
Appeal Decision

Site visit made on 25 April 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 16 May 2017

Appeal Ref: APP/C5690/W/16/3158196

First Floor Flat, 10 Helvetia Street, London SE6 4EX

- 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 Cyril Jones (CCMJ Investments Limited) against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/16/096072, dated 31 March 2016, was refused by notice dated 25 May 2016.
 - The development proposed is a loft conversion including the formation of a hip to gable end roof extension with the installation of a single rear dormer and two rooflights in the front roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion including the formation of a hip to gable end roof extension with the installation of a single rear dormer and two rooflights in the front roof slope at First Floor Flat, 10 Helvetia Street, London SE6 4EX in accordance with the terms of the application, Ref DC/16/096072, dated 31 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 14149-100-OS; 14149-100-E01; 14149-100-E02; 14149-200-E01; 14149-200-E02; 14149-200-E03; 14149-300-E01; 14149-300-E02; 14149-100-P01; 14149-100-P02; 14149-100-P03; 14149-200-P01; 14149-200-P02; 14149-200-P03; 14149-300-P01; 14149-300-P02.
 - 3) The external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

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

Reasons

3. The appeal site comprises an end terraced property in a block of five two-storey properties with each end of the block having a hipped roof. The area in the vicinity comprises predominantly of terraced blocks that have a
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wide variation in design style with a mix of hipped and gable roofs. As such the area displays no consistent design style. The property at No 32 Nylon Street, which is the end terrace in the adjacent terrace block to the appeal property, has had a hip to gable roof extension and a rear dormer extension.

4. Properties to the rear of the appeal site on Hawkesfield Road have long rear gardens with mature planting. As such, they are set a considerable distance from the rear of the appeal property. In addition, owing to the orientation of the surrounding terraced blocks, existing planting and the existence of a private road with no public access that separates the rear of properties on Hawkesfield Road from those on Helvetia Street, the rear of the appeal property cannot be readily seen in any public views.
5. The proposed development would involve the construction of a hip to gable roof extension, installation of two rooflights to the front roof slope and the construction of a rear dormer. The appellant has drawn my attention to a planning permission granted on 25 May 2016 for development at the appeal property having a similar description to that proposed in this appeal (Ref DC/16/096188). Although I have no details of the design of the development recently granted planning permission, it is apparent that the Council has accepted the principle of development at the appeal property that is similar in nature to that proposed in this appeal.
6. Given the variety in the roof form in the locality and the fact that the adjacent terraced block has had a hip to gable extension, the proposed hip to gable extension to the appeal property would not cause any demonstrable harm to the character and appearance of the area. In addition, rooflights are a common feature in the front roof slope of many properties in the vicinity and I do not consider that there is anything unusual in the design of the proposed rooflights to suggest any harm would be caused to the appearance of the street-scene.
7. In order to provide guidance on the acceptability of rear roof extensions the Council has adopted a 'Supplementary Planning Document –Residential standards' (SPD). This identifies that rear roof extensions should be set back a minimum of one metre behind the lines of eaves, a minimum of 500mm from the gable, flank or party wall boundary and should not project above the height of the ridge of the main roof.
8. The proposed rear dormer would be set in from the gable wall by approximately 0.25m and not set in from the party wall shared with No 8 Helvetia Street. It would be set back from the eaves by approximately 0.2m and down from the ridge by approximately 0.3m. In this regard, it does reflect some of principles behind the Council's design objectives for dormer extensions. However, little evidence of the original roof would remain and as such the dormer could not be described as being 'subordinate'.
9. At my site visit I observed that several properties in the vicinity have significant rear dormer extensions that similarly do not appear to fully meet the design objectives set out in the SPD nor can they be described as being subordinate. In particular, the rear dormers at No 4 Helvetia Street and No 32 Nylon Street are of similar size to that proposed in this appeal. I appreciate that many of the existing roof extensions may have been carried out under permitted development rights and so the Council was not able to assess the merits of them against prevailing planning policies. Nevertheless, no matter

how they were granted planning permission, they are there and as such set the visual context for considering this appeal scheme.

10. In this case, given the varied character of its surroundings, the presence of similar designed rear dormers in close proximity to the appeal property, the limitations in public views, the fact that the ridge of the terrace as a whole is retained and that the dormer is slightly set back from the eaves and end gable are material considerations which, in combination, are of sufficient weight to outweigh the related guidance in the SPD.
11. I recognise that this proposal does not fully meet all of the design criteria as set out in the SPD. However, given the locational and design factors in this case, I consider that the appeal proposal constitutes the circumstance where a larger dormer would be acceptable and would not cause any significant harm to the character and appearance of the area. Consequently, I do not consider that this proposal materially conflicts with the relevant guidance in the SPD.
12. Taking the above factors into consideration, I conclude that the proposed development would not cause demonstrable harm to the character and appearance of the surrounding area. Consequently, there would be no conflict with Policy 15 of the Lewisham Core Strategy (2011) and DM Policy 30 and DM Policy 31 of the Lewisham Development Management Local Plan (2014). These policies, amongst other things, require that new development should be of a high standard of design that responds to local character, should respect the form of the original building and should not form an incongruous element.

Conditions

13. In addition to the standard time limit condition, I consider it necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. In order to protect the character and appearance of the area, I have also imposed a condition concerning the external materials to be used.

Conclusion

14. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR