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# Appeal Decision

Site visit made on 20 January 2017

**by F Rafiq BSc (Hons), MCD, MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 8 February 2017**

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**Appeal Ref: APP/C5690/D/16/3162228**

**26 Manor Lane, London, SE13 5QP**

- 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 & Mrs Gayle against the decision of the Council of the London Borough of Lewisham.
  - The application Ref DC/16/097610 dated 14 July 2016 was refused by notice dated 13 September 2016
  - The development proposed is a roof extension to include rear dormer and front rooflights.
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## Decision

1. The appeal is allowed and planning permission is granted for a roof extension to include rear dormer and front rooflights at 26 Manor Lane, London, SE13 5QP in accordance with the terms of the application Ref DC/16/097610 dated 14 July 2016 subject to the following conditions:
    - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
    - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No's - EX01, EX02, EX03, EX04, EX05, EX06, EX07, EX08, EX09, EX10, PL01 A, PL02, PL03, PL04 A, PL05 A, PL06 A, PL07 A, PL08, PL09 A, PL10 A and PL11 A.
    - 3) No development shall commence until details / samples of the materials and finishes to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
    - 4) The rooflights hereby permitted shall be of a 'conservation' type, being flush with the plane of the front roof and with a central glazing bar. Details of the design and finish shall be submitted to and approved in writing by the local planning authority prior to the commencement of work. Thereafter, the development shall be carried out in accordance with the details agreed and so maintained.
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## **Main Issue**

2. I consider the main issue is the effect of the proposal on the character and appearance of the host property and whether it would preserve or enhance the character and appearance of the Conservation Area.

## **Reasons**

3. The appeal property is an end terrace property situated within the Lee Manor Conservation Area. The area consists of short rows of modestly sized terraced properties, which contain regular features such as two storey bays and make consistent use of materials including yellow stock brick and red brick detailing. This regular pattern of development, with groups of similar properties, play a role in defining the historic residential character of the area, which is part of the Conservation Area's significance as a heritage asset.
4. The appeal proposal seeks the construction of a hip to gable roof extension and a dormer extension to the rear roofslope of the property. The Council have referred to the appeal property as being from both the Victorian and Edwardian periods, but in any case, consider the hipped roof form to provide coherence and a clear end point to end houses on terraces. Whilst this may have been a characteristic of this type of property in the age they were constructed, I consider the gable end form proposed would retain the simple form of the appeal house and the consistency provided by the bay windows, the construction materials and architectural detailing on the front façade would not be affected.
5. I note the Council's references to the Residential Standards Supplementary Planning Document (SPD), to DM Policy 31 of the Development Management Local Plan (Local Plan) which states that roof extensions on the street frontage will be resisted, and that other examples of roof alterations in the area were constructed prior to current policy or before the introduction of the Article 4(2) direction removing Permitted Development rights. Nonetheless, the terrace on the end of which the appeal property is positioned, is set close to the neighbouring terrace to the north. Although the proposal would be visible in the street, this arrangement, having observed other gable roof forms in the area, ensures that it would not be prominent in the streetscene.
6. The proposal also includes a dormer to the rear of the property. Although the Council state within the conclusion of the Officer's Report that they have no objection to the proposed rear roofslope extension, it is understood from the case they have presented elsewhere within the same report that this reference is an error, as they also refer to a single storey rear extension within the conclusion which does not form part of the proposals. The dormer would run the full width of the property and I note that the SPD states that box dormers occupying whole roof slopes are unlikely to be permitted in Conservation Areas as well as setting out other requirements. However, the views of the rear roof are restricted and mainly limited to those from the rear of nearby properties. From these views, the proposal would be seen in the context of a number of other similarly sized dormers along the rear of Manor Lane and although it would not be subservient to the original roofslope, it would be formed of high quality materials and would be set back from the eaves, albeit to a smaller degree than that sought by the SPD. The Council also state that the proposed

dormer windows would not align with the windows below, but the opaque WC window would be broadly in line with the ground floor window on the two-storey outrigger. The larger window on the proposed dormer would be divided into three sections, with the central part aligning with the window below. Therefore, in this case, whilst I acknowledge the large size of the proposal, I do not consider it would appear as an incongruous addition due to existing features on nearby properties and the high quality material finish proposed.

7. A number of rooflights are also proposed on the front elevation which the Council consider to be acceptable in principle. Given their size and positioning on the roofslope, I have no reason to disagree and consider these would have an acceptable appearance.
8. I therefore conclude that the proposed development would not have an unacceptable adverse impact on the character and appearance of the host property and would preserve the character and appearance of the Conservation Area. It would not conflict with Core Strategy Policies 15 and 16 of the Council's Core Strategy or with DM Policy 30, DM Policy 31 and DM Policy 36 of the Local Plan, which seek, amongst other matters, the promotion of the highest quality of design and development that protects or enhances the historic environment. Although the proposal would be contrary to certain specific elements of the SPD, these are described as general guidelines and I do not consider that the proposal would conflict with the documents underlying aims which include the need for development to respect the character of an area. It would also not conflict with Section 12 of the National Planning Policy Framework. Reference has been made to other policies but I have not been provided with details of these.

### **Conclusion**

9. For the reasons above and having taken into account all other matters raised, including the historical purpose of dormers in providing light and comments relating to internal heights, I conclude the appeal should be allowed.

### **Conditions**

10. The Council have suggested a number of conditions. I consider the standard implementation condition and a condition for the development to be carried out in accordance with the approved plans to be necessary for the avoidance of doubt and in the interests of proper planning. I will impose conditions in relation to materials and to control the appearance of the rooflights to be in the interests of the character and appearance of the building and the Conservation Area. The wording of some of the conditions has been amended in the interests of enforceability.

*F Rafiq*

INSPECTOR