regard to the planning history including planning permission Ref DC/21/123860 that approved a pitched roof extension at the property.
7. Whilst the crown roof has been constructed to the same height as the previously approved pitched roof, the structure is highly prominent in the street scene due to its scale, width, bulk and mass. This visual dominance is exacerbated with the dormers on each side of the crown roof, which have been constructed to the same height as the main roof structure; cumulatively the crown roof and side dormers create a discordant and top heavy appearance to the dwelling.
8. Moreover, the dormers are not subservient to the roof as they are not sited clear of the roof edge, setback from eaves and set down from the ridge line. This creates an uncharacteristically elongated roof form that is out of keeping with the host dwelling. This approach is not consistent with the guidance contained in the Council's Alterations and Extensions Supplementary Planning Document (SPD) (2019), which requires side roof extensions to not compromise the character of the house or street. The crown roof design is also in direct contrast to the roof form of the nearby detached dwellings that are characterised by hipped roofs that assimilate proportionately with their host dwellings. The development, therefore, appears as incongruous and out of context with both the host dwelling and the street scene.
9. Whilst I acknowledge the appellant's points that the development uses matching materials and cannot be seen from longer distance views along Baring Road, it is highly prominent due to its design and size and out of keeping within its particular section of the street scene. The development is, therefore, a change to the approved plans that has a consequential and harmful impact on the character and appearance of the area.
10. Whilst I have found the crown roof design including dormers to harm the character and appearance of the area, the addition of an extra rooflight does not given it is small and has a subservient relationship with the host building.
11. In summary and for the reasons set out, the development creates a bulky and top heavy addition to the dwelling that harms the character and appearance of the dwelling and surrounding area. I conclude, therefore, that the appeal scheme does not comply with Policy 15 (*High quality design for Lewisham*) of the Core Strategy Development Plan Document (2011), Policies 30 (*Urban design and local character*) and 31 (*Alterations and extensions to existing buildings including residential extensions*) of the Development Management Local Plan (2014), which require development to be sensitive to the local context and respond to local character, attain a high standard of design, contribute to local distinctiveness such as roofscape and respect and / or complement the form and architectural detailing of original buildings.

12. Furthermore, the development is contrary to the guidance contained in the Alterations and Extensions SPD. The development is also not be consistent with paragraph 135 of the National Planning Policy Framework, which seeks to ensure that developments are sympathetic to local character.

Conclusion

13. For the reasons given above, the development is not consistent with the policies of the development plan as a whole, due to its impact on the appearance of the appeal property and the character of the area, and there are no material considerations that would lead me to a different conclusion. I conclude that the appeal should be dismissed.

N Perrins

INSPECTOR