

Appeal Decision

Site visit made on 11 January 2022 by Max Webb BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2022

Appeal Ref: APP/C5690/D/21/3287041

20 Reservoir Road, Brockley, London SE4 2NU

- 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 Neve Cunningham against the decision of the London Borough of Lewisham.
 - The application Ref DC/21/122949, dated 30 July 2021, was refused by notice dated 23 September 2021.
 - The development proposed is the construction of a rear roof slope dormer extension together with the installation of two front roof slope roof lights.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of the development used in the banner heading above has been taken from the Council's decision notice as it is more complete than the description used in the application form.
4. In the Council's reasons for refusal, reference has been made to both the new London Plan (adopted 2021) and the superseded London Plan (adopted 2016). Appeals must be assessed against the current development plan. As both parties have had the opportunity to take the new London Plan into account, it is not considered necessary to seek further submissions.

Main Issue

5. The main issue is whether the development would preserve or enhance the character or appearance of the Telegraph Hill Conservation Area.

Reasons for the Recommendation

6. The appeal site is located within the Telegraph Hill Conservation Area (THCA), which derives its significance from the well-preserved 19th century terrace properties, including features such as pitched roofs. The appeal site contributes positively to the THCA through its conforming architectural details, which includes roof form. The street on which the appeal property is located has predominantly unaltered front roof slopes and limited alterations on rear roof slopes.

7. The proposal seeks to install two rooflights on the front roof slope. This would detract from the mostly unaltered front roofscape on the appeal street, and therefore harm the appearance of the host dwelling and street scene. The rooflights would be visible when moving along the street and from the windows of properties on the opposite side of the street.
8. Although the property at 1 Reservoir Road has existing rooflights, this is on a corner plot and has a slightly different character to the appeal dwelling. Therefore, the rooflights do not interrupt the unaltered roofscape to the same extent as the proposed rooflights would. There are only a small number of front rooflights effecting the appeal street, such as on visible properties on Vesta Road, and their presence does not mean front rooflights are an established characteristic of the appeal street. Whilst there are a significant number of visible rooflights in the wider Conservation Area, due to the unaltered appearance in the vicinity of the appeal property, the proposed rooflights would be out of character. Rooflights in other parts of the THCA are thus not comparable to the appeal scheme.
9. The proposal would result in a large box dormer on the rear roof slope. The dormer would take up a significant proportion of the roof, close to the eaves, edge of the roof and ridge. The size and positioning would therefore mean the dormer would not appear subordinate. Although similar in design to the existing ground floor extension, at roof level this design, including the size and positioning of the window, and scale of the dormer would be detrimental to the relatively consistent pitched roofs of the surrounding properties. The proposed design would also fail to reflect the more traditional aspects of the property and would not appear in harmony with the host dwelling.
10. Properties close to the appeal site have some variations however these are generally less noticeable, smaller and below roof level. These are therefore less detrimental to the appearance of the area than the proposed dormer would be. Although rooflights are visible on 26 Reservoir Road, these are significantly smaller in scale than the proposed dormer, and thus less obtrusive. The other box dormer in the vicinity appears to take up less of the roof slope than the appeal scheme would, regardless of overall size, and is therefore subordinate to its host dwelling. In any case, the presence of another dormer does not mean they form the predominant character of the area, and the proposed dormer would look incongruent.
11. The dormer would be visible from neighbouring gardens and would also be visible from the properties opposite the rear of the appeal site. Paragraph 5.8.2 of the SPD¹ suggests that rear roof extensions should not be visible from the street frontage, and the proposed dormer would comply with this. However, sections 5.7 and 5.8 also encourage dormers to relate sensitively to the host building. Furthermore, these sections also suggest that alterations in conservation areas should be of a modest size that is well clear of the ridge, eaves and to remain subordinate to the existing building. For the above reasons, the dormer would go against these aims.
12. As the proposal would only impact a small part of the THCA, it would lead to less than substantial harm to the significance of the heritage asset. Paragraph 202 of the National Planning Policy Framework (the Framework) requires that, in such circumstances, the harm should be weighed against the public benefits

¹ Lewisham Local Plan Alterations and Extensions Supplementary Planning Document (adopted 2019)

of the proposal. The proposal would provide additional living space for the occupiers however this would be a private benefit. Even if considered a public benefit by contributing to available living space in the area, the proposal relates to a single dwelling and would therefore provide minimal benefit. This therefore does not outweigh the harm to the Conservation Area identified above.

13. Overall, the proposal would fail to preserve or enhance the character or appearance of the THCA. It would therefore contradict Policies 15 and 16 of the Core Strategy², which together aim to ensure development is sensitive to local context and protect the Borough's heritage assets. It would also not comply with Policies 30, 31 and 36 of the Local Plan³, which together require development to be compatible with urban typologies, complement the architectural characteristics of the original building, harmonise with the street scene and be compatible with the special characteristics of conservation areas. Likewise, it would conflict with Policy HC1 of the London Plan (adopted 2021), which says that development proposals should conserve or be sympathetic to heritage assets. For the same reasons, the proposal would not conform with Paragraph 199 of the Framework, which suggests great weight should be given to a heritage assets conservation.
14. The proposal would also go against the aims of the SPD, which looks to ensure roof alterations are appropriate to the building and adjoining properties.

Other Matters

15. The lack of objections from neighbouring properties on the appeal street is a neutral matter in the planning balance. The actions of the Council during the application process do not alter the substantive planning considerations in this appeal.

Conclusion and Recommendation

16. For the reasons given above and having had regard to the Development Plan as a whole, I recommend that the appeal should be dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR

² Lewisham Local Development Framework Core Strategy Development Plan Document (adopted 2011)

³ Lewisham Local Development Framework Development Management Local Plan (adopted 2014)