



Appeal Decision

Site visit made on 2 August 2022

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th August 2022

Appeal Ref: APP/C5690/D/22/3292384

27 Vicars Hill, Ladywell, London, SE13 7JB

- 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 and Mrs Milne against the decision of the London Borough of Lewisham.
 - The application Ref DC/21/123737, dated 4 October 2021, was refused by notice dated 17 December 2021.
 - The development proposed is described as the creation of a loft conversion with a dormer to the rear of the property.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area, I have paid special attention to the desirability of preserving or enhancing the character or appearance of that area, as set out in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and surrounding area, with due regard to the location of the site in the Ladywell Conservation Area (CA).

Reasons

4. The appeal building is a two storey semi-detached dwelling, with basement, located in a residential area which comprises groups of other semi detached and terraced buildings set back from and facing the road. The front elevation displays features characteristic of its period such as bay windows and decorative lintels. The property is similar to its neighbours although there are variations in brick colours and finer details. A number of properties within the immediate area have been extended and altered in various ways, including the addition of rooflights to front, side and rear roof slopes.
5. The character of this part of the Ladywell CA and its significance stems from, amongst other aspects, the arrangement of generously sized and spaced red and yellow bricked-faced houses, often with front gables and architectural detailing. The Council's Conservation Area Appraisal (2010), also identifies the high level of survival of architectural detailing, as well as the area's topography and attractive long-distance views as being of particular importance in this part

of the CA and as a whole. With its rich architectural detailing and prominent corner location, the appeal building positively contributes to the character of the area.

6. The proposed dormer would be centrally located and would sit clear of the roof's ridge, eaves, chimneys and gables. The window itself would be smaller than the windows on the lower floors of the rear elevation, and would have appropriate window frames and glazing bars. However, the dormer design includes particularly wide 'cheeks' alongside the window in order to maximise the internal accommodation. As a result, the dormer would appear particularly bulky and would take up a significant proportion of the roof slope. Consequently, the dormer would have a dominating effect and would not be a subordinate addition to the host dwelling.
7. The Council's Alterations and Extensions Supplementary Planning Document (SPD) (2019) provides guidance, amongst other things, for the design of rear dormers within conservation areas. My attention has been drawn to Figure 5.16 of the SPD which provides illustrations of the types of rear roof extensions which are likely to be acceptable in conservation areas. However, the supporting text outlines that Figure 5.16 should be used to assess large rear roof extensions generally of a contemporary design. In this instance, I consider that Figure 5.14, which provides illustrations of acceptable smaller scale rear dormers is more appropriate to assess the proposed development against. The proposed rear dormer, due to its size and width, would not comply with the requirements for rear dormers within conservation areas, as set out within this illustration.
8. The appeal property, although not listed or appearing on a local list, is of sufficient historic interest to be considered a non-designated heritage asset by the council. It is located on a prominent corner, and consequently the rear dormer and rooflights would be visible from a range of viewpoints on Veda Road and Vicars Hill. Both streets are on inclines which increase the prominence of the appeal property. Whilst it may be that the dormer would be most prominent in views from outside the conservation area, I find that the dormer would be a discordant addition to the roofslope which would cause harm to the host property and the appreciation of the wider CA.
9. I recognise that some of the properties on Vicars Hill within the CA are asymmetrical semi-detached properties. However, No 25 and the appeal property are a pair of symmetrical semi-detached dwellings, which are viewed in the context of the wider group of dwellings on this side of Vicars Hill. The proposed dormer, due to its size and design, would be a dominant addition, harming the symmetry of the pair of semi-detached dwellings and the wider group.
10. The council raises concerns about the materials used for the dormer. Whilst the appellant considers that the proposed materials will not appear incongruous, had I found the design to be acceptable, the exact materials to be used could have been controlled by planning condition.
11. I note that the proposed rooflights to the outrigger's roof slope would be of a conservation design. I have had regard to the council's concerns in respect of the size and number of rooflights. However, there are a number of examples of rooflights on nearby properties, including on front roofslopes. Whilst the proposed rooflights would be readily visible from public viewpoints, they would

be flush with the roof slope and would not appear overly large when considered contextually.

12. For the above reasons, I conclude that the proposed development, due to the size and design of the rear dormer would harm the character and appearance of the host dwelling and the surrounding area and would fail to preserve the character and appearance of the CA as a whole. I therefore find that it conflicts with Policies 15 and 16 of the Core Strategy (2011), Policies 30, 31, 36 and 37 of the Development Management Local Plan (2014) and Policy HC1 of the London Plan (2021). Amongst other things and with regard to extensions in particular, these policies seek to ensure that the historic environment is safeguarded from harm, the value and significance of conservation areas are maintained and new development is of a high standard of design and respects local character.
13. In failing to preserve the character and appearance of the CA, I find that the proposed development would, in the words of the National Planning Policy Framework (Framework), result in less than substantial harm to the significance of a designated heritage asset. In such circumstances, the Framework requires that the less than substantial harm should be weighed against the public benefits. Although the proposed development would provide improved and enlarged living space, this would, given the nature of the appeal proposal, equate to a private rather than a public benefit. However, it has been put to me that the appeal proposal would also make optimum viable use of the site and that this would equate to a public benefit. Be that as it may, based on the scale and nature of the development, the public benefits relating to this would be modest. They do not therefore outweigh the harm I have identified to the CA and the great weight given to the conservation of designated heritage assets.
14. The proposed development therefore conflicts with the provisions of the Framework in relation to conserving and enhancing the historic environment. As set out above, the dormer design would also conflict with the rear dormer criteria set by Part 5.7 of the Alterations and Extensions Supplementary Planning Document (2019).

Other Matters

15. My attention has been drawn to an appeal decision at 114 Embleton Road (Ref: APP/C5690/D/18/3218359), which allowed a mansard style loft conversion at a property within the Ladywell CA. However, this relates to a full roof extension rather than a single dormer. I observed on my site visit that No 114 is also less visible in views from surrounding roads. As such, it has a different effect on the character and appearance of the CA to that proposed and it does not justify the harm I have identified.
16. The appellant refers to other examples of rear dormers at properties located outside the CA boundary. However, these examples which are located outside the CA, are not directly comparable to the appeal scheme and do not lead me to a different conclusion.
17. The appellant states that the development would not impinge on the living conditions of others. However, this neutral consideration is outweighed by the harm identified above. The development would provide extra accommodation, whilst improving daylight within the rear bedroom and bathroom, and would

thus improve the living conditions of the occupiers. The development would also make better use of the property. In addition, the council local has indicated that the principle of the development is acceptable. Be that as it may, these matters do not outweigh the harm I have identified.

Conclusion

18. The proposal would harm the character and appearance of the host property and the Ladywell CA. For the above reasons, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

B Pattison

INSPECTOR