
Appeal Decision

Site visit made on 23 May 2017

by Kevin Gleeson BA MCD MRTPI

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

Decision date: 27 June 2017

Appeal Ref: APP/N5660/W/17/3169742

Flat E, 112 Vauxhall Walk, London SE11 5ER

- 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 Miss Sandy Ferguson against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/03997/FUL, dated 22 June 2016, was refused by notice dated 31 August 2016.
 - The development proposed is described as proposed alterations to top floor flat to create roof terrace with balustrading and some demolition to facilitate the works.
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Decision

1. The appeal is allowed and planning permission granted for replacement of a window with a door and formation of a third floor roof terrace with balustrading at Flat E, 112 Vauxhall Walk, London SE11 5ER in accordance with the terms of the application Ref 16/03997/FUL, dated 22 June 2016 subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 104A; 105B and 106A.
 - 3) Notwithstanding condition 2) no development shall take place until details of the proposed railings and cedar timber panels drawn to a scale of not less than 1:20, samples and a schedule of all materials to be used shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be carried out in accordance with the approved details.

Preliminary Matters

2. The Council's reason for refusal makes reference to the effect of the proposal on the Vauxhall Gardens Conservation Area. However, as confirmed in the Council's statement, the appeal site is located within the Albert Embankment Conservation Area and I have determined the appeal on this basis. Furthermore, the appeal property was designated as a local heritage asset in July 2016, after the application was submitted. I have also had regard to this matter in my determination of the appeal.
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3. In my formal decision I have used the description of development which the Council used in its decision letter as this more accurately describes the proposed development.
4. The appellant indicated that the proposed cedar screening could be replaced by balustrading to match the western and southern frontages. However, I have determined the appeal on the basis of the plans upon which the Council made its decision and on which the views of interested persons were sought.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host property and whether it would preserve or enhance the character or appearance of the Albert Embankment Conservation Area.

Reasons

6. The appeal site is located on the western side of Vauxhall Walk at its junction with Glasshouse Walk. It comprises the Black Dog Public House at ground floor level with three upper floors in residential use. Flat E occupies the top floor including a mansard roof extension to the rear of the public house. To the western side of the mansard roof is a flat roof on the adjoining three storey element which would form the roof terrace. Access to the flats is directly from Glasshouse Walk.
7. The appeal site is within the Albert Embankment Conservation Area which is a designated heritage asset as defined in the National Planning Policy Framework (the Framework). Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The Albert Embankment Conservation Area is extensive and is focused on the River Thames. It contains a great variety of building uses and forms of different scales developed largely since the 18th century.
8. The immediate vicinity of the appeal site has a 19th century industrial character with a mix of residential properties particularly on Vauxhall Walk and one or two storey commercial properties to the west of the appeal property on Glasshouse Walk. The Black Dog Public House is a local heritage asset with its significance arising from the red brick detailing, prominent Dutch style gables on both frontages, ornate dormers and chimney stacks which create a picturesque roofline on the corner of the site.
9. The proposal is to install railings of approximately 1.1 metres high extending above the raised parapet wall, to the west and south elevation of the flat roof structure adjoining Flat E. Being set behind the parapet wall the balustrade would effectively appear as being approximately 750mm high. On the northern elevation of the flat roof cedar screening would be installed to a height of 1.5 metres as a privacy screen. The flat roof would be used as a terrace and would be accessed by replacing an existing window within the mansard roof with a door.
10. The flat roof and mansard roof sections of the appeal property are much less prominent than the corner element notwithstanding the visibility of the southern elevation facing Glasshouse Street and from Vauxhall Pleasure Gardens. This part of the appeal property is very different in character from, and includes none of the elaborate decoration of, the corner section. Moreover,

I find that whilst the proposed balustrading and to a much less extent the cedar screening would be visible when viewed along Glasshouse Walk and from Vauxhall Pleasure Gardens when the trees are not in full leaf it would not be prominent by virtue of its understated design and materials which I do not find to be out of character with the host property or the wider conservation area.

11. The enlargement of the existing opening onto the flat roof to create a new access would involve a slight widening of the existing opening and a lowering of the sill whilst maintaining the pitch of the roof and the existing opening. Such a change would have minimal impact on the significance of the host property and would not be visually prominent when viewed from Glasshouse Street.
12. Whilst there are no other examples of terraces along Vauxhall Walk the proposal should also be seen in the context of Glasshouse Walk and properties to the west where there is a greater variety of roof forms and structure.
13. For these reasons I conclude that the proposed development would preserve the character and appearance of the Albert Embankment Conservation Area. There would be no harm to the significance of the conservation area as a designated heritage asset or to the host property as an undesignated heritage asset. As such the proposal would comply with the requirements of Policy Q11 of the Lambeth Local Plan, 2015 (the Local Plan) which seeks to ensure that alterations or extensions to buildings respond positively to the original architecture and roof form of the host building and normally seeks to resist roof terraces and balconies on locally distinct building types where they are not characteristic of the host building/group. In addition, the proposal would not conflict with Policies Q5, Q22 and Q23 of the Local Plan which seek to ensure that development respects local distinctiveness and preserves or enhances the character or appearance of conservation areas and undesignated heritage assets. Furthermore, there would be no conflict with the design and historic environment advice in the Framework.

Conditions

14. The Council has suggested conditions, which I have considered in the light of the advice in Planning Practice Guidance. Where necessary I have amended the detailed wording. In addition to the standard implementation condition I have attached a condition specifying the relevant drawings with which the scheme should accord as this provides certainty. I have also imposed a condition relating to materials to ensure that the appearance of the development is satisfactory.

Conclusion

15. For the reasons above, and taking into account all other matters raised, the appeal is allowed and planning permission is granted subject to conditions.

Kevin Gleeson

INSPECTOR