
Appeal Decision

Site visit made on 10 November 2016

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

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

Decision date: 24 November 2016

Appeal Ref: APP/N5660/D/16/3151557

56 Hanover Gardens, Lambeth, London SE11 5TN

- 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 Ms Mary Mitchison against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 15/06834/FUL, dated 27 November 2015, was refused by notice dated 14 March 2016.
 - The development proposed is rebuild unsatisfactory 1960's back addition & create proper sized bathroom/utility room and study.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development:
 - i) on the living conditions of the occupiers of No 57 Hanover Gardens in respect of daylight and outlook;
 - ii) on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the St Marks Conservation Area (the CA).

Reasons

Living conditions

3. The proposed extension would have a noticeably greater depth at its upper floor level than the existing outrigger that it would replace, as well as extending further overall. Its ridge height would be lower than the maximum height of the existing outrigger. However, that existing mono-pitch roof slopes downwards from its connection with the main building such that its highest part is only very close to the house. The eaves of the proposal would only be slightly lower than those of the existing outrigger.
 4. The combination of that only slight reduction in eaves height and the degree to which, at that height, it would extend beyond the existing upper floor level, would add substantial bulk to the side elevation adjacent to No 57. I have also taken account of the existing slight stagger in the rear building lines of Nos 56 and 57 which would add to the degree of projection beyond the main rear elevation of No 57. That combined height and depth would have an
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unacceptably enclosing effect on the residents of No 57 when looking out from the rear basement and ground floor rooms and in using the most private area of outdoor amenity space closest to the original dwelling.

5. In respect of natural daylight, I have taken account of the appellant's study. However, I have also had regard to the situation whereby the highest part of the existing outrigger and the single storey element would be likely to have only minimal impact on daylight currently. The increased bulk referred to above would be likely to materially lessen the amount of visible sky seen from, and natural daylight to, both the basement room in particular and the most private area of outdoor amenity space of No 57.
6. For the above reasons, I conclude on this issue that the proposed development would cause unacceptable harm to the living conditions of the occupiers of No 57 in respect of daylight and outlook. As such, in respect of this issue, it would be contrary to policy Q2 of the Lambeth Local Plan (the Local Plan) which requires, amongst other things, provision for adequate outlooks and no unacceptable impact on levels of daylight on the adjoining property.

Character or appearance of the CA and character and appearance of host dwelling

7. The site is located in the CA and as such special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA.
8. The CA is characterised by a variety of designs of residential properties together with various commercial uses fronting onto main road frontages. Hanover Gardens is specifically characterised by its attractive Victorian residential terraced properties, set close to the road, culminating in a listed Square. There are some more modern flats set back from the road along one section of the street but these are not the predominant feature.
9. The rears of the properties in the vicinity of the site are not visible from the street or any other public vantage points and so do not add to that distinctive road frontage character. Although those rear elevations have some degree of uniformity, that has been broken to an extent by later basement and ground floor outrigger additions to Nos 56 to 58. Various other additions have been made to the rear of other properties on the eastern side of the street, including a modern extension at the side of No 55.
10. The proposed modern extension to replace the existing outrigger would contrast with those remaining outriggers of Nos 57 and 58 in terms of its increased width and depth, the design and use of materials. However, it would still be seen in the context of the extent to which those existing later additions have already broken the uniformity of the rear elevations of the properties in the vicinity. Furthermore, it would remain a subservient feature of the dwelling as a whole, set well below the main eaves level and only extending across just over half of the width of the house.
11. The proposed grey stained timber is not a material that is clearly evident in other additions to properties in the vicinity and it would clearly contrast with the existing brickwork of the house. However, it would not be the predominant material in the context of the house as a whole. Instead it would be likely to bring a degree of simplicity to the proposed development that would allow it to sit comfortably with the existing building without appearing incongruous or dominating.

12. For the above reasons, I conclude on this issue that the proposed development would not cause unacceptable harm to the character and appearance of the host dwelling and would preserve the character and appearance of the CA. As such, in respect of this issue, it would accord with policies Q11 and Q22 of the Local Plan which together require development proposals to preserve or enhance the character or appearance of CAs; and the requirements for proposed extensions to have a design that respects and retains the features of the host building, and that subordination will generally be a key consideration.

Conclusion

13. I have found that the proposed development would not cause unacceptable harm to the character and appearance of the host dwelling and would preserve the character and appearance of the CA. I also acknowledge the appellant's desire to improve the accommodation of the dwelling. However, these factors are insufficient to outweigh the unacceptable harm that would be caused to the living conditions of the occupiers of No 57 in respect of daylight and outlook.
14. Therefore, for the reasons given above, and taking all other matters into account, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR