



Appeal Decision

Site visit made on 3 May 2022 by A Humphries BSc (Hons) MSc

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2022

Appeal Ref: APP/C5690/D/22/3294278

46 Vesta Road, London, SE4 2NH

- 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 Sam Crawford against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/21/123764, dated 6 October 2021, was refused by notice dated 20 January 2022.
 - The development proposed is an insertion of a small dormer in the rear pitch of the roof where a roof light had been approved.
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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.

Preliminary Matter

3. I note that there is a degree of variation between the description of the development on the application form and that used by the Council on the decision notice. The latter includes reference to the installation of a rooflight to the front and rear roof slopes. The evidence before me suggests that the rooflights have been approved as part of a previous application, separate to this appeal. The above description of development has therefore been taken from the application form, which is also replicated on the appeal form, as I consider this to be a more accurate reflection of the proposed development. This appeal therefore relates solely to the rear dormer.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, street scene and wider Telegraph Hill Conservation Area.

Reasons for the Recommendation

5. The host dwelling, which is a Victorian property, forms part of a group of paired dwellings in a short terrace that are similarly designed. Located at the end of the terrace, the host dwelling has a prominent position on the corner of Vesta Road and Reservoir Road.

6. The host dwelling is within the Telegraph Hill Conservation Area (the Conservation Area). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) places a duty upon the decision-maker, in the exercise of planning functions, to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework (the Framework) further advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. The significance of the area is derived from good quality late 19th century residential development with architectural and historic merit, as noted in the Telegraph Hill Conservation Area Character Appraisal (2008). I observed during the site visit that the hipped bay windows and hipped roofs of the host dwelling, the semi-detached pair and adjacent paired dwellings contribute to the character and appearance of the area. From the public realm, the roof form of this group appears to be principally unaltered, other than the presence of rooflights.
8. The Council's delegated report references that the host dwelling would be a non-designated heritage asset. However, there is no evidence before me to support this contention. Nevertheless, the appeal in any event focuses on the impact on the Conservation Area as a heritage asset, as well as the character and appearance of the host dwelling and street scene.
9. The proposed development would introduce a lead clad dormer window to the rear roof slope. I recognise that the dormer would be relatively modest in size and be of a simple design. Nevertheless, it would be positioned within a small section of the roof close to the ridge, valley and hip, which would disrupt and detract from the symmetry and uncomplicated original hipped roof lines of the host dwelling. The dormer would also not relate to the window alignment of the rear elevation of the host dwelling; the upper windows of which are visible from Reservoir Road. It would therefore appear as a visually discordant feature which would interrupt the character and appearance of the host dwelling.
10. The rear hipped roof of the host dwelling is visible from the vista along Reservoir Road. Despite the modest size of the dormer, owing to the prominent corner position of the host dwelling and the roofscape forming a focal point at the end of the vista, the proposed development would be a notable and visually prominent addition to the roofscape as seen from the public realm.
11. Within the close viewpoints on Reservoir Road, the dormer would be viewed in the context of the upper rear elevation windows and the hipped roof of the outrigger of the adjacent dwelling. As with the host dwelling, the hipped roofs of the adjacent outriggers contribute to the symmetry of the roofscape. No other comparable rear dormers would be seen within the views of the proposed development from Reservoir Road. As a result, the proposed development would appear incongruous to the character and appearance of the adjacent dwellings and the street scene of Reservoir Road.
12. During the site visit, I observed that dormers are a relatively uncommon feature in the area and therefore I do not consider them to form part of the prevailing character. However, the appellant has drawn my attention to some nearby dormers, the impact of which I have carefully considered.

13. Located some distance from the host dwelling and being a mid-terrace property with a pitched roof, the rear dormer at 96C Drakefell Road possesses a different setting, character, and relationship with its neighbouring properties compared to the host dwelling. I noted that the rear dormer at 96C Drakefell Road would be visible from Aspinall Road, although the dormer is principally obscured by a large outrigger. This example is therefore not directly comparable to the context of the proposed development.
14. Opposite the host dwelling, I observed a short terrace of dwellings with distinctive 'dormers' with brick facades and three windows on the front roof slope facing Vesta Road and principally single dormers along the rear roof slope. Whilst these rear dormers would, to varying degrees, be visible from Wallbutton Road, the design of this terrace in terms of roof form and gable end is distinctly different from the architecture and context of the host dwelling. The proposed development does not therefore have a similar design context to these cited examples.
15. Given the above, the proposed development would have an adverse effect on the character and appearance of the host dwelling and the street scene. I am also satisfied that the proposed development would, as a result, compromise the significance of the Conservation Area. Whilst the harm that would be caused to the Conservation Area from the proposed development would be less than substantial, the Framework makes it clear that any such harm should be weighed against the public benefits.
16. I sympathise with the appellant that the proposed development would increase residential living space for the occupant. However, there is no evidence before me that would constitute public benefits, and which would therefore outweigh the great weight that should be given to the harm caused to the significance of the Conservation Area.
17. For the reasons above, the proposed development would conflict with the Act and the Framework. The proposed development would also be contrary to Policy HC1 of the London Plan (2021), policies 15 and 16 of the Core Strategy (2011) and DM policies 30, 31 and 36 of the Development Management Local Plan (2014). Collectively, these policies seek sensitive high-quality design that respects and complements the form and architectural characteristics of original buildings. The policies also seek the preservation and enhancement of heritage assets and their significance. The proposed development would also not accord with the overall aim of the Alterations and Extensions Supplementary Planning Document (2019) that relate to dormers.
18. It is noted that the Council suggested that the proposed development would be contrary to DM Policy 37 of the Development Management Local Plan (2014). This policy relates to non-designated heritage assets, areas of special local character and areas of archaeological interest. Whilst the host dwelling is within a Conservation Area, there is no evidence before me to suggest that the host dwelling is a non-designated heritage asset nor is within an area of special local character. On this basis, I have disregarded this policy and thus I have not taken into account in my decision-making.

Conclusion and Recommendation

19. I have concluded that the proposed development would harm the character and appearance of the host dwelling, street scene and would neither preserve nor enhance the character or appearance of the Conservation Area. The proposed development would therefore conflict with the development plan taken as a whole. There are no other considerations, including the Framework, that outweigh this conflict.
20. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Humphries

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR