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## Appeal Decisions

Site visit made on 27 February 2017

**by H Butcher BSc (Hons) MSc MRTPI**

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

**Decision date: 8 March 2017**

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### **Appeal A Ref: APP/N5660/W/16/3156904**

#### **Flat 3, 55 Sandmere Road, London, Lambeth, SW4 7PS**

- 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 Damiano Baroni against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 16/00436/FUL, dated 6 January 2016, was refused by notice dated 15 April 2016
  - The development proposed is the formation of rear and front mansards to existing pitched roof with projecting dormers and formation of a 1<sup>st</sup> floor rear terrace and associated terrace protection rails over existing closet wing.
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### **Appeal B Ref: APP/N5660/W/16/3156719**

#### **Flat 3, 55 Sandmere Road, London, Lambeth, SW4 7PS**

- 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 Damiano Baroni against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 16/00435/FUL, dated 6 January 2016, was refused by notice dated 15 April 2016.
  - The development proposed is the formation of a rear mansard to existing pitched roof with projecting dormers and formation of a 1<sup>st</sup> floor rear terrace and associated terrace protection rails over existing closet wing.
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### **Decision**

1. Appeal A is dismissed and Appeal B is dismissed.

### **Preliminary Matters**

2. As set out above, there are two appeals, both of which concern mansard roof extensions. Appeal A is for front and rear mansards. Appeal B is for a rear mansard only. The rear mansards in both appeals are identical. Although I have considered each proposal on its individual merits, to avoid duplication I have dealt with the two schemes together.
  3. The submitted Site Location Plan and Block Plan spell the road on which the appeal property is located as Sandemere Road. However, the rest of the appellant's submissions and the Council all refer to Sandmere Road. I have therefore used this spelling in my decision.
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## **Main Issues**

4. The main issues are: (i) The effect of the development on the character and appearance of the host building and the surrounding area, and; (ii) The effect of the development on the living conditions of occupiers of neighbouring properties, having particular regard to matters of privacy.

## **Reasons**

### *Character and appearance*

5. Sandmere Road is predominantly formed of three storey traditional terrace properties. 55 Sandmere Road is such a property. It has been subdivided into flats and the appeal concerns the top flat, Flat 3, where it is proposed to convert the loft and add a front and rear mansard in respect of Appeal A, and only a rear mansard in respect of Appeal B.
6. The Lambeth Building Alterations & Extensions Supplementary Planning Document (2015) (SPD) advises that where front roof pitches contribute positively to the group character of buildings or a wider street scene their loss will be resisted. At the time of my site visit I did not observe any other front mansard roof extensions in this section of Sandmere Road. The repeated original front pitched roofs contributed to the uniform character of these terrace properties. The front mansard proposed in Appeal A would be a large and dominant addition which would disrupt this and as a result would cause harm to both the character and appearance of the host building and the street scene.
7. The rear roof slopes of the terrace to which the appeal property belongs are also largely unaltered and display strong uniformity of design. The SPD provides detailed design advice regarding rear mansards. It states that the lower pitch of the rear mansard should be 70 degrees and must terminate at a height of 2.3m. This is good design advice as it allows rear mansards to be built in a uniform manner, which is appropriate in this case in order to maintain the uniformity of these terrace properties. The rear mansard proposed in both Appeal A and Appeal B would have a lower pitch of 70 degrees but this would not terminate at 2.3m. This would mean it would not match any future rear mansards constructed in line with the SPD which, in time, would result in a mismatch of styles.
8. The SPD also advises on the design of dormer windows in mansards. It states that these should be aligned with the windows on the elevation below and be 1m above floor level. Neither the front nor the rear dormers in the proposed mansards would align with, or bear any resemblance to, the windows in the elevations below. The rear dormers would also sit low on the roof, one being a rear Juliet balcony type arrangement, and as such would be contrary to the advice in the SPD. Overall, therefore, the dormers would be overly large and prominent and would detract from the original character of the host building.
9. The proposal also includes the creation of a rear terrace over the flat roof of a two storey rear closet wing at the property. Policy Q11(o) of the Lambeth Local Plan (2015) (LP) states that roof terraces will normally be resisted on locally distinct building types. The appellant asserts that the appeal property is not such a building. However, I consider the uniformity of the terrace properties to which the appeal property belongs to be locally distinctive. The

balustrading proposed to contain the terrace is not a characteristic of these properties therefore it would harm the integrity of the group of buildings as a whole. I note there is an example of a roof terrace at the adjacent property 53 Sandmere Road but this one example does not justify the proposal given the harm I have found. Finally, the rear access door to the terrace would not relate well to the host building as it would cut through the eaves.

10. The front roof slope of the property is clearly visible in the street scene. The rear is also visible, not only from private views, but also from the adjacent Solon New Road. For the reasons set out above both the front and rear mansards would be harmful to the character and appearance of the host building and the surrounding area. Both appeals would therefore conflict with Policies Q2, Q5 and Q11 of the LP which seek to protect local distinctiveness and visual amenity by ensuring alterations or extensions respond positively to the original architecture, roof form and fenestration of the host building and to the group characteristics of buildings. Similarly the National Planning Policy Framework (the Framework) sets out that high quality design should always be sought and that it is proper to seek to promote or reinforce local distinctiveness, regardless of whether the building is listed or located in a conservation area.
11. The appellant refers to a number of other developments, including roof extensions in neighbouring roads. However, these do not provide an immediate context to the appeal site which is located in a road largely free from such roof extensions, therefore I can only afford these limited weight.

#### *Living conditions*

12. The Council raise concern that the terrace would increase overlooking to the gardens of neighbouring properties. However, the ground floor flat at No 55 has a very shallow rear courtyard, as do the adjoining properties, such that these areas would not be harmfully overlooked by the proposed terrace. Immediately to the rear is the side of a residential property, and beyond, the rear gardens of other terraced properties set at some distance away. I therefore find no conflict with the relevant provisions of Policy Q2 of the LP which requires acceptable standards of privacy to be provided, or the Framework which also requires a good standard of amenity for all existing occupants of land and buildings.

#### **Conclusion**

13. Although I have found no harm in terms of the living conditions of occupiers of neighbouring properties, I do find harm to the character and appearance of the host building and the surrounding area from both the front and rear mansard roof extensions proposed. I have had regard to all matters raised, including the appellant's desire to extend his domestic accommodation in order to start a family, work from home, entertain guests and benefit from some outdoor space. However, I am not persuaded that at least some of these objectives could not be achieved without resulting in the harm I have identified. Consequently Appeal A and Appeal B are both dismissed.

*Hayley Butcher*

INSPECTOR