
Appeal Decision

Site visit made on 16 December 2016

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 3 January 2017

Appeal Ref: APP/N5660/D/16/3160475

32 Spenser Road, London SE24 0NR

- 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 Lawrence McDonnell against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/03586/FUL, dated 14 June 2016, was refused by notice dated 11 August 2016.
 - The development proposed is the construction of a roof extension to the rear of the property to create loft accommodation and a single storey rear extension comprised of a side in-fill between the existing house and the southern boundary wall and a side return between the existing rear outrigger and the southern boundary.
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Decision

1. The appeal is dismissed insofar as it relates to the construction of a roof extension to the rear of the property to create loft accommodation. The appeal is allowed and planning permission is granted insofar as it relates to the erection of a single storey rear extension comprised of a side in-fill between the existing house and the southern boundary wall and a side return between the existing rear outrigger and the southern boundary at 32 Spenser Road, London SE24 0NR in accordance with the terms of the application Ref 16/03586/FUL, dated 14 June 2016, subject to the conditions set out in the schedule to this decision.

Procedural matter

2. I have dealt with another appeal¹ on this site. That appeal is the subject of a separate decision.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

4. The appeal property is a two-storey Victorian end of terrace house, located within the Poets Corner Conservation Area (CA). It forms one of a row of six similar houses with broadly symmetrical and detailed period frontages and sizeable rear projections. The CA has a strong residential character with

¹ Ref APP/N5660/D/16/3160476

parallel streets lined with a variety of semi-detached villas and terraces. While the rear elevations to properties add to the character and appearance of the CA, the significance of this designated heritage asset is principally derived from the architectural quality, symmetry and coherence of buildings that that mostly form attractive and well-mannered streetscapes.

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 132 of the National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation.

The new rear dormer extension

6. The new dormer would be placed onto the rear roof slope with sufficient space around it on all four sides. Its position would comply with the guidance in the Supplementary Planning Document, *Building Alterations and Extensions* (SPD) and would reflect the Council's advice provided at the pre-application stage.
7. Nevertheless, the proposal would still be considerable in scale and a notable addition to the rear roof slope of No 32. It could not be reasonably described as modest in size nor would the opening align with the windows below. This arrangement would conflict unsatisfactorily with the vertical emphasis of the rear elevation with windows that are generally taller than they are wide. This pattern of fenestration appears to be a feature of the original design to the host building and of the properties the same terrace. For these reasons, the new dormer would be a dominant feature of the rear façade and would not respond positively to the architectural integrity of the original building and its group.
8. As the proposal would be at the back of the existing dwelling, away from public view, it would not be seen from Spenser Road. Consequently, there would be no effect on the streetscape or to the front façade of the existing dwelling or the wider terrace. Part of the dormer would, however, be evident from some neighbouring gardens and the upper rear windows of properties beyond the rear of the site. In these views, the new dormer would draw the eye as an uncharacteristically large and unsympathetic addition even among the varied built form at the back of the wider terrace.
9. By materially harming the character of the existing dwelling and the rear of the terrace, the proposal would diminish the positive contribution that these buildings make to the character and qualities of the CA. Consequently, the character and appearance of the CA would fail to be preserved or enhanced. Although the harm to the CA would be less than substantial in this case, I am not persuaded that the public benefits of the proposal, primarily through the support given to the local economy during the construction phase, would outweigh the harm that I have identified.
10. Therefore, I conclude that the proposed dormer extension would materially harm the character and appearance of the local area. As such, it conflicts with Policies Q11 and Q22 of the Lambeth Local Plan (LP). These policies aim to ensure that the design of new dormers is appropriate to the host building and that development in conservation areas should preserve or enhance their

character and appearance. The proposal would also fail to adhere to the core principles of the Framework for development to achieve high quality design and to conserve heritage assets in a manner appropriate to their significance.

The single storey side and rear extension

11. The proposed single storey extension would infill part of the gap along the side of main house and the recess at the side of the rear return of No 32, with a corner of the latter just set back from the host building. With a largely glazed roof and upper sidewall, full-length glazing to the new end elevation, and timber cladding introduced across the rear elevation of No 32, the proposal would have an overall lightweight appearance. As a result, the new extension would dovetail with, and be subordinate to, the host building. It would not visually dominate the existing dwelling.
12. From Spenser Road, only the front of the infill side extension would be evident, which would be set back from the main front wall, modest in width and nestled into the confined space between the host building and the site's side boundary. In this position, and given the use of matching brick, the new side addition would be inconspicuous in the street scene and it would have no significant effect on the front elevation of No 32 when viewed from the road.
13. At the rear, the proposal, with its single storey design, partly glazed construction and lightweight appearance, would not weaken the primacy of the larger and taller 2-storey return. The linear form of the 2-storey projection would be unaltered at first floor level, which would be the main part of the rear elevation of the finished dwelling that would be evident from nearby properties. Consequently, there would be no undue harm to the rear elevation of No 32 or the terrace to which it belongs with the proposed extension in place. Overall, the character and appearance of the CA would be preserved.
14. The Council is critical of the appeal scheme because the side infill extension would not be set back from the corner of the building, as required in LP Policy Q11 (h) and the SPD. This part of LP Policy Q11 makes clear that such a set back would 'normally' be required implying that exceptions may also be acceptable. The SPD similarly notes that in some cases the set back arrangement may not be appropriate and that the approach should depend on the character of the host building and its surroundings. Taking into account the flexibility implied within LP Policy Q11 and the SPD and that subordination in this case would be achieved, which is a purpose of requiring a set back, this consideration does not in itself justify withholding planning permission.
15. The evidence before me also describes the proposal as a wrap around extension, which the SPD advises are not appropriate on heritage assets. Heritage assets are defined in the glossary to the Framework as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. In this instance, it is the CA, as a whole, which is the heritage asset, and not individual buildings within it unless they have been specifically designated or identified. The Council has not provided evidence to show that No 32 has been identified as a heritage asset. Consequently, this aspect of the SPD does not weigh against the appellant's case.

16. Taking all of these points into account, I conclude that the proposed single storey side and rear extension would not materially harm the character and appearance of the local area. Accordingly, I find no material conflict with LP Policies Q11 and Q22 or the Framework. As this element of the appeal scheme is clearly severable to the proposed dormer, I am able to issue a split decision that grants planning permission solely for it.

Other matters

17. In reaching my conclusions on the main issue, I have taken into account the recently permitted developments at 22 and 34 Spenser Road to which the appellant has referred and provided background information. I have, however, assessed the proposal on its own merits within the framework provided by the development plan, as I am required to do.
18. Others raise no objection to the development sought. However, the absence of objections from interested parties does not, in itself, indicate that the proposal, in part or as a whole, should therefore be granted planning permission. I also share the Council's opinion that no harm would be caused to the living conditions of the occupiers of nearby properties.

Conditions

19. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development be carried out in accordance with them as this provides certainty.
20. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building. For the same reason, the new glazed units should be conservation style and fitted to achieve clean lines and a low profile.

Conclusion

21. For the reasons given above I conclude that the appeal should be dismissed in part and allowed in part.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 098/02/01, 098/02/02, 098/02/03, 098/02/04, 098/02/05, 098/02/06, 098/02/07, 098/02/08 and 098/02/09.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building, including works of making good to the retained fabric.
- 4) The roof-lights hereby permitted shall be of conservation grade specifications, and fitted to be flush with the profile of the roof, with a vertical glazing bar.