



Appeal Decision

Site visit made on 22 May 2023

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th June 2023

Appeal Ref: APP/C5690/D/23/3319230

73 Micheldever Road, Lewisham, London SE12 8LU

- 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 Morrison-Pan Cabo against the decision of the London Borough of Lewisham Council
 - The application Ref DC/22/129569, dated 6 December 2022, was refused by notice dated 1 February 2023.
 - The development proposed is for a ground floor single storey rear extension. Loft extension including dormer window to rear roof slope and roof lights to front and side roof slopes.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and that of the local area, with reference to the Lee Manor Conservation Area (the CA).

Reasons

3. The appeal dwelling is a generously proportioned double fronted London stock-brick two storey end of terrace Victorian House with a hipped roof and single storey lean-to rear projection. It is on a part of the street that is made up of predominantly similar terraced properties, with some post war 3 storey town houses opposite.
4. The local area within which the appeal dwelling sits is within a part of the CA recognised for its consistently proportioned late 19th and early 20th century housing which forms the core of the CA and provides an architectural quality and consistency to the streetscape. This is exemplified by the appeal dwelling, thereby contributing to the significance of the CA.
5. The CA is a heritage asset to which I have a statutory duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. I must pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
6. The appeal proposal is a revision of a previous proposal for a ground floor rear extension and loft extension with dormer windows that was recently dismissed

on appeal¹. The revised proposal now has a single rear zinc clad dormer extension rather than the two dormer windows previously proposed. The single storey ground floor rear extension part of the proposal that would replace the existing lean-to projection remains the same.

7. It has been accepted by the Council and the Inspector for the previous appeal that this proposed ground floor rear extension would not in itself result in any significant harm to the character and appearance of the appeal dwelling or to the significance of the CA. It is noted that planning permission was approved for the ground floor extension as a stand-alone application, following refusal of the application that forms the basis of this appeal. Therefore, I see no reason to further address this aspect of the appeal proposal.
8. The proposed rear dormer would be a substantial addition and alteration to the rear roof slope, which is visible from the public realm in Manor Lane. The design of the proposed dormer follows the contemporary design approach adopted for the proposed ground floor extension and seeks to reflect the design guidance for such contemporary zinc clad dormer extensions set out in of the Lewisham Alterations and Extensions Supplementary Planning Document (2019) (the SPD)
9. However, the width and scale of the proposed rear dormer extension would result in it sitting just above the rear eaves and directly abutting the edge of the hipped roof. In doing so the proposal would appear to be too large for the host roof with a significant horizontal emphasis, which would be accentuated by its proposed closely set window openings and extensive cheek areas. As such, the design of the proposed dormer extension fails to respond to the scale and form of the hipped roof of the appeal dwelling.
10. The windows in the proposed rear dormer extension would appear to be in 3 window openings with 5 windows in 3 different sizes. As well as contributing to a horizontal emphasis, the varying sizes and positions of these windows would fail to reflect the fenestration layout and hierarchy of the rear elevation of the appeal dwelling, which would result in a noticeable disparity between the proposal and the appeal dwelling. For these reasons the proposed rear dormer extension would appear as an overly large, dominant and incongruous addition, which would fail to appear as subordinate to the appeal dwelling.
11. This would be particularly apparent in the more tangential views of the appeal dwelling from nearby private rear gardens and Manor Lane, from where the proposed rear dormer extension would, due to its scale and proximity to the hipped roof end, appear to cut across this roof form and the roof profile of the appeal dwelling. As such the proposal would fail to maintain the role the roofscape of the appeal dwelling plays in the character and appearance of the local area and its contribution to the significance of the CA.
12. The proposed roof lights on the front and side roof slopes are moderate in size, reflecting the type of rooflights evident in the local area. This aspect of the proposal would not, therefore result in any significant harm to the character and appearance of the appeal dwelling or to the significance of the CA.
13. The appellant has drawn my attention to the other roof level extensions in the local area. These vary significantly in form, design and materials, and from my

¹ Appeal Ref: APP/C5690/D/22/3300848

site visit it was apparent that the majority of these were to the roofs of mid terrace houses, including that at 67 Micheldever Road, which is readily visible from the rear garden of the appeal dwelling. The dormer extension on the hipped roof of no. 64 Manor lane, which was approved on appeal, unlike the proposal, follows the hipped roof form into which it is located.

14. These nearby roof extensions vary in design, size and shape, and in the roof forms into which they are located. Whilst these demonstrate that extensions of high quality contemporary design can be successfully integrated into properties in the CA, they do not represent direct exemplars with regard to the proposed dormer extension. These would have been considered on their own individual merits and I have done likewise in my consideration of the proposal. I have, therefore afforded these only moderate weight in my considerations.

Other Matters

15. It is noted that the Council's officer report states that it was considered that the conservation input fell below their current threshold. However, in line with Planning Practice Guidance, it is for the decision maker to determine the weight given to material planning considerations and if they are in a position to make a fully informed decision. In this case they were satisfied that the considerations of the case officer meet their threshold in this regard. Likewise, I have considered the proposal on the basis of my site visit and the material submitted for the purposes of this appeal.
16. For the reasons given above, the proposal would result in significant harm to the character and appearance of the appeal dwelling and would fail to preserve or enhance the character or appearance of the CA. This would not accord with the design guidance given in section 5.7.3 of the SPD and would be in conflict with policies 15 and 16 of the Lewisham Core Strategy (2021), policies DM30, DM31 and DM36 of the Lewisham Development Management Local Plan (2014), Policy D3 and HC1 of the London Plan (2021) and Sections 12 and 16 of the National Planning Policy Framework (2021) (the Framework). These collectively seek to ensure that development is of high quality design, having due regard to the importance of preserving or enhancing heritage assets.
17. Although I find the harm to the CA that I have identified would be less than substantial, in accordance with the Framework, great weight should be given to the conservation of heritage assets. Whilst the proposal would result in a larger property with improved living conditions for its occupiers, these are substantially private benefits. I must give considerable importance and weight to the effect on the significance of the CA and substantial weight to the effects on the character and appearance of the appeal dwelling that I have identified. I consider that these benefits do not outweigh this harm.

Conclusion

18. The appeal should be dismissed.

Victor Callister

INSPECTOR