

Appeal Decision

Site visit made on 20 August 2024

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2024

Appeal Ref: APP/A5840/W/24/3341822

20 - 22 Lordship Lane, London SE22 8HN

- 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 Paul Nelmes on behalf of Our Space Ltd against the decision of the Council of the London Borough of Southwark.
 - The application Ref is 23/AP/2295.
 - The development proposed is described as a single storey upward extension to an existing three storey building to the rear of 20-22 Lordship Lane, which fronts towards East Dulwich Grove. The extension would allow for new office/co-working space. The proposal would also extend the existing roof terrace.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site, 20-22 Lordship Lane, comprises a three-storey building, with a secondary frontage onto East Dulwich Grove. The existing building is in use as a mixed-use commercial building providing a café, space for community events, public meeting rooms and office/studio spaces. The main part of the building has a wide frontage onto Lordship Lane.
4. Lordship Lane is a busy high-street, containing a mix of commercial and residential uses, with predominantly three storey buildings where the appeal site is located. I observed that there is some variety in the style and scale of these buildings, along Lordship Lane including some variety in roof design and overall heights.
5. East Dulwich Grove is predominantly residential in character with mostly two-storey terraced dwellings. There is a clear building hierarchy, with taller three storey buildings located on Lordship Lane, with more modest two storey building located on East Dulwich Grove and the streets which run off the busy high street.

6. The appeal building which is a three-storey, flat roofed building, by virtue of its height and appearance is at odds with the character and appearance of Dulwich Grove. Although appearing visually separate, the part of the building which fronts onto East Dulwich Grove is connected internally to the main part of the building on Lordship Lane.
7. The appeal property is also attached to 4 East Dulwich Grove (No.4), a modest, two-storey residential property, which is significantly lower in height than the appeal property.
8. The proposed development would involve the upwards extension of the part of the appeal building which fronts onto East Dulwich Grove. The proposed extension would be set back from the front of the building by approximately 0.5m and would extend the height of the building upwards by approximately 2.8 metres. It would provide additional office accommodation, and outdoor roof terrace for the existing commercial premises.
9. Whilst the extension would be set back from the front of the building, this would do little to mitigate the scale and prominence of the proposed addition, particularly when viewed from East Dulwich Grove. I also acknowledge that the building would not be significantly taller than existing buildings on Lordship Lane. However, its siting and surrounding context means that the proposed increase in height would appear at odds with the surrounding character and scale of buildings on East Dulwich Grove.
10. I acknowledge that the height of buildings typically rise as you approach Lordship Lane from the side streets such as East Dulwich Grove and that these transitions form part of the established building pattern. However, the location of the appeal property, which is away from Lordship Lane and attached to a two-storey residential property is not a location where an increase in height of the scale proposed would be typical of the surrounding area. As such, the addition of an upwards extension to this part of the building would further disrupt the traditional urban hierarchy where the buildings on the high street are taller than those on the surrounding residential streets. This would result in a harmful addition to the character and appearance of this part of East Dulwich Grove.
11. The appellant states the use of Pink Zinc Cladding for the proposed extension would be in keeping with the painted brick façade along Lordship Lane and would complement the tonal qualities of the existing brickwork. However, whilst I accept that the colour of the main building is similar to the material proposed, the proposed development is not located on Lordship Lane and as a result it would introduce an incongruous material to this part of the street scene, which is predominantly residential in character. Furthermore, the use of the cladding proposed would further emphasise the scale and prominence and discordant appearance of the proposed extension.
12. I accept that there are no listed buildings or conservation areas close to the appeal site. However, the proposed extension, by virtue of its excessive height, scale, and massing, would nevertheless form a visually dominant and discordant feature within the area, and would fail to relate appropriately to the host building.

13. For these reasons, I conclude that the proposed development would cause unacceptable harm to the character and appearance of the area. It would therefore be contrary to Policy D4 of the London Plan 2021, and Policies P13 and P14 of The Southwark Plan 2019-2036, adopted February 2022. These require, amongst other things, high standard of design that ensures the height, scale, massing, and arrangement of development responds positively to the existing townscape, character, and context.

Other Matters

14. I have had regard to the benefits of the proposed development which have been put to me including the provision of additional workspaces that will promote local businesses and provide space for the growth of smaller enterprises. Also, the additional health and well-being spaces which would be provided, together with the strong community focus and creating alternative ways of living and working. However, these are largely private benefits and in respect of potential community benefits is little substantive evidence to demonstrate how these benefits would be realised. Therefore, I can only attribute them very limited weight. Accordingly, they do not outweigh the harm which I have identified to the character and appearance of the area.

15. The Council found that the proposed development would not pose a risk to the privacy of neighbouring properties. Based on the evidence before me and my own observations, I see no reason to disagree with this conclusion. However, this is a neutral matter which neither weighs for or against the proposal. As such, it does not alter my above findings.

Conclusion

16. For the reasons given, the development does not accord with the development plan when taken as a whole. There are no material considerations of sufficient weight that indicate the appeal should be determined other than in accordance with the development plan. The appeal is therefore dismissed.

K Lancaster

INSPECTOR