



Appeal Decision

Site visit made on 21 November 2024

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 December 2024

Appeal Ref: APP/C5690/W/24/3349979

39C Faversham Road, Lewisham, London SE6 4XE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Akan Alibey against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/24/135500.
 - The development proposed is a hip to gable 'L' shape loft conversion to create an additional room and bathroom.
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Decision

1. The appeal is allowed and planning permission is granted for a hip to gable 'L' shape loft conversion to create an additional room and bathroom at 39C Faversham Road, Lewisham, London SE6 4XE in accordance with the terms of the application, Ref DC/24/135500, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: drawing no's PL12 (location plan); and PL11 Rev. A (Proposed Loft Plans).
 - 3) Prior to construction of the 'L' shape dormer extension hereby approved, the precise details of its external materials, including colour(s), shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be undertaken in accordance with the approved details and maintained as such thereafter.

Preliminary Matters

2. Both parties have made me aware of an amended plan (drawing no. PL11 Rev. A) that was submitted during the course of the planning application, and considered by the Council before its decision was made. I have also determined the appeal based on that amended drawing.
3. The Council has made me aware in its statement that subsequent to its decision to refuse planning permission for the appeal scheme, it granted planning permission¹ ('the approved development') for an 'L' shaped dormer extension on the rear of the appeal property, and has included a 3D plan showing this. This is a fall-back position for the appellant and an important material planning consideration. In addition, in terms of its reason for refusal

¹ Ref. DC/24/136611

the Council has said it does not have any objection to the proposed hip to gable roof change (already part of the approved development), or the proposed 2 no. front rooflights, which are both part of the appeal proposal, and I see no reason to disagree. Consequently, my assessment of the appeal proposal will be limited to how the 'L' shaped roof extension differs from the approved development.

Main Issue

4. Accordingly, the main issue is the effect of the proposed rear dormer extension on the character and appearance of the host property, the terrace, and the area, with particular regard to its scale, design, and external materials.

Reasons

5. The appeal property is a hipped roof, end terraced property, that faces onto Faversham Road, and has its side elevation, including its two-storey shallow pitched hipped roof rear outrigger, abutting Winterbourne Road. The property has a painted render exterior under a tiled roof. In the immediate area there is a variety of property types and styles, particularly the roof forms, and external materials.
6. Lewisham's Alterations and Extensions, Supplementary Planning Document, adopted April 2019 (SPD) sets out the Council's expectations for 'L' shaped roof extensions saying they should only be permitted in exceptional circumstances, although it does not say they are not acceptable in all situations. The SPD sets out parameters for when they can be acceptable, which are; when they are common in the area; not higher than the main roof's ridge line; set in from the eaves and significantly set in from the rear return; that they do not dominate the original dwelling; use high quality materials; and demonstrate significant architectural quality. The SPD also says tile cladding is not normally acceptable as an external material.
7. In this case, the Council has already permitted an 'L' shaped dormer extension and the main difference between the appeal proposal and the approved scheme relates to the appeal proposal having a longer projection across the roof of the rear outrigger. In addition, the proposed elevations of the appeal proposal indicate that the external materials to be used on the sides of the 'L' shaped dormer could be different.
8. Although the proposal would extend further across the rear outrigger, it would end some distance before its rear outside edge, and as a result, it would not interfere with its shallow hipped roof design feature. Even considering the hip to gable change, the additional size of the proposed dormer extension would not appear overly dominant, and it would have a subservient relationship to the host property and the terrace it is part of. Moreover, its additional projection beyond what is already approved, would not be particularly noticeable from Winterbourne Road or Faversham Road, and would be mostly seen in the context of other buildings. Furthermore, views of the proposed development from the rear side would not be materially different to the approved development, and would include the hipped form of the outrigger, and similar window positions. As a result, the proposal would not be harmful to the character and appearance of the area.

9. The application form states that the external materials for the roof are to be roof tiles, along with reference to the design statement, which says the new materials would match the existing property. Whilst the plans indicate that the sides of the proposed dormer extension could have a pattern similar to hanging tiles, there is no external material or indeed colour specified. I am not convinced that a material with the tiled pattern, in an appropriate colour would be unacceptable in the built context of the appeal property. Despite the Council's comments to the contrary I see no reason why the external materials could not be the subject of a suitably worded condition, which allow the Council to agree the exact type and colour of the materials to be used, and ensure a high quality external appearance.
10. I therefore conclude that the proposed development would respect the character and appearance of the host property, the terrace, and the area. In doing so, I find the proposal to comply with Policy D3 of The London Plan, The Spatial Development Strategy for Greater London, dated March 2021 (LP), and Policy 15 of Lewisham's Core Strategy, adopted June 2011, and Policies 30 and 31 of Lewisham's Development Management Local Plan, adopted November 2014, that collectively seek to secure high quality design, that enhances local context, positively contributes to its distinctiveness through its scale, appearance and roofscape, and ensures high quality matching or complementary external materials.
11. The Council has referred to conflict with LP Policy D4. That policy mainly relates to strategic design review and analysis, consequently I did not find it to be directly determinative on this main issue.

Conditions

12. A standard implementation condition (1) has been imposed, along with a condition (2) listing the approved plans to provide certainty over what has been approved. A condition (3) is also necessary to ensure the external materials are high quality and harmonise with the character and appearance of the area.

Conclusion

13. The proposed development accords with the development plan when taken as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. For the reasons given above, I conclude that the appeal should be allowed.

A Hunter

INSPECTOR