

Appeal Decisions

Site visit made on 14 December 2016

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 11th January 2017

Appeal Ref: APP/N5660/W/16/3155402 (Appeal A)

48 Stockwell Park Road, London SW9 0DA

- 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 Robert McConnell against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/01580/FUL, dated 10 March 2016, was refused by notice dated 6 May 2016.
 - The development proposed is construction of a wooden conservatory to the rear.
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Appeal Ref: APP/N5660/Y/16/3155401 (Appeal B)

48 Stockwell Park Road, London SW9 0DA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Robert McConnell against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/01581/LB, dated 10 March 2016, was refused by notice dated 6 May 2016.
 - The works proposed are construction of a wooden conservatory to the rear.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matter

3. Appeal A and Appeal B relate to the same site. Whilst I have considered each proposal on its own merits, given that they have much in common, and in the interests of brevity, I have dealt with them in one document.

Main Issues

4. 48 Stockwell Park Road is a handsome detached early-mid nineteenth century villa. It is grade II listed building and is located within the Stockwell Park Conservation Area (SPCA). Having regard to the statutory requirements of sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the main issues in this case are:
 - Whether the proposed works and development would preserve the special architectural or historic interest of the grade II listed building, 48 Stockwell Park Road; and
 - Whether they would preserve or enhance the character and appearance of the SPCA.
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Reasons

5. The listed building is a brick two storey property with a stuccoed basement. It is generally regular in footprint and form with a low pitched slate roof. It has some regularity in its fenestration pattern and general detailing and displays some symmetry. The rear elevation includes a simple closet wing which is a later addition to the property. The closet wing informs the historic development of the listed building and along with the simplicity and regularity in form and detailing and some symmetry of that rear elevation, it contributes to the significance of the listed building.
6. I note that the rear elevation is not referenced in the listing description. However, the listing description is primarily for the purpose of identification. That a particular feature is not referenced within it does not indicate that it is of less value to the significance of the heritage asset.
7. The SPCA includes pleasant and generally quiet roads of handsome early nineteenth century domestic villas, mainly in a neo-Classical style. Despite some variety in type, scale and decoration of properties, it has a generally cohesive feel. The appeal site, as a whole, positively contributes to that character and appearance, a finding that accords with the SPCA Statement (2009).
8. The proposed conservatory would be large in relation to the existing listed building. It would cover a significant part of the rear elevation, such that it would appear out of proportion with it. It would enclose most of the single storey closet wing, which would diminish its simple and regular form. It would sit to one side of the listed property and would unbalance its generally regular and symmetrical appearance. Its roof, which would include a gable, would have an awkward relationship with the simple rectangular form of the closet wing and would appear very close to one of the windows just above its roofline. All in all, it would erode the simple, uncluttered and generally regular character and appearance of the rear elevation of the listed building that I have identified. For this reason, it would diminish its significance.
9. As I have identified that the appeal property positively contributes to the character and appearance of the SPCA, and that the appeal development would result in harm to the listed building, it follows that it would fail to preserve or enhance the character and appearance of the SPCA. In coming to this conclusion, I have had regard to the fact that the proposed development would not be visible from the street. However, even though the appeal site's boundary walls, its trees and planting and trees in gardens nearby, would help to reduce views of the appeal proposal from surrounding properties, as most trees are deciduous, it would be open to views from some nearby properties at some times of the year. That it would be constructed of high quality materials, would include minor structural intervention to the listed building and provide an opportunity to improve the patio area of the garden, are matters that would not overcome my concern.
10. The appellant has brought a number of Council decisions to my attention. Also, on my site visit I saw a number of properties in the vicinity with additions at the rear, some with conservatories. However, none replicate the circumstances of this appeal. I acknowledge that the appeal proposal would help to upgrade the appeal property, would result in enhanced insulation of the property and would improve natural light sources within it. I am also aware of the

appellant's personal circumstances. However, none of these matters would outweigh the harm that I have identified.

11. I conclude that the appeal proposal would fail to preserve the special architectural or historic interest of the grade II listed building, 48 Stockwell Park Road. It would also fail to preserve or enhance the character and appearance of the SPCA. For these reasons, it would be contrary to Lambeth Local Plan (2015) Policies Q20 and Q22. These, together, seek to preserve or enhance the character and appearance of conservation areas and conserve and not harm the significance or special interest of listed buildings.
12. Whilst other policies are before, I have concluded against those most relevant to this appeal.

Public Benefits

13. In accordance with paragraph 132 of the National Planning Policy Framework (the Framework), I accord great weight to the conservation of a designated heritage asset. I consider that the harm to the significance of the listed building and the SPCA would be less than substantial, a matter to which I attach considerable importance and weight. However, in this case, no public benefits, as identified in paragraph 134 of the Framework, are before me, which would outweigh that harm.

Conclusion

14. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

R Barrett

INSPECTOR