
Appeal Decision

Site visit made on 7 February 2017

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

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

Decision date: 06 April 2017

Appeal Ref: APP/N5660/W/16/3162981
336 Coldharbour Lane, London SW9 8QH

- 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 Austin against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/03429/FUL, dated 7 May 2016, was refused by notice dated 9 August 2016.
 - The development proposed is a "First Floor Extension/Roof Extension, New 1 Bed Flat."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the Council's consideration of the planning application, amended plans were submitted showing a reduced height for the rooftop extension and the removal of a roof terrace. The appeal has been considered on this basis. For the purposes of clarity, the proposal comprises a rooftop mansard type extension at the third floor and a rear first floor extension.

Main Issues

3. The main issues are (a) whether the proposal would preserve or enhance the character or appearance of the Loughborough Park Conservation Area and (b) highway safety and sustainable transport and (c) servicing and waste/recycling provision.

Reasons

Character and appearance

4. The appeal site comprises a three storey mid-terraced building with a ground floor commercial use and residential use above. The building's frontage is constructed of facing brick with a parapet wall at roof level hiding a 'butterfly' roof behind. The upper floor windows are architecturally detailed with plaster surrounds, architraves, pilaster detailing and overhangs. The rear of the building is more simply designed with a rear ground floor extension but with 'butterfly' roof exposed above the second floor.
 5. The building is one of 17 terraced properties stretching between the junctions of Coldharbour Lane with Valentia Place and Gresham Road. The terraced properties have been extended to the rear and some of them have mansard type extensions. To the rear of the site, there are warehouse buildings and
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- hard surfaced areas used for light industrial/storage purposes. Opposite the site, there is a prominent block of 1960's flats known as Southwyck House.
6. As the appeal property and terrace itself is within the Loughborough Park Conservation Area, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of that area in accordance with the statutory duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 7. The Conservation area consists of buildings of varied design and form as a whole, and a mixture of commercial, including those to the rear of the appeal property, and residential uses. Nevertheless, there are distinctive groups of dwellings of similar form and siting within the conservation Area. Streets are characterised by groups of older traditional properties generally sitting with neighbouring properties built at about the same time and with similar original architectural detailing, such as around windows. Such uniformity in original form and design is a quality of value and significance, and of special interest to the Conservation Area.
 8. The appeal property stands within a terrace of properties where there have been extensions and alterations. The appeal property has been extended to the rear. However, the majority of the buildings have not had rooftop extensions and therefore have retained their original roofscape of parapet and butterfly roof behind which is locally distinctive and attractive. The existence of rear extensions, including at first floor, on properties has not substantially changed this. The appeal property has retained its original roof form and design and so contributes positively to the character and appearance of the Conservation Area.
 9. The rooftop extension would provide a self-contained flat which would have a mansard type designed roof with half dormers to the front and rear. The proposal has been designed in accordance with the Council's Supplementary Planning Guidance according to the Appellant. There are properties at the eastern end of the terrace with mansard type extensions. However, as indicated, most properties within the terrace do not have such extensions. Neighbouring properties either side of the appeal property also do not have any rooftop extensions. As such, the extension would visually stand out and would be disruptive of a largely unaltered roofscape, particularly between the two ends of the terrace. To the rear, the rooftop extension would infill most of the 'butterfly' roof and result in a bricked wall close to the rear end of it. As a result, the uniformity of the terrace's form and design would be adversely affected which is key quality of it and the Conservation Area.
 10. Furthermore, the mansard type extensions on the terrace building serve to illustrate the unacceptable nature of the appeal proposal because they appear out of keeping with the terrace by reason of their piecemeal nature. This is reinforced by the fact that not all of them at the eastern end of the building match one another in form and design. There are mansard roof extensions/additions on buildings further east along Coldharbour Lane but from what I saw on my site visit, there is a large group of them with similar roof forms and so they do not appear out of keeping with the Conservation Area. Finally, there is a new development to the west of the appeal site which has modern designed upper floor roof accommodation. Nevertheless, such

accommodation is an integral design of the development and as such would not justify the development proposed here.

11. The rooftop extension would be at a high level but would be a noticeable feature from Coldharbour Lane by reason of its closeness to the frontage parapet wall, especially from the southern side. Although the southern side is outside of the Conservation Area, it is an important view into it given the whole of the terrace is visible from here. Despite its position in the terrace, the rear infilling of the butterfly roof would be visible from Valentia Place from what I saw on the site visit. Whilst the appeal site is contained within a limb of the Conservation Area, it is nevertheless part of it. For all these reasons, I have found that the proposal would adversely affect the character and appearance of the terrace and the Conservation Area as a whole, where uniformity of form and detailing is such a key quality.
12. The first floor extension would extend across the full width of the building at first floor above the existing ground floor extension. However, it would leave the second floor unaltered and would infill a gap between first floor extensions on neighbouring properties. On the rear of the terrace, many of the properties have lower building extensions/additions to the extent that it has become part of the existing context of the proposal. For this reason, the extension would be subordinate and in keeping with the rear of the appeal property and the terrace.
13. In conclusion, the rooftop extension would fail to preserve the character and appearance of the Loughborough Park Conservation Area. Accordingly, the proposal would conflict with policies Q5, Q11 and Q22 of the Lambeth Local Plan (LP) 2015, which collectively and amongst other matters, indicates that development design should positively respond to original architecture, roof form, and detailing of the host building, roof additions and mansards will not be supported where they would harm the architectural integrity of the original building or group, and that proposals should comply with the statutory test for Conservation Areas.

Highway safety and sustainable transport

14. There are marked parking bays on the northern side of Coldharbour Lane subject to pay and display or permit holders. No provision for off-street vehicle parking can be made on the site.
15. The Council requires a legal obligation to secure a car-free development. However, the proposal would be for a single bedroom flat in a location with a high PTAL rating and good accessibility to local amenities and thus, the need for car parking space is weak. In any case, no harm has been substantiated regarding parking stress in terms of poor availability of parking, highway safety or impact on the residents' living conditions by virtue of the inconvenience of finding car parking spaces. There would be no provision for cycle parking within the development but given the sustainable nature of the location in relation to public transport and services, this would not be essential.
16. In this case, the development would not result in severe transport impacts for these reasons. Accordingly, the proposal would comply with policies T3, T6 and T8 of the LP, which collectively and amongst other matters, support planning applications where they do not have unacceptable transport impacts, require minimal car parking provision in areas of good public transport

accessibility, and that appropriate cycling provision will be considered where development generates additional trips.

Servicing and waste/recycling provision

17. The servicing of the flats, including refuse collection, would operate in the same manner as the existing flats in the terrace. Refuse sacks would be put out on the day of collection. There is no evidence to indicate that current arrangements are inadequate and therefore I find harm arising from inadequate servicing unjustified. Accordingly, the proposal would comply with policies T8 and Q12 of the LP in relation to servicing and waste/recycling provision.

Other matters

18. The front façade would be improved through general refurbishment but this could be undertaken without planning permission. From the information before me, this would not be dependent upon this proposal and therefore carries limited weight in my assessment.
19. In terms of the National Planning Policy Framework (the Framework), the proposal would result in less than substantial harm. Paragraph 134 of the Framework states where a development would lead to less than substantial harm to the significance of a designated heritage asset (such as a Conservation Area), this harm should be weighed against the public benefits of the proposal.
20. The flat would provide accommodation complying with the Nationally Described Space Standards and the Mayor of London's Housing Supplementary Planning Guidance 2016. Housing supply would be boosted providing accommodation for future generations in a sustainable location. It would also provide an optimum use of a building. Nevertheless, such benefits would be limited by reason of a single dwelling being proposed. In the balance, the benefits have to be weighed against the adverse impact on the character and appearance of the Conservation area for which considerable importance and weight has to be attached. Therefore, while the harm to the significance of the Conservation Area is less than substantial, the public benefits would not be sufficient to outweigh that harm.
21. The Appellant refers to the presumption in favour of sustainable development under paragraph 14 of the Framework. In this regard, the economic and social benefits identified above under the paragraph 134 assessment would be limited for one dwelling. In the balance, considerable importance and weight has to be attached to the harm to the heritage asset. Taken together, the adverse impact would therefore substantially outweigh the benefits arising from the scheme and moreover, are sufficient to significantly and demonstrably outweigh the benefits that have been identified. Accordingly, the proposal would not be sustainable.

Conclusion

22. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR