



Appeal Decision

Site visit made on 27 September 2022

by B Pattison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2022

Appeal Ref: APP/C5690/W/22/3291870

Flat above 108 Brockley Rise, Crofton Park, London SE23 1NH

- 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 & Mrs Habib and Fatima Mirza against the decision of London Borough of Lewisham.
 - The application Ref DC/21/122929, dated 5 August 2021, was refused by notice dated 4 November 2021.
 - The development proposed is a loft conversion.
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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 surrounding area.

Reasons

3. The appeal property is a first floor flat within a two storey mid-terrace building, with a pitched roof and front gable feature. The property has a two storey rear projection with a mono-pitched roof. The ground floor of the appeal property is occupied by a café. The surrounding area is predominantly residential.
4. The dormer would not exceed the overall height of the main roof, and would not obstruct local public views. However, it would be expansive, spanning the full width of the rear roof, as well as covering much of the roof of the rear projection. The large, flat roof dormer would also span from the eaves to the ridge height, creating a particularly bulky addition which would result in an out of proportion and dominant form of development. Overall, the proposed development, due to its size and bulk, would fail to respect the original form and architecture of the building. The rear dormer would not be visible in public views from the front of the appeal property. However, given the densely built up nature of the area, it would be visible from a number of properties on both Gladiator Street and Stillness Road.
5. The Council refer to its Alterations and Extensions Supplementary Planning Document (2019) (SPD). My attention has been drawn to 5.11 of the SPD which outlines that L-shaped roof extensions are considered harmful as they fail to respect the original roof form, and will only be acceptable in exceptional circumstances, for instance, where they are common within the immediate context. My attention has not been drawn to any other L-shaped roof extensions within the local area. The SPD also identifies guideline set in

distances from the party wall on each side. There is dispute between the two parties as to the exact set-in distances which the dormer would maintain. However, even if I were to use the appellants measurements for the set-ins, the proposed dormer would be very bulky, would fail to respect the original roof form and the small set in distances from its sides and below the ridge line would exacerbate this. Whilst the proposed dormer would be set back from the rear return, this alone does not prevent the overall extension from appearing disproportionate.

6. The appeal property and surrounding area are not designated heritage assets. The sole aspect of the appeal development visible from the front of the property are the two rooflights, which will not harm the character and appearance of the area. Be that as it may, I have identified harm as a result of other aspects of the design.
7. The appellant considers that the proposed materials will not appear incongruous. I find that the proposed materials to match the existing materials at the site would be appropriate, and had I found the design to be acceptable, the exact materials to be used could have been controlled by planning condition.
8. For the above reasons, I conclude that the appeal development would harm the character and appearance of the area. I therefore find that it would conflict with Policy 15 of the Core Strategy (2011), Policies 30 and 31 of the Development Management Local Plan (2014) and Policy D3 of the London Plan (2021). These policies seek to ensure, amongst other aspects, that all new development is of a high standard of design and respects local character.
9. As set out above, the dormer design would also conflict with the SPD guidance in relation to rear dormer design. I have also found conflict with the principles of the National Planning Policy Framework (the Framework) that seek good design sympathetic to the local area.

Other Matters

10. The development would enhance the living accommodation by providing an additional two bedrooms within the property. In addition, the Council 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

11. The proposal would harm the character and appearance of the host property and the surrounding area. 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