
Appeal Decision

Site visit made on 31 October 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 23rd November 2017

Appeal Ref: APP/C5690/W/17/3179332

3A Dunoon Road, London SE23 3TD

- 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 Ms and Mr Kate and Iain Davies and Reid against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/17/100852, dated 24 March 2017, was refused by notice dated 24 May 2017.
 - The development proposed is erection of rear dormer window.
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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 host property and wider terrace.

Reasons

3. The appeal site is a first floor flat within a row of terraced properties at Nos 1 to 11 Dunoon Road of similar architectural design and form. At the front of the terrace, a number of rooflights are visible at Nos 5 and 7. At the rear of the terrace, properties share a two storey outrigger that forms a broadly symmetrical and subservient feature to the main property and the principal roof slope. Although views of the rear roof slope are limited by the change in levels and the two storey outriggers, it is possible to appreciate the overall terrace from the top of the appeal site's rear garden.
4. The only roof extension on this terrace is the adjoining property at No 5, which has a large box dormer that occupies the full width of the roof slope and is positioned very close to the eaves. It is not a subservient feature and detracts from the character and appearance of the host building and the overall terrace when seen from the rear.
5. The proposed rear dormer would have a similar width and position to the dormer at No 5 and would be even taller. While the eaves and gutter of the roof slope would remain, it would be built on top of the rear wall of the property. As a consequence, it would be overly large and dominant and would detract from the balance and proportions of the host property and overall terrace. Although the dormer would only be visible from the rear of the terrace and would be partly obscured by the change in levels and outriggers in certain viewpoints, this does not justify the harm that would arise to the character and appearance of the property and wider terrace.

6. There is disagreement between the Council and the appellants regarding the planning status of the dormer at No 5. The evidence before me is lacking in terms of whether this dormer complies with permitted development rights or is subject to enforcement action. The appellants also argue that similar development could be constructed at other properties on the terrace under permitted development rights, and notes the proximity of rear dormers on properties on the adjoining road to the west. However, permitted development rights do not apply for the appeal site as it is a flat rather than a dwellinghouse. Thus, the existence of other roof extensions in the local area and the potential for future roof extensions do not justify the harm I have identified.
7. A smaller dormer set back by 1 metre from the eaves and in by 0.5 metres from the party walls would follow the guidance set out in the Council's Residential Standards Supplementary Planning Document (SPD) 2012. It would ensure a subservient feature within the roof slope and would not look odd in terms of the space to either side. It has not been adequately demonstrated that such a dormer would provide insufficient internal space for the stairwell and headroom purposes.
8. The proposed development also includes three roof lights at the front. They would be large and would occupy a large part of the roof slope. However, they would be broadly flush with the roof slope and would have a far less dominant and bulky appearance than the rear dormer. As a consequence, they would not unduly harm the character and appearance of the host property or the wider terrace.
9. In conclusion, the proposed development in terms of the rear dormer would have a harmful effect on the character and appearance of the host property and the wider terrace. Therefore, it would not accord with Policy 15 of the Core Strategy 2011 or Policies 30 and 31 of the Development Management Local Plan 2014. These policies require new development to attain a high standard of design, with extensions required to respect and/or complement the form and architectural characteristics of the original building and be set back into the roof slope. The development would also not follow the guidance of the SPD which aims for roof extensions to successfully integrate with the character of the building and be subordinate. The SPD also requires such extensions to be set back into the roof slope rather than building up external walls, and to follow the distances from eaves and party walls outlined above.

Other Matters

10. I note that the appellants wish to expand the property to accommodate their growing family. However, personal circumstances seldom outweigh other planning considerations and so this does not alter my overall findings.

Conclusion

11. For the above reasons, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR