



Appeal Decision

Site visit made on 8 January 2026

by **A Wright BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 January 2026

Appeal Ref: APP/C5690/W/25/3374228

Land adjacent to 39 Bonfield Road, London SE13 6BX

- 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 Mr S Peja against the decision of the Council of the London Borough of Lewisham.
 - The application Ref is DC/25/140060.
 - The development proposed is described as 'the change of use of the existing single storey workshop / storage unit (32.5m²) to a two storey 1 bed two person house (58m²)'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The reasons for refusal refer to policies in the emerging Lewisham Local Plan (main modifications version 2025). The Council has confirmed that it adopted the Lewisham Local Plan (LLP) in July 2025 and that policies in the Lewisham Development Management Local Plan 2014 have now been superseded. The parties have had the opportunity to address this, and I have determined the appeal based on the adopted policies in the LLP and the London Plan 2021 (LP).

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposed development on the living conditions of the occupants of 39 Bonfield Road, with particular regard to privacy and disturbance; and
 - whether acceptable living conditions would be provided for future occupiers, with particular regard to light and outlook.

Reasons

Character and appearance

4. The appeal site comprises a single storey flat roofed storage building in a predominantly residential area with a school and church nearby. Whilst there are some modest sized commercial and storage buildings alongside part of the site and some boundary fences and walls abutting this section of the road, the locality is largely characterised by Victorian-style terraced housing. Indeed, the site adjoins two storey traditional hipped roof dwellings which are characteristic of

Bonfield Road. These include features such as arched upper floor openings with brickwork features above, projecting bays, vertically proportioned windows, and entrances surrounded by columns and pediments. The proposal is for a two-storey flat roofed dwelling with a roof terrace above.

5. The Council's Small Sites Design Guide Supplementary Planning Document 2021 (SPD) indicates that developments should positively respond to the existing character. It states that wherever possible consideration should be given to how new homes reinforce the existing positive aspects of built character.
6. There is no dispute that a contemporary building could be acceptable on this site. However, the glazing would largely be banks of oblong windows with no arches or glazing bars, giving them a horizontal and plain appearance at odds with the traditional vertically proportioned openings prevalent in the street.
7. A flat canopy would be installed over the entrance, and windows beside the front door would allow some natural surveillance. However, the amount of glazing and lack of architectural detailing around the new entrance would fail to pick up on the well-defined, vertically proportioned entrances which characterise the area.
8. As well as the metal entrance canopy, the proposed building would include vertically aligned brickwork adjacent to the roof and sand coloured coping stone and sills. The site is not within a conservation area, close to listed buildings nor subject to any townscape or character designation. Nevertheless, the flat roof building form, large areas of plain brick walls and limited architectural features referencing the traditional dwellings nearby would give the proposed building a bland appearance lacking meaningful articulation.
9. Further, the privacy screens around the rooftop terrace would introduce a boxy, glazed feature at an elevated level not currently present in the vicinity. Although the new dwelling would largely be set back from the adjacent house, due to the extent and position of the glazed screens, these would give the new building a top-heavy appearance.
10. Located on a constrained site, the proposed dwelling would replace a structure which does not positively contribute to the character of the area and be partly screened by the adjacent commercial buildings. Nevertheless, as it would project significantly higher than the existing building, due to its design and lack of contextual integration, the proposed development would appear incongruous in the street scene, evident in views from Bonfield Road and nearby Albion Way.
11. Therefore, I conclude that the proposal would harm the character and appearance of the area. This would be contrary to Policy QD1 of the LLP where it requires proposals to respond to local distinctiveness and enhance local character. Whilst not referred to in the relevant reason for refusal, the Council's Officer Report and Appeal Statement refer to Policy D3 of the LP. The proposal would also conflict with Policy D3 of the LP which requires developments to respond to site context, amongst other things.
12. Policy D4 of the London Plan 2021 relates to processes and actions required to deliver good design. As it does not directly link to the harm identified, I find no specific conflict with Policy D4 in reaching my conclusion.

Living conditions – neighbouring occupiers

13. The appeal site lies next to the house at 39 Bonfield Road (No 39) which has a rear garden behind. There is a modern block of flats to the rear which incorporates balconies, but this is some distance from the surrounding residential properties. At my site visit, no roof terraces were evident in the locality. Although the site also adjoins a commercial use and lies close to Lewisham town centre, Bonfield Road is a relatively quiet residential street.
14. The proposal includes a roof terrace to provide an outdoor amenity space for future occupants of the new building. The SPD states that terraces should avoid overlooking neighbouring properties and care should be taken to avoid these being located close to the windows of neighbouring bedrooms.
15. There would be 1800mm high privacy screens to the rear and side of the proposed roof terrace which could be secured via an appropriately worded condition. These would prevent overlooking of neighbouring rear gardens by future occupants when using this outdoor space.
16. However, the roof terrace and access to it would be located close to first floor rear room windows at No 39. Although the rooflight would affect the amount of useable amenity space available, the roof terrace would be over 20m² and capable of accommodating the future occupants of the property as well as visitors.
17. The Council's environmental health officer has not suggested that use of the roof terrace would generate an unacceptable level of noise. Nevertheless, due to the elevated position of the roof terrace and access and their proximity to neighbouring upper floor rear rooms, there is the potential for future occupiers and visitors using this space to cause unacceptable disturbance to the residents at No 39.
18. It has been put to me that the privacy screen would act as a buffer from the noise of people using the roof terrace, but there is no substantive evidence that it would perform an acoustic function preventing disturbance to the adjacent occupants.
19. Consequently, whilst the proposed development would not harm the privacy of occupiers at No 39, I conclude that it would cause disturbance to them. This would conflict with Policy D6 of the LP and Policy QD7 of the LP where they require high quality housing development which avoids noise nuisance.

Living conditions – future occupiers

20. A large outbuilding within the grounds of a property on Albion Way lies very close to the rear boundary of the appeal site. The proposed dwelling would have a ground floor bedroom with high-level windows facing towards the nearby outbuilding and a frosted skylight in the ceiling above.
21. The SPD indicates that new homes should receive an adequate quantity of natural daylight, with the principles of the BRE's 'Site layout planning for daylight and sunlight: a guide to good practice' applied to new development.
22. The appellant's Daylight and Sunlight Study (DSS) indicates that 100% of the areas on the ground floor would meet the 100 lux figure for daylight illuminance in accordance with the BRE criteria. It also states that the ground floor bedroom would achieve an average daylight factor (ADF) of 1.89%, above the 1% target.

23. However, the DSS lacks key explanatory detail, including plans showing the labelled window references and information outlining the extent to which the ADF in the bedroom relies on the ceiling skylight. Occupying a large amount of floorspace in the centre of the first floor living area, the bedroom skylight would be susceptible to obstruction by future occupants, including from rugs and furniture in the living room above. As this could significantly limit daylight into the bedroom below, it cannot be relied upon as a source of daylight to this ground floor room.
24. Therefore, the only reliable light source to the proposed bedroom would be from high-level windows immediately facing the side wall of the large outbuilding only a very small distance away. Regardless of any future building works which could take place on the neighbouring land under permitted development rights¹, from the information before me I cannot be satisfied that there would be adequate daylight to the proposed ground floor bedroom.
25. I acknowledge that buildings are often close to boundaries in densely built urban environments and bedrooms may not be used as much as living areas during the day. Further, future occupiers of the proposed dwelling would not be harmfully overlooked. Nevertheless, due to the high level of the proposed bedroom windows and their proximity to the neighbouring outbuilding wall, there would be an undue sense of enclosure and poor outlook for future occupants when using this room.
26. Therefore, I conclude that the proposal would provide unacceptable living conditions for future occupiers, with particular regard to light and outlook. This would be contrary to Policy D6 of the LP and Policy QD8 of the LLP which together require housing development to provide adequate natural light and privacy, amongst other things.

Other Matters

27. The Council did not find harm or development plan conflict in relation to several other matters, including flood risk, internal and external space standards, refuse storage, biodiversity, air pollution, accessible housing requirements, transport and parking. However, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposed scheme.

Planning Balance and Conclusion

28. The Housing Delivery Test result for 2023 confirms delivery at 32% over the previous three years, substantially below the 75% referred to in the National Planning Policy Framework (the Framework). As there has been a shortfall in housing provision, paragraph 11(d) of the Framework is engaged.
29. Paragraph 11(d)(ii) of the Framework confirms that in such circumstances, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies including directing development to sustainable locations, making effective use of land and securing well-designed places.
30. The Framework seeks to boost housing supply and highlights the important contribution small and medium sized sites can make. The proposal would make a

¹ Under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

modest contribution of one home to the supply of housing in an area very close to Lewisham town centre with its wide range of shops and facilities and excellent public transport links. It would contribute towards Lewisham's housing supply, making a modest difference to addressing the shortfall, and therefore I attribute moderate weight to this benefit.

31. In contrast, the proposed scheme would harm the character and appearance of the area and result in unacceptable living conditions for neighbouring and future occupiers. This would conflict with the Framework where it requires developments to be sympathetic to local character and provide a high standard of amenity for existing and future users. Indeed, I must pay particular regard to securing well-designed places when applying paragraph 11(d)(ii) of the Framework. The proposal would also be contrary to Policies D3 and D6 of the LP and Policies QD1, QD7 and QD8 of the LLP. These matters carry significant weight against the proposal. Thus, the adverse impacts of the scheme would significantly and demonstrably outweigh the benefits.
32. For the reasons given above, the proposal would conflict with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

A Wright

INSPECTOR