

Appeal Decision

Site visit made on 14 June 2021

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2021

Appeal Ref: APP/C5690/D/21/3270279

115 Verdant Lane, London SE6 1JE

- 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 Gurmail Sehdev against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/20/119002, dated 28 October 2020, was refused by notice dated 17 December 2020.
 - The development proposed is double storey rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers to policies from the London Plan (2016). However, since the decision was made this plan has been replaced by the new London Plan, published in March 2021, which includes different policies. The policies relevant to this appeal in the previous plan are strategic policies dealing with design matters. As such, I consider that there would be no prejudice to any parties' interests were I to rely for the purposes of this appeal on the local policies and guidance referred to by the Council, which address the same matters.

Main Issue

3. The main issue is the effect of the proposed extension on the character and appearance of the host dwelling.

Reasons

4. The appeal property is a two story terraced dwelling in a residential road of largely similar properties.
 5. Policy 15 of the Lewisham Core Strategy (2011) and DM Policy 30 and DM Policy 31 of the Development Management Local Plan (2014) (DMLP) all require development to be of high quality design. More specifically, DM Policy 31 requires that proposals for residential extensions should respect the form and setting of the original building.
-

6. The *Alterations and Extensions* Supplementary Planning Document (SPD) provides guidance to support these development plan policies. It says that the extra height and bulk of a two or more storey extension compared to a single storey structure can, amongst other matters, give the extension greater visual prominence; and that such extensions can be difficult to achieve in a sensitive manner and will only be considered where the applicant can demonstrate exceptional design quality¹.
7. The appeal property has undergone substantive change to the rear through single storey, two storey and roof extensions. The existing two storey side and rear extension covers part of the original first floor elevation. However, the remaining part of this original rear elevation ensures that some of the dwelling's original character and appearance is retained, both in its own right and in its visual relationship with the neighbouring terrace. This remaining part of the rear elevation would largely be covered by the proposed extension, thereby altering the dwelling further to the extent that its original form to the rear would almost be completely subsumed by the cumulative extensions.
8. The proposed extension, while limited in size in its own right, would add further bulk and mass at the upper floor in addition to the substantive changes that have already occurred. Moreover, the inset of the extension would add further complexity to the various roof forms at different levels, while the positioning of the roof immediately under the dormer window and lack of alignment of the new window and ones above it would represent poor design. As such, despite the use of matching materials, the proposed extension would be an incongruous and uncharacteristic addition that would harmfully alter the original built form of the appeal property.
9. While these changes would not be apparent from the front of the property, from surrounding properties and gardens to the rear the harmful effects of the extended dwelling as described would be readily apparent.
10. The appellant contends that the principle of development is a material consideration to which considerable weight should be given. However, the Council indicates that it supports the principle of residential extensions, but it is the particular form of the proposed extension, in combination with the existing extensions, that is harmful in this case. Moreover, while the National Planning Policy Framework promotes the effective use of land, this does not override development that is harmful and does not represent good design as in this case. As such, these matters do not overcome the harm that has been found would result from the proposal.
11. My attention is drawn to a number of other approved extensions, which the appellant contends are precedents for the current proposal. However, these are either single storey or are not the same form of two storey extension proposed here. As such, they are not directly comparable with the appeal proposal and, in any case, I have considered the proposed extension on its individual merits against current circumstances, policy and guidance, and found it to be harmful for the reasons given.

¹ Paragraphs 4.3.1 and 4.3.2.

12. Accordingly, for the reasons given, I conclude that the proposed extension would have an unacceptably harmful effect on the character and appearance of the host dwelling. Consequently, it is contrary to Policy 15 of the Core Strategy, to DM Policy 30 and DM Policy 31 of the DMLP, and to the SPD, as described above.

Other Matters

13. I have had regard to the representation made by an interested party. This does not, however, raise any additional matters in relation to the main issue in this appeal that would lead me to reach a different overall conclusion.
14. While not a reason for refusal, the Council indicates that the proposed extension would be visually overbearing resulting in an increased sense of enclosure to the nearest ground and first floor windows of the adjoining dwelling, No 113. However, based on the appeal submissions and site inspection, I consider that due to the inset and limited depth of the part of the extension closest to No 113 there would be no such harm to the neighbouring occupants' living conditions.

Conclusion

15. For the reasons given above it is concluded that the appeal should not succeed.

J Bell-Williamson

INSPECTOR