



Appeal Decision

Site visit made on 4 March 2025 by S Wilson LL.B. MSc MRTPI

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 9 June 2025

Appeal Ref: APP/C5690/D/24/3358015

49 Musgrove Road, London SE14 5PP

- 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 Elana Delasos against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/24/137472.
 - The development proposed is a rear dormer roof extension, insertion of front roof windows, and insertion of new windows to front and rear elevations.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. Whether the proposed development would preserve or enhance the character or appearance of the Telegraph Hill Conservation Area (TCA).

Reasons for the Recommendation

4. 49 Musgrove Road is a mid-terrace three storey property which forms part of a well-preserved residential street within the TCA. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
5. The TCA Appraisal (TCAA) sets out the significance of the TCA and in particular the housing types within it: *'The area's uniform and cohesive architectural character is based around two main house types (two- and three-storey) built to standardised designs within approximately 30 years between 1870-1900. The houses are good examples of late 19th century middle class houses and villas with many surviving design features such as vertical sliding sash timber windows, robust part-glazed front doors, two-storey canted bays, recessed front doors, pitched slate roofs and decorative brickwork. Numerous original architectural details survive such as glazed decorative porch tiles, foliated capitals, cast-iron railings, tiled front paths and clay chimney pots.'* The appeal dwelling retains many of these features, which are highly visible from within the TCA, and it thereby contributes positively to the character and appearance of the area.

6. The proposed first-floor front elevation glazing bars would not match the existing four pane glazing pattern prevalent across the street and the TCA. Where glazing at this level has omitted the original glazing pattern the result is stark, and jars against the rhythmic uniformity of the original estate pattern. Given the significance of the surviving design features, as denoted in the TCAA, the proposal would fail to preserve the character or appearance of the TCA in this respect. The appellant has suggested a condition requiring that the first-floor front elevation windows match the existing. In the event that it was recommended that the appeal be allowed, I agree such a condition would overcome the issue identified regarding first floor front elevation fenestration.
7. Nonetheless, the proposal would also introduce roof lights to the front elevation. On my site visit I noted that a small number of rooflights exist in the vicinity; however, where they do exist, I noted that they draw attention, detracting from the uniform pattern and rhythm of the roofscape.
8. Even if I found that the introduction of rooflights were acceptable, their proposed alignment would not align with the vertical symmetry of the fenestration below contrary to paragraph 5.5.4 of the Alterations and Extensions Supplementary Planning Document (2019) (SPD). Whilst the appellant maintains that two of the windows align with the two side facing windows of the bay window, those side windows face to the side, whereas the proposed roof windows would face forward. The visual result would not align vertically with the fenestration below and would appear wider.
9. Despite the protrusion of the bay window at the appeal building, views of the proposed front rooflights would be available from the street and from nearby dwellings which also form part of the TCA. Consequently, the proposed rooflights would fail to comply with the SPD, adversely affect the character and appearance of the host dwelling and subsequently fail to preserve or enhance the character or appearance of the TCA.
10. I also noted that the rear elevations of the housing in the immediate vicinity have a pleasant, consistent, and rhythmic pattern including their roofscapes and rear outriggers. The proposal would introduce an alien and unsympathetic rear box dormer, jarring against the pleasant consistency and drawing attention away from the rhythm and pattern of these elevations. The SPD sets out guidance for rear roof extensions in paragraph 5.8.3. The proposal would be set in from the party walls. It would use high quality materials; however, I am not convinced that the proposed box dormer would demonstrate exceptional innovative design quality as supported by the criteria of paragraph 5.8.3 of the SPD.
11. Furthermore, the dormer would be more than two thirds of the original unextended roof and would fail to align fenestration with the arrangement on the lower floors. Even if the windows would be roughly the same width as the windows below, the misalignment of the fenestration is contrary to guidance in the SPD, jarring against the local distinctiveness and would draw attention to the harmful dormer element.
12. The proposed rear dormer roof extension would fail to respect the architectural integrity of the rear elevations as a whole. Whilst views of the harm to the rear elevations would be limited, they would, nonetheless, be available to surrounding properties that constitute the TCA and would adversely affect the character and

appearance of the host dwelling, failing to preserve or enhance the character or appearance of the TCA.

13. The appellant highlights other properties on other streets granted permission for rear dormers in the past. However, I have not been provided with any substantive details of those permissions and I therefore cannot be certain against which development plan or policies they were assessed or if the circumstances are comparable. I therefore attribute them little weight.
14. Given the scale and location of the proposed development, the harm to the significance of the TCA would be less than substantial in terms of the National Planning Policy Framework (2024) (the Framework). Nevertheless, it is a matter of great importance and weight. I am required to balance this harm against the public benefits of the proposal. In this instance, the public benefits associated with the proposal, to include employment opportunities during construction, would be very limited in nature and would not outweigh the harms identified above.
15. Accordingly, the proposal would conflict with Policies 30, 31 and 36 of the Lewisham Development Management Local Plan (2014), Policies 15 and 16 of the Lewisham Core Strategy Development Plan Document (2011), and Policies HC1 and D3 of the London Plan (2021), the guidance contained in the SPD and the relevant paragraphs of the Framework, insofar as they require development to be of high-quality design that responds to local distinctiveness, preserves the character and appearance of the host property and preserves the character or appearance of the TCA.

Other Matters

16. The appellant's appeal statement maintains that the letter of objection from the Telegraph Hill Society erroneously refers to the application site as being in Arbuthnot Road and therefore cannot carry any weight. The evidence before me, from the Telegraph Hill Society, does match the site address. Regardless, that evidence has not by itself been determinative.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

S Wilson

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR