
Appeal Decision

Site visit made on 13 September 2016

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 September 2016

Appeal Ref: APP/N5660/W/16/3152898

Plot adjacent to 55 Canmore Gardens, London SW16 5BD¹

- 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 Canmore Close Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref: 16/00621/FUL, dated 29 January 2016, was refused by notice dated 31 March 2016.
 - The development proposed is described as the erection of 7 x 4-bedroom houses with associated parking and landscaping and the renovation of 56 Canmore Gardens to provide a 4-bedroom house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's description of development, which the appellant uses on the appeal form, provides a more detailed description of development and is as follows: "Erection of 7 three-storey single family dwelling houses on the land adjacent to Streatham Vale Sports and Social Club, erection of a new electrical substation and provision of refuse & recycling storage and 7 car parking spaces together with alterations to 56 Canmore Gardens involving a loft conversion including the erection of front and rear dormers, erection of a front porch, erection of a single storey ground floor rear extension and erection of a first floor rear extension."
3. As part of the appeal process the Council has reviewed its reasons for refusal. As set out in its Statement of Case the Council has withdrawn from defending reasons for refusal numbers 3 (daylight), 4 (affordable housing), 5 (cycle parking), 7 (drainage), 8 (parking) and 9 (sustainable design). I shall therefore only address those matters insofar as they relate to objections from interested parties.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the surrounding area having particular regard to the scale, bulk, massing and materials of the proposed development, including

¹ The description is taken from the application form but I note that the Council describe the site as 'Sports Club Canmore Gardens' which is an easier way to identify the site

that related to the works to 56 Canmore Gardens, and the to the provision of refuse / recycling facilities to serve the proposed development.

Reasons

5. The appeal site is largely hardstanding, with some overgrown areas, related to Streatham Vale Sports Club together with the dwelling 56 Canmore Gardens which is an end of terrace house. It, and the remainder of the Sports Club land, is situated at the end of Canmore Gardens, which is, in effect, a cul-de-sac. The surrounding area is largely residential. The site is adjoined to the rear by the back gardens of Donnybrook Road and to the side by the back gardens of Broadwick Road. Abercairn Road runs parallel to Canmore Gardens to the opposite side to Donnybrook Road. Thus, whilst it is some distance from the appeal site, occupiers of the houses in this street, which back onto the Sports Club site, would have views towards the proposed development.
6. The properties on these streets, as with those of Canmore Gardens, consist mainly of terraced houses, with modest front gardens and larger rear gardens. These dwellings were constructed as two-storey properties although it is apparent some have been extended with dormers serving the attic floor. The houses are mainly of painted render, often with full height bay projections, under tiled roofs. Despite some changes of roof tiles, occasional exterior resurfacing, and other cosmetic changes such as altered windows, the character of the residential properties in the area is relatively consistent. The street pattern is generally linear with some street trees and on-street parking. Thus, there is a general uniformity to the character and appearance of the area.
7. The appeal proposal seeks, in terms of the new build, to continue the uniform layout. It would follow the front building line of the existing terrace to which it would be attached. The depth of the dwellings would be greater. No.56 would be extended rearwards but away from the boundary with the existing attached property for the first floor element. The new terrace would then follow the depth of rearmost part of the altered No.56 at ground floor. Whilst deeper than the existing terrace, the new proposed terrace would be stepped in at first floor level. The second floor of accommodation would largely be the same area as the floor below.
8. There would be steps down from the entrance of the dwellings to the ground floor. Nevertheless, the overall height and bulk of the first and second floors is such that the dwellings would appear as three stories when seen from the dwellings on Donnybrook Road and from Canmore Gardens. That would be the case despite the ridgeline height of the existing terrace being maintained by the flat roof of the proposed terrace.
9. I saw that where existing roofs have large box dormer additions, they would have a similar visual impact, in terms of mass, as that proposed. However, in the case of the proposed terrace, despite the second floor articulation particularly between the windows and wall, the bulk would be significantly greater than for the surrounding terraces because relatively few of the houses have been extended by box dormers. As such, the massing would similarly fail to respect the relatively traditional terraces, with their pitched roofs, in this locality.

10. I appreciate that utilising the roof space at this stage, rather than awaiting ad-hoc extensions would create a cohesive use of that space now. Nonetheless, it results in an uncharacteristic and dominating design that would fail to respect the character and appearance of the surrounding area.
11. The proposed use of extensive areas of timber cladding would do little to assist in achieving a scheme that would be easily assimilated in this locality. Although the materials would be used to echo the two storey bays seen on the nearby terraces, they would emphasise the uncharacteristic massing of the buildings, particularly at the front. The appellant's suggestion that a condition be imposed to ensure that timber be properly maintained would not overcome the greater issues in respect of the design as a whole.
12. In terms of the works to No.56, taken as a whole, the extensions and alterations would not be sympathetic to the character and appearance of the original dwelling, albeit that character has already been eroded by previous alterations. The proposed rear full width ground floor extension combined with the first floor extension, dormers to front and rear and new exterior finishes are clearly aimed at providing a transition to the new build terrace. However, the consequence is to make the existing building appear as an awkward mix of the traditional property as it was built and the proposed new terrace form. Given I have found the latter unacceptable, it does nothing to justify the works proposed for No.56.
13. I appreciate that the property attached to No.56 has large box dormers to front and rear. Although the Council sets out that this arrangement did not have planning permission it is a feature of a nearby development. That said, it is not typical for the surrounding area and has an undesirable and uncharacteristic visual appearance, such that it does not justify the appeal proposals for No.56.
14. The scheme for No.56 is integrated such that each element could not be considered for partial approval. However, I acknowledge that there appears to be scope for some increase in depth of this property without harm to neighbouring dwellings or the streetscene. Notwithstanding this, it does not justify the bulk and massing of the proposed terrace of houses which I have assessed above.
15. I share the Council's view that a communal recycling and waste compound at the 'entrance' to the proposed terrace of houses would not be ideal. Set to the front of the proposed terrace, and separated from it by a walkway and small front forecourts, it would create a visual block at the end of Canmore Gardens despite the visual form of the terrace being intended to continue the existing building pattern. It would not be located well away from residential accommodation so as to avoid harm to amenity and outlook. Thus, I find conflict with Lambeth Local Plan Policy Q12 in this regard.
16. However, a revised layout indicating refuse / recycling facilities at the front of each property has been submitted with the appeal. The Council accepts that subject to approval of details this might have overcome its objections on this point. I consider that it would be likely to result in an acceptable solution. I am satisfied that this could be addressed by the imposition of conditions, were I to allow the appeal.
17. In respect of the development plan, I find that there would be conflict with Lambeth Local Plan Policies Q5 and Q7 which, taken together, seek to reinforce

local distinctiveness by reflecting the local context in terms of bulk and massing (including roofscapes which should also be attractive), the relationship with other buildings and, the use of materials and detailing, including articulation. The policy does allow for deviation from locally distinctive development but in such cases requires design excellence and a positive contribution to local context to be shown. On this latter point I take the view that this would not be the case with the appeal scheme.

18. In terms of the works to No.56, whilst there would be some retained original details of the building, the works of alteration and extension would unacceptably dominate and overwhelm the host building and significantly alter its character. As such, the scheme would also be in conflict with Policy Q11 as it would not positively respond to the original architecture.
19. The National Planning Policy Framework (the Framework) makes it clear that planning has three roles, economic, social and environmental. I accept that the scheme would provide much needed additional housing, is aimed at making good use of land and providing lifetime homes. It would also create economic benefits. Nonetheless, it would result in environmental harm, as set out above. The Framework makes it plain that high quality design should always be sought and that it is indivisible from good planning and should contribute positively to making places better for people. I consider that the appeal scheme would fail in this regard.

Other Matters

20. Concern is raised that the proposal would add to highway safety dangers and result in parking issues. However, a parking space would be provided for each dwelling, there is on-street parking in the vicinity and there is a good level of public transport provision. Despite concerns raised about commuter use of the area, there is no substantiated evidence of parking problems. Such parking issues could also be resolved by other means. The roads in the vicinity are residential roads of restricted speed limit and the appeal site is at the end of a no through road. Therefore, on the evidence before me, I consider that the proposal would not result in material harm to highway safety including as a result of parking.
21. Disruption during construction is an inevitable part of the development process and does not justify withholding planning permission.
22. No significant green space would be lost. Much of the area is currently hard surfaced and this scheme would provide garden areas.
23. Nearby occupiers raise concerns regarding impacts on daylight. The appellant has undertaken a daylight assessment to accompany the appeal. This confirms that impacts upon the Broadview Road and Donnybrook Road would be within the Building Research Establishment's guidelines. As such, the scheme would not result in an unacceptable impact in respect of normally acceptable levels of daylight received within those properties for their occupiers. In terms of privacy, the proposed dwellings would have a similar residential inter-relationship as for other terraces in the vicinity with an adequate separation of some 18 metres. Concerns about possible use of the proposed single storey flat roofs as balconies/sitting out areas could be dealt with by a condition prohibiting such use. Additionally, I saw that the existing layout results in some overlooking between properties. On balance, I do not consider that the

scheme would have such a harmful effect on privacy that this should be a reason for preventing development.

24. Local residents also raise concern about general increase in noise, pollution and vermin as a result of the proposed development. There is nothing to indicate that noise would be of a type out of character with the area. There is no substantiated evidence that material harm would arise from pollution and the scheme is designed to be energy efficient. The refuse /recycling facilities could be designed to minimise vermin and odour issues. Whilst concerns are also raised about pressure on local services there is no evidence regarding this matter and this proposal is relatively modest.

Conclusions

25. Despite the Council withdrawing from a number the reasons for refusal and the lack of material harm identified in respect of the other matters raised, the harm I have found in respect of the main issue is such that I conclude that the appeal shall fail.

Zoë H R Hill

Inspector