



Appeal Decision

Site visit made on 15 May 2023

By Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 May 2023

Appeal Ref: APP/C5690/D/23/3316051

27 Whitefoot Terrace, Lewisham, Bromley BR1 5SH

- 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 Miss Chireen Miller against the decision of the London Borough of Lewisham Council.
 - The application Ref DC/22/128514, dated 21 September 2022, was refused by notice dated 16 November 2022.
 - The development proposed is an attached 2 storey annexe with roof accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are whether the proposal would be a subordinate residential annexe and its effect on the character and appearance of the local area.

Reasons

3. The appeal dwelling is an end of terrace two storey house with a wrap around garden, which is located at the junction of Whitefoot Terrace with Woodbank Road. The appeal dwelling currently has a front entrance on Woodbank Road. The terrace of which the appeal dwelling forms part is similar to the terraces in the wider local area, which forms part of a large, planned estate.
4. The proposal is for a part 2 part 1 storey annexe that would attach to the side of the appeal dwelling, and a single storey rear extension that would be to the full width of the rear of the appeal dwelling. The proposed annexe would have its own entrance on the Woodbank Road elevation of the two storey part of the proposal. It would also have a second entrance to connect it to the appeal dwelling, which would lead to an entrance hallway that would be accessed from a new front entrance to the appeal dwelling on Whitefoot Terrace.
5. The proposed annex would be fully self-contained with its own staircase leading from a ground floor entrance hall to a first floor landing. At ground level, as well as the entrance hall, the proposed annexe would have an open plan kitchen living area. At first floor level the proposed annex would have 1 bedroom, with combined shower and toilet facilities on the other side of the landing.

6. The appellant's position is that there would be free access between the house and the proposed annexe and vice versa. There does not, however, appear to be an evident dependency on, or need for, use of any of the facilities of the existing appeal dwelling. Further, the proposal has all the facilities necessary for being independently occupied, including a kitchen. In this regard the proposed annex would appear to be a stand-alone dwelling that would function completely independently of the main house.
7. It is noted that as a new single bedroom dwelling at approximately 47 square metres for 1 person across 2 floors, the proposal would fail to meet the required standard of accommodation and would be in conflict with policy D6 of the London Plan (2021), which requires a minimum of 58 square metres for such a dwelling.
8. The proposed annex would be constructed in materials to match the existing brick built house and would be slightly set back from the front elevation of the appeal dwelling but would align with its rear elevation. The proposed annexe would also have a hipped rather than gable end facing Woodbank Road. The appellant has set out that this set-back is in response to a previous refusal of planning permission by the Council for a similar proposal.
9. The two storey element of the proposed annexe would be narrower than the appeal dwelling, but with the single storey element, would be approximately the same width. The proposed annexe would extend the existing hipped roof form of the appeal dwelling, with a slight step in the front roof slope and roof ridge.
10. The proposed annexe represents a significant extension to the appeal dwelling, taking up much of the existing side and rear garden of the appeal dwelling. The bulk of the proposal would result in the terrace to which it would be attached, appearing to step sideways towards Woodbank Road and forward of the established building line of the terraced houses on that street.
11. As such, the proposed annexe would fail to appear as subordinate to the appeal property. Rather it would appear as an overly prominent, dominating, and incongruous addition. This would be apparent in street views of the appeal dwelling on both Whitefoot Terrace and Woodbank Road. The existing screening, provided by an existing substantial boundary hedge on both street frontages of the appeal property with these streets, would not substantially screen this from view and has the potential to be temporary in any case.
12. Whilst the proposed single storey flat roofed rear extension to the appeal dwelling appears to be a relatively limited addition in itself, the additional bulk of this part of the proposal, in combination with that of the proposed annexe, would further add to the impression of the appeal dwelling being dominated by bulky and incongruous additions, especially when viewed from Woodbank Road. The proposal as a whole would, therefore, fail to accord with design guidance set out in the Lewisham Alterations and Extensions Supplementary Planning Document (2019).
13. The appellant has drawn my attention to the approval of a two storey extension to an end of terrace property in the local area. However, this appears to be of a significantly different plan and scale to the proposal, which also includes a separate single storey rear extension. This approved extension to 77 Northover also has a single entrance that it would share with the main house, with

additional connectivity between the extension and the main dwelling at first floor level and does not have its own separate kitchen. This would have been considered on its own individual merits and I have, therefore, afforded this only moderate weight in my considerations.

14. The appellant has set out in broad terms their family reasons for proposing the annexe. However, there is no detail before me that would lead me to conclude that the proposal would be the only way in which their specific needs could be met. I have considered attaching a condition to an approval of the proposal that would control the use of the proposed annexe for purposes ancillary to the residential use of the main dwelling. However, although there is not a proposal for a separate dwelling before me, for the reasons given above, I find that the proposal would not appear or function as a subordinate residential annexe, but rather as a separate small end of terrace house.
15. I am not, therefore, satisfied that the application of a condition, which would require the proposed annexe to be used for purposes ancillary to the residential use of the main house dwelling, would be relevant to the form or function of the development proposed. For these reasons, such a condition would not result in an otherwise unacceptable development being acceptable and would not accord with Paragraphs 55 and 56 of the Framework.
16. For the reasons given above, I find that the proposal would not appear or function as a subordinate residential annexe and would, due to its scale and apparent bulk, result in significant harm to the character and appearance of the appeal dwelling. This would be contrary to policy 15 of the Lewisham Core Strategy (2021) policies DM30, DM31 and DM32 of the Lewisham Development Management Local Plan (2014), policy D3 of the London Plan (2021) and paragraph 130 of the National Planning Policy Framework (2021). These collectively seek to ensure that development provides suitable accommodation, is of a high standard of design and that extensions respect and/or complement the original building.

Conclusion

17. The appeal is dismissed.

Victor Callister

INSPECTOR