



Appeal Decision

Site visit made on 10 May 2021

by Chris Couper BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 May 2021

Appeal Ref: APP/C5690/W/20/3263580
97A Bradgate Road, London SE6 4TR

- 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 D Murphy against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/116565, dated 9 April 2020, was refused by notice dated 20 July 2020.
 - The development proposed is described as the creation of a rear roof extension to form a one person, one bed unit, plus remodelling of the existing stair to the first floor flat to provide access to the new unit.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the property number from the appeal form, rather than the application form, as that is consistent with the appellant's written statement and with the address cited in a previous appeal decision on the site (Ref: APP/C5690/W/18/3217441) ('previous appeal').
3. The description of the proposal in the banner above is from the application form, but I note that the drawings include a two storey side extension.
4. Since the application was determined, the London Plan 2021 has been adopted ('LP'), and the policies from the London Plan 2016, which were referred to in the Council's decision, are now superceded. The principal parties were given an opportunity to comment on the LP during the appeal process.

Main Issues

5. The main issues are:
 - The effect of the proposal on the character and appearance of the host property and the area; and
 - Whether future occupants of proposed Flat No 3 would experience satisfactory living conditions, with particular regard to the amount of living space.

Reasons

Character and appearance

6. The appeal site is prominently located on the angled corner of Silvermere Road and Bradgate Road. The buildings here, including the attached terrace to the east of the site, mainly comprise houses with simple gabled or hipped roofs, along with bay windows, and ornamental detailing typical of their era. In contrast, No 97A is relatively modern, has a much more functional appearance, and has different fenestration and brickwork. It therefore stands out in this otherwise fairly uniform streetscene.
7. Amongst other things, the Lewisham Alterations and Extensions Supplementary Planning Document 2019 ('SPD') sets out that side extensions can have a wide impact, and that factors including their form and subordinacy shall be assessed to determine their acceptability. It continues that for rear roof extensions, the arrangement of windows should relate to those on the lower floors.
8. The siting of the proposed two storey side extension would be similar to that in the previous appeal, and would not appear incongruous. It would be set well back from the host's front face, and according to drawing no. E_01, the top of its sloping rear roof would be set slightly down below the host's ridge. As a result, it would appear suitably subordinate to the existing building. The removal of the open external staircase would result in a less cluttered appearance.
9. However, the form of the proposed half gable, with vertical sections of wall behind a glazed second floor 'winter garden', which would be stepped down from the half gable's roof line, would be markedly at odds with the prevailing form of nearby development.
10. In its officer report the Council acknowledges that the scale and general siting of the proposed dormer would accord with the advice in its SPD. However, its long row of windows would fail to align with the arrangement and proportions of those in the floor beneath. This would create an awkward relationship with the remainder of the building, which would be particularly apparent approaching southwards along Silvermere Road, including after dark when light could be shining through them.
11. I appreciate that the design approach here, including the standing seam metal cladding, is deliberately contemporary given that the host property does not sit comfortably within this 'urban terrace' typology. However, in my view, and for the above reasons, this form of development would draw the eye, and it would serve to highlight the incongruity of this prominent building in the streetscene.
12. Whilst the building at Nos 106A and 106B Silvermere Road is of a different style and design to many nearby, its gabled form responds to the area's character, and it is lower and less prominent than the building on the appeal site. Neither that example, nor the modern, single storey development behind a boundary wall at Holbeach Primary School, alters my conclusions regarding the harm that this scheme would cause to the character and appearance of the host property and to this distinctive area.
13. Amongst other things, and in general terms, LP Policies D3 and D4, Policy 15 of the Lewisham Core Strategy 2011 ('LCS'), and Policies DM 30 and DM 31 of the Lewisham Development Management Local Plan 2014 ('LDMLP') require the

delivery of good design through development which enhances local character and responds positively to local distinctiveness.

14. For the above reasons, the scheme would conflict with those policies, along with the requirement for high quality buildings and places at paragraph 124 of the National Planning Policy Framework ('Framework'), and with the approach in the SPD.

Living conditions

15. LCS Policy 15 requires that development shall achieve satisfactory living conditions. LDMLP Policy 32 sets out that to ensure that new housing is of appropriate quality and amenity, internal space standards shall be met. It continues that small single person studio flats will rarely be supported as they are not considered to provide long term, sustainable solutions to housing need, unless they are of exceptional design quality and in a highly accessible location. Where permitted, they should have a minimum gross internal area ('GIA') of 37sqm, based on the DCLG Technical Housing Standards 2015 ('THS'). LP Policy D6 takes a similar approach on GIAs, and also requires that at least 5sqm of private outdoor space be provided.
16. The appellant states that Flat 3's GIA would be 40.2sqm, but according to the Council it would be 33sqm, and its enclosed winter garden would have an area of 3sqm. However, the THS notes that the GIA should include flights of stairs, and as this flat would have its own private staircase, which the Council has not added in its calculations, this may partially explain the discrepancy in the figures.
17. The small winter garden would be fully enclosed, and high up on the building, where the occupants would be exposed to public view through its fully glazed sides. Consequently, it would not meet the LP's requirement for private outdoor space.
18. Internally the flat would contain an open plan living/bedroom/kitchen space and a separate shower room, with an adequate outlook from three clear glazed windows in the rear dormer. However, it would be significantly smaller than the bedsit proposed in the previous appeal, and whilst it would be located in an area with a high PTAL rating and close to services and amenities, nothing leads me to conclude that it would be of an exceptional design quality.
19. The Framework encourages the provision of a range of housing, and at the time of the last census, 34% of the Borough's households were single person. Nevertheless, for the above reasons, Flat 3 would not provide appropriate living conditions for the occupants to suitably meet flexible long term accommodation needs, and it would conflict with the above development plan policies.

Other matters

20. New windows would improve the energy efficiency and quality of the existing building, although this scheme is not the only way in which that could be achieved.
21. In its favour, the scheme seeks to optimise the site's potential, it would increase the size of the lower floor flats, and it would make a modest contribution to housing supply. I have no reason to doubt that, on this small site, it could be built quickly. In those regards, it finds support from the

Framework and the development plan, including the LP which identifies a pressing need for housing.

Planning Balance and Conclusion

22. This scheme was submitted in an attempt to address the concerns raised in the previous appeal. Nevertheless, having considered it on its merits, I have found that it would provide unsatisfactory living conditions for Flat 3's occupants, and that it would significantly harm the character and appearance of the host property and the area.
23. The scheme's modest benefits would not outweigh the harm that it would cause. It would conflict with the development plan when considered as a whole, and having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR