
Appeal Decision

Site visit made on 20 September 2016

by Jonathan Price BA(Hons) DMS DipTP MRTPI

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

Decision date: 13th October 2016

Appeal Ref: APP/N5660/W/16/3153436
84 Ferndale Road, London SW4 7SE

- 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 Ronan Devlin against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/00481/FUL, dated 24 January 2016, was refused by notice dated 4 April 2016.
 - The development proposed is single storey extension to rear of ground floor flat to provide an additional 22.8m² floor space.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to rear of ground floor flat to provide an additional 22.8m² floor space at 84 Ferndale Road, London SW4 7SE in accordance with the terms of the application, Ref 16/00481/FUL, dated 24 January 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: P1-001; E1-100; E1-300; E1-201; E1-202; E1-203; P1-100; P1-300; P1-201; P1-202; P1-203.
 - 3) The materials to be used for the external surfaces of the development hereby permitted shall match those of the existing building. All new works and works of making good to the retained fabric shall be finished to match the adjacent work with regards to the methods used and to material, colour, texture and profile, unless the prior written approval of the local planning authority is obtained to any variation, or except where otherwise stated on the approved drawings.

Procedural Matter

2. The Council's first reason of refusal refers to Policy Q20 of the Lambeth Local Plan 2015¹ (LLLP). Policy Q20 addresses listed buildings, which is not relevant to this case, and so this is assumed to be an error and should instead have referred to Policy Q22, which concerns conservation areas.

¹ Lambeth Local Plan – adopted September 2015

Main Issues

3. Whether the proposal would:

- preserve or enhance the character or appearance of the Ferndale Road Conservation Area;
- maintain acceptable living conditions for occupiers of the neighbouring ground floor flat at 86, Ferndale Road, with particular regard to daylight and outlook.

Reasons

Character or appearance of the Ferndale Road Conservation Area

4. The significance of the Ferndale Road Conservation Area derives principally from the architectural uniformity of the imposing front elevations to the three-storey Victorian terraced housing that runs alongside both sides of the street. The proposal is to the rear of the property where the gardens back onto a railway line and views from the public realm are limited.
5. The single-storey rear extension would be set back from the rear wall of the main part of the building to preserve a light-well and then extend rearwards the full width of the plot, wrapping around and projecting beyond the two-storey outrigger.
6. Many of the properties along this terrace have been extended at the rear, including those either side of this dwelling. The variety of these extensions has meant that there is no longer any uniformity to the rear elevations of this terrace to observe. The scheme would preserve the appearance of the upper part of the rear outrigger and the asymmetric roof allows for a clear definition of the original return and side passage, at a pitch that is in keeping with the existing property.
7. The addition would not project beyond the single-storey rear extent of No 86 and, framed on the opposite side by the two-storey addition to No 82, would have little visual impact from adjoining sites or the wider area. Consequently, this proposal would comply with LLP Policy Q8, which seeks that building designs are unified and visually attractive, and with LLP Policy Q2, which requires development not to unacceptably compromise visual amenity from either the public realm or adjoining sites.
8. Some of the other rear extensions along this terrace involve single storey additions, similar to this proposal, which wrap around the two-storey rear outrigger parts of these houses. This is a form of extension discouraged within conservation areas by LLP Policy Q11 (e) whereby the infilling of the space alongside rear returns might be limited to single-storey set back behind the rear wall to the outrigger. This policy is supported by the Building Alterations and Extensions Supplementary Planning Document² (SPD), which shows an example of a wrap-around extension similar to that proposed as acceptable, but only outside of a conservation area.
9. The appellant has given examples of recent appeal decisions along this road where such wrap-around rear additions have been allowed in this conservation area. However, these all pre-date the current LLP and SPD, which were both

² Lambeth Council's Buildings Alterations and Extension Supplementary Planning Document – September 2015.

adopted in the last year and must be afforded significant weight, and this proposal should be decided on its own, individual merits.

10. Notwithstanding the general presumption against infilling beyond the rear return set out in LLP Policy Q11, this low-profile addition would be of a contrasting, more light-weight character, that adequately differentiates it from the main building, and of a scale and form which compliments and preserves the character to the rear part of this property. Given also the limited visual envelope to this proposal, this single storey extension is considered to preserve the character and appearance of the Ferndale Road Conservation Area and comply with LLP Policy Q22.

Living conditions for the occupiers of 86, Ferndale Road

11. The neighbouring ground-floor flat at No 86 has side windows facing this property. However, the extension would be at a height of around 2.5m along the boundary, pitching away to a ridge height of some 3.3m. A light well would be retained at the back wall of the main part of the building adjacent to the rear facing window at No 86. It is not considered that this proposal would materially harm the living conditions of occupiers of this adjacent ground-floor flat due to undue loss of daylight or by having an overbearing effect.
12. Therefore, this scheme would satisfy LLP Policy Q2, which seeks that as a consequence of developments adequate outlooks are provided, avoiding whenever possible any undue sense of enclosure and unacceptable impact on the levels of daylight to adjoining properties.

Conclusion

13. For the reasons given, this proposal would preserve the character or appearance of the Ferndale Road Conservation Area and maintain acceptable living conditions for the neighbouring occupiers of 86 Ferndale Road. In addition to the standard time limit, conditions are necessary that the development is carried out in accordance with the submitted plans and externally it matches the materials and detailing of the main building, in the interests of certainty and character and appearance respectively. Subject to this, and having taken into account all other matters raised, I conclude that this appeal should be allowed.

Jonathan Price

INSPECTOR