



Appeal Decision

Site visit made on 18 November 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2019

Appeal Ref: APP/C5690/W/19/3232804 7A Lowther Hill, London SE23 1PZ

- 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 H Mirza against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/19/110834, dated 2 February 2019, was refused by notice dated 1 May 2019.
 - The development proposed was described as retrospective application for the as built dormer which varies from the approved dormer under application DC/17/099967 and proposed parapet wall.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer and parapet wall on the rear roof slope along with two roof lights in the side roof slope at 7A Lowther Hill, London SE23 1PZ in accordance with the terms of the application, Ref DC/19/110834, dated 2 February 2019, and the plans submitted with it, 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: LHL.003 Rev M.

Procedural Matters

2. The proposed development was described differently on the application form, appeal form and decision notice. The description of development in the banner heading is taken from the application form, but in my formal decision I have used an amended version of the description that appears on the Council's decision notice, removing all superfluous wording that does not relate to an act of development, in the interests of clarity and brevity.
3. At the time of my site visit it was evident that some building works had been undertaken on the rear dormer, but it was not complete. For the avoidance of any doubt, my assessment of the appeal proposal is based on the submitted drawings before me.

Background and Main Issue

4. Planning permission was granted in 2017¹ for a rear dormer and two roof lights in the side roof slope. Works began on the dormer, but not in accordance with the approved plans. The appeal proposal is effectively seeking to amend the design of the previously approved dormer on a part retrospective basis, and includes a parapet wall. As there appears to be no dispute between the parties over the two rooflights, I shall confine my considerations in this appeal to the dormer window and parapet wall.
5. Taking the above into account, the main issue is the effect of the development on the character and appearance of the host building and surrounding area.

Reasons

6. Lowther Hill is a residential street characterised by handsome Victorian properties, interspersed with more modern buildings. The appeal building is the former, presenting a well-detailed frontage to the street. However, the rear elevation has been subjected to considerable change through large flat roof extensions and modern window replacements, such that the traditional character of this elevation has been significantly eroded and no longer contains any uniformity. I am also mindful that the Council has already accepted the principle of a rear dormer that would further alter the balance and appearance of this elevation.
7. Therefore, whilst I accept that the proposed dormer would, in its own right, be poorly proportioned and detailed, and that the parapet wall would be an awkward and uncharacteristic element, this would be within the context of an already compromised elevation. Furthermore, the development would be at a small scale relative to the whole of the rear of the building and as such, it would be a subservient addition.
8. In addition, I noted that views of the rear are very limited and private. Only the parapet wall would be visible from the rear gardens of the neighbouring properties to the east, and in the context of the much larger flat roof rear extension. The existing gable would screen the dormer from the west. The opposing properties to the rear are located some distance away across a private park, which contains mature trees that heavily filter direct views of the rear elevation. It is the front elevation which contributes positively to the character of the building and surroundings, and that would not be altered by the appeal proposal.
9. Consequently, I conclude that the effect of the development on the character and appearance of the host building and surrounding area would be acceptable. As such, the proposal does not conflict with Policy 15 of the Lewisham Core Strategy Development Plan Document 2011, Policies 30 and 31 of the Lewisham Development Management Local Plan 2014, and the Lewisham Alterations and Extensions Supplementary Planning Document 2019, in so far as they require development which is sensitive to the existing building, local context and the character of the surrounding area.

¹ DC/17/099967

Other Matters

10. I note the neighbour's concerns over water ingress and protracted party wall negotiations. Such issues, whilst unfortunate, are private and have to be resolved by other means outside the planning process.

Conditions

11. The Council suggested the standard time limit and approved plans conditions. I consider that these conditions are necessary for the avoidance of doubt and in the interests of proper planning, so they are imposed.

Conclusion

12. For the reasons above, I conclude that the appeal should be allowed.

Adrian Caines

INSPECTOR