



Appeal Decision

Site visit made on 18 October 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2022

Appeal Ref: APP/C5690/W/22/3296618

9 Broadfield Road, London SE6 1ND

- 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 Jasveer Kaler against the decision of the Council of the London Borough of Lewisham.
 - The application Ref: DC/21/124117 dated 2 November 2021 was refused by notice dated 14 January 2022.
 - The development proposed is construction of a rear roof extension, a single storey rear extension, rear lightwells and a extension of basement by lowering of the floor to gain extra head height to enable the provision of a further 2 x 2 bed and 1 x 3 bed flats along with 3 rooflights and two solar panels to the front roof slope, division of the rear garden, cycle and bin storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue in this appeal is whether the proposed development would provide a satisfactory living environment for future residents, with particular regard to the provision of amenity space, outlook and size of units as well as cycle storage.

Reasons

3. The appeal property is a mid terraced, double fronted property on the east side of Broadfield Road, in a predominantly residential area, comprising both houses and properties divided into flats. As existing, the property is shown to be laid out as two flats, one on the ground floor and one on the first floor.
4. The proposal would, after extensions and alterations, including at roof and basement level, provide three flats, two x 2 bedroom flats at ground and basement and one x 3 bedroom flat at first and roof level.
5. There is no issue with the principle of extending and altering the property to change the accommodation provided and the provision of an additional flat would add to the housing supply. I agree with the Council that the extensions proposed would be acceptable on their own in terms of respecting the character and appearance of the existing building and of the local area. However, policies at a national, London wide and local level are clear that the quality of the

- proposed residential accommodation requires to be of a high standard to provide for the amenities of existing and future occupiers.
6. The proposed works would include for deepening the basement to provide the larger of the two bedrooms to each of the 2 bedroom flats. Whilst the size of the room taken on its own would be appropriate, I share the Council's concern regarding the outlook from these bedrooms. They would be served by a lightwell, some 1350mm in depth. As a result of this arrangement, the outlook would be severely restricted because of the very close proximity of the retaining wall. Although not specifically raised by the Council, there is also no technical evidence provided to demonstrate the levels of light to the room. I consider that the internal space would be gloomy with a very limited outlook. This would not provide a high quality and satisfactory living environment for the occupiers of these two flats.
 7. There is no dispute that the upper flat, as proposed to be laid out, would not and could not be provided with any external amenity space. I understand that the existing upper floor flat has no access to outdoor space as existing, but the new accommodation needs to meet current standards and requirements. This is recognised not to be an unusual situation in the London Plan, particularly for conversions, but in such scenarios, I am advised by the Council that the policies and supplementary guidance seek for additional living space to be provided. I agree with the Council that this is particularly important in this case, given the size of the flat and potential number of persons to be accommodated as well as the fact that the property is situated in a local open space deficiency area. The proposed layout would not provide a high quality internal environment for future occupiers.
 8. The proposed cycle parking would be a covered cycle store for two bicycles at the front of the property to serve the upper flat, and similar cycle stores in the rear gardens of Flats 1 and 2. The Council has queried whether the size of the stores could accommodate two bikes per store; I agree with this concern but were no other matters of concern and planning permission were to be granted I consider that this could be addressed by condition. However, the proposed cycle parking for the two lower flats would involve a very convoluted passage through the main living accommodation to reach the cycle stores which would not be satisfactory and encourage cycle use. This would not meet the requirements of the London Plan or Local Plan.
 9. I therefore conclude that the proposed development would not create a good standard of living environment for future occupiers. This would conflict with Policy D6 and Policy T5 of the London Plan 2021, Policy 14 and Policy 15 of the Lewisham Core Strategy, and Policy DM 32 of the Lewisham Development Management Local Plan 2014 as well as the National Planning Policy Framework, and in particular Paragraph 130 f) all of which amongst other matters seek a high standard of amenity for existing and future occupiers, including with regard to sustainable transport options. For the avoidance of doubt the inadequate cycle parking provision would specifically be in conflict with Policy T5 of the London Plan 2021 and Policy 14 of the Lewisham Core Strategy.
 10. The Council has also raised as a reason for refusal that the two flats on the ground floor and basement do not show internal storage space. However, were no other matter of concern and planning permission were to be granted I

consider that this could be addressed by condition, given the size of the flats proposed.

Other Considerations

11. There is no issue with the principle of the scheme and the proposal would increase the number of residential units to 3, a net increase of one over the existing situation, which would be a benefit of the scheme. However, this would not overcome the harm I have identified in terms of the standard of accommodation to be provided.
12. The Appellant has drawn my attention to other permissions granted which he considers to be comparable with the form of accommodation he would provide under this proposal. Each proposal must be judged on its individual merits. However, and in so far as the information has been made available to me, they do not persuade me to a different view, given the harm I have concluded from the particular proposals before me.
13. I understand that the property is in need of refurbishment and that there have been previous schemes granted for the same property. However, my decision is based on the current proposals and must necessarily be considered in the context of the current planning policies at a national, London wide and local level. These previous schemes do not therefore lead me to a different conclusion.

Conclusion

14. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed.

L J Evans

INSPECTOR