



Appeal Decision

Site visit made on 20 January 2025

by **K L Robbie BA (Hons) DipTP MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 February 2025

Appeal Ref: APP/C5690/D/24/3346323

73 Micheldever Road, London SE12 8LU

- 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 Daniel Morrison against the decision of the Council of the London Borough of Lewisham.
- The application reference is 23/134323.
- The development proposed is a ground floor single storey rear extension and loft extension including three dormers to rear roof slope and conservation roof lights to front and side roof slope.

Decision

1. The appeal is allowed, and planning permission is granted for a ground floor single storey rear extension and loft extension including three dormers to rear roof slope and conservation roof lights to front and side roof slope at 73 Micheldever Road, London, SE12 8LU in accordance with the terms of the application, Ref 23/134323, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos: Site Location Plan EX01; Existing Ground Floor Plan EX02; Existing First Floor Plan EX03; Existing Attic Plan EX04; Existing Roof Plan EX05; Existing Section 1-1 EX06; Existing Section 1-1 EX07; Existing Section 2-2 EX08; Existing Front Elevation EX09; Existing Rear Elevation EX10; Existing East Flank Elevation EX11; Existing Elevation from No 75 EX12; Site Block Plan PL01; Proposed Ground Floor Plan PL02; Proposed First Floor Plan PL03; Proposed Second Floor Plan PL04; Proposed Roof Plan PL05; Proposed Section 1-1 PL06; Proposed Section 1-1 PL07; Proposed Section 2-2 PL08; Proposed Front Elevation PL09; Proposed Rear Elevation PL10; Proposed East Flank Elevation PL11; Proposed Elevation from No 75 PL12; Proposed Section 3-3 PL13; Proposed Section 4-4 PL14.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

Background and Main Issue

2. There is no dispute between the parties as the acceptability of the proposed rear single storey extension or the insertion of rooflights into the front and side roof slopes. Based on the evidence before me I am satisfied that these aspects of the appeal proposal would not cause material harm to the character and appearance of the area, and I have not been made aware that these elements would result in any

conflict with any development plan policies. Therefore, I have confined my consideration to the proposed dormers on the rear elevation.

3. In the light of the above, the main issue is the effect of the proposed rear dormers on the character and appearance of the property and the Lee Manor Conservation Area.

Reasons

4. The appeal property is an end terrace two-storey house on Micheldever Road. It is similar to the majority of the other properties in this section of the road which consist of short terraces of period properties with peaked gables to front elevations and hipped roofs at either end. It lies within the Lee Manor Conservation Area (CA) which is notable for its layout as a planned suburb built in the late 19th and early 20th century. Buildings are laid out in a well-ordered manner, have generally retained their original features and there is a consistent use of materials. As such the appeal property contributes positively to the character and appearance of the CA.
5. The proposal would introduce three dormers to the rear elevation of the property, spaced so that one would stand apart from the other two, which in turn are closer together and seen as more of a pair. Although not evenly spaced within the roof space, the dormer that stands apart would align directly with the existing first floor window below it. Whilst the other two dormers would not directly align with the windows below, the building's hipped roof form would effectively prevent this. Nevertheless, their relationship to one another reflects the fenestration pattern at first floor. In any event, the dormer windows are modestly sized, well-designed and proportionate in scale to the appeal property's roof area.
6. Although the outermost dormer would not be set in from the existing hip at its highest point, which would conflict with advice set out in the Council's Alterations and Extensions SPD (SPD), this particular dormer would be viewed in the context of other dormers on the rear of the appeal property and within the block. Consequently, it would not look out of place or appear overly dominant within the street scene when viewed from either Micheldever Road or Manor Lane.
7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty to have special regard to the desirability of preserving or enhancing the character or appearance of the CA. In considering the effect of the proposal on the CA the impact must be weighed against the harm it would have on the heritage asset.
8. As set out above, the dormers would not appear overly bulky, incongruous or out of place in this part of the CA, where similar dormers are commonplace occurrences. As a result, the proposal would not result in harm to the special interest of the CA as identified above. Its effect on the character and appearance of the CA would be neutral and therefore the significance of the CA would be preserved.
9. Accordingly, I conclude that the dormers would not have any adverse effects on the character and appearance of the appeal property or the CA. As such it would not conflict with Lewisham Core Strategy (2011) Saved Policies 15 and 16, Development Management Local Plan (2014) Policies 30, 31 and 36, Lee Neighbourhood Plan (2024) Policies HD1 and HD3 and The London Plan (2021)

Policy HC1 which all, amongst other things, seek to ensure that development is of a high quality and conserves or enhances heritage assets.

10. Despite a technical breach of the SPD's guidance, the site-specific circumstances of this appeal mean that the scheme would still comply with the overall design aims of the SPD and those contained within the development plan as a whole.

Other Matters

11. I recognise that previous Inspectors have come to alternative conclusions on several previous appeal for dormers at the appeal property. I do not have all the details of those appeal proposals; however, from the evidence submitted they appear to differ in scale and design from the proposal before me and therefore are not directly comparable to the appeal scheme. I therefore do not share those Inspectors concerns in relation to the bulk and scale of the dormers in relation to the character and appearance of the appeal property or the CA. My considerations are based solely on the evidence and my observations on site for the reasons set out above.

Conditions

12. I have considered the Council's suggested conditions in light of the National Planning Policy Framework and Planning Practice Guidance. In addition to the standard time limit, plans and materials conditions are necessary and reasonable in the interests of certainty.

Conclusion

13. For the reasons given above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be allowed.

KL Robbie

INSPECTOR