



Appeal Decision

Site visit made on 14 August 2023

by J N Seymour BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th October 2023

Appeal Ref: APP/C5690/D/23/3320469

71 Manor Lane, Lewisham, London, SE12 8LS

- 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 Lisa Hennigan against the decision of the Council of the London Borough of Lewisham.
 - The application Ref: DC/22/129057, dated 3 November 2022, was refused by notice dated 15 February 2023.
 - The development is described as: 'Loft conversion and rear dormer extension'.
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Decision

1. The appeal is allowed and planning permission is granted for the 'loft conversion and rear dormer extension' at 71 Manor Lane, Lewisham, London, SE12 8LS. This is in accordance with the terms of the application, Ref: DC/22/129057, dated 3 November 2022, and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: LP01; BP01; 001 Rev A; 002 Rev A.

Main Issue

2. The main issue of the appeal is whether the proposal would preserve or enhance the character and appearance of the Lee Manor Conservation Area.

Reasons

3. The appeal site comprises a mid-terrace dwelling on Manor Lane, a residential street located within the Lee Manor Conservation Area (LMCA). The street is characterised by terraced and semi-detached dwellings that all contain similar architectural features such as ground-floor bay windows and front doors in recessed porches. This has created an attractive street scene and the dwellings make a positive contribution to the character and appearance of the LMCA. The appeal proposal would involve the construction of a dormer extension on the rear roof slope and the insertion of two rooflights on the front roof slope to facilitate a loft conversion.
4. It is common ground between the parties that the design of the dormer extension is of high quality, which complies with the main aims of Policy DM30 of the Lewisham Development Management Local Plan (2014) (Local Plan) and Policy 15 of the Lewisham Local Development Framework Core Strategy

Development Plan Document (2011) (Core Strategy), both of which seek to attain high design quality in all developments. The Council's concerns however focus on the bulk, scale and siting of the dormer extension, rather than its design.

5. Criterion 2b. of Local Plan Policy DM31 relates specifically to roof alterations and firstly it states rear roof extensions will generally not be permitted where any part of the extension is higher than the height of the ridge of the main roof, or where the extension is not set back into the roof slope. The dormer extension is only marginally set down from the main ridge line, nevertheless, the appeal proposal complies with both criteria, as there is also a clear setback from the eaves.
6. The Alterations and Extensions Supplementary Planning Document (2019) (SPD) also provides guidance on dormer extensions in Conservation Areas, stating, among other criteria, that they should be no wider than two-thirds of the original, unextended roof. However, whilst the dormer extension conflicts with this part of the SPD, it complies with other of its design principles. This includes the fact it would consist of a high-quality design using contemporary materials which contrasts with the original property showing a clear legibility between the old and new parts of the dwelling. The chamfered reveals, slimline aluminium glazing and the fact it is set back considerably from the eaves would help to reduce the bulk of the extension. Furthermore, there would only be glimpsed views of the dormer extension from very limited locations on Effingham Road, partially obscured by the two-storey rear extensions of neighbouring dwellings and by the chimney stack and parapet walls behind which the extension would sit neatly.
7. The Council has raised a concern with the fact the existing terrace of six dwellings does not currently feature any roof extensions, however the SPD does not preclude rear dormer extensions on unbroken terraced roof slopes. While there would be a degree of conflict with the SPD, on balance, I consider the high-quality design and its relatively discreet positioning advocated by both the SPD and Policy DM31 to outweigh the fact it is more than two-thirds of the width of the roof slope. Consequently, the dormer extension would preserve the character and appearance of the LMCA.
8. Turning to the proposed rooflights, criterion 2b. of Local Plan Policy DM31 does not preclude rooflights on the front roof slope of buildings, stating they should be considered in relation to the design of the dwelling and they should harmonise with the street scene. I consider the flush conservation-style rooflights positioned at the highest and most discreet part of the roof to be appropriate for this context. I observed on my site visit that similar rooflights have been added to the front roof slope of other dwellings without diminishing the character and appearance of the LMCA. This accords with the guidance in the SPD which states that where traditional conservation-style rooflights have been established as an accepted and prevailing characteristic on front roof slopes, they may be acceptable. I consider this to be applicable in this context and they would preserve the character and appearance of the LMCA.
9. Criterion 4a. of Local Plan Policy DM36 states in terms of preserving or enhancing the character and appearance of Conservation Areas, new alterations and extensions to existing buildings should not be incompatible with the special characteristics of the area, its buildings, scale, form and materials.

For the reasons stated above, the appeal proposal is compliant with this policy, as the design of the dormer extension and rooflights have been found to be compatible with their surroundings in the LMCA. The appeal proposal also complies with Core Strategy Policy 16 and Policy HC1 of the London Plan (2021) which are broader policies seeking the preservation and enhancement of Conservation Areas generally and actively managing incremental change to the historic environment, respectively. The functions of both of these policies have been complied with in the determination of this appeal.

10. The Council has stated the appeal proposal causes less than substantial harm to the LMCA as a designated heritage asset, with no public benefit to outweigh the harm, referencing paragraph 202 of the National Planning Policy Framework (the Framework). I disagree as my assessment has found that the appeal proposal has demonstrated overall conformity with the development plan and the character and appearance of the LMCA would be preserved. The appeal proposal would therefore accord with the requirements of the Framework and the relevant statute¹ in this respect.

Conditions

11. Having regard to paragraph 56 of the Framework, the conditions set out above are necessary to ensure that the development is carried out within the statutory time period and in accordance with the approved plans.

Conclusion

12. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

J N Seymour

INSPECTOR

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990