The Planning Inspectorate

Appeal Decision

Site visit made on 19 June 2017

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 3rd July 2017

Appeal Ref: APP/N5660/W/17/3171016
Second Floor Flat, 12 Tremadoc Road, London SW4 7NE

- 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 Edward Voisin against the decision of the Council of the London Borough of Lambeth.
- The application Ref 16/05968/FUL, dated 14 October 2016, was refused by notice dated 6 January 2017.
- The development proposed is loft conversion involving the erection of a rear mansard roof extension with two rear dormer windows, erection of roof terrace and three roof lights to the front roof slope with internal and external alterations and demolition.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs made by Mr Edward Voisin against the Council of the London Borough of Lambeth is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the appeal property and surrounding area.

Reasons

4. The appeal property is a top floor flat within a 3 storey mid-terraced residential building located at the northern end of Tremadoc Road. The rear of the appeal property and host terrace is visible from the access lane immediately to the west. The terrace features a regular series of substantial closet wings with pitched roofs and gable ends. There are no rear roof extensions visible within this section of Tremadoc Road.

5. The principle of a rear mansard roof extension and 3 rooflights to the front has been established through planning permission Ref 16/00945/FUL. Moreover, planning permission Ref 17/01130/FUL has established the acceptability of a modest inset roof terrace which would terminate below the height of the main eaves and the closet wing ridgeline.

6. With regard to the appeal proposal before me, the proposed dormers would be wider and taller than the fenestration on the rear elevation, thereby resulting in a top-heavy appearance. Although partly obscured by the proposed privacy

screen, the introduction of a door within the larger dormer leading out at roof level onto the proposed roof terrace would nevertheless create a discordant feature. The roof terrace would be of a considerable height, length and volume. It would largely sit on top of the existing closet wing roof, terminating above the height of both the main eaves of the terrace and the closet wing ridgeline, and the slight inset into the pitch of the roof would not serve to reduce its resultant bulk. Whilst the proposed mansard and dormers would be constructed using materials to match the existing, the obscured glass screens around the roof terrace would be uncharacteristic of the traditional materials of brick, slate and timber used in the appeal property and host terrace, and would have a solid opaque appearance which would look starkly alien in this context.

7. I note that a previous planning application (Ref 16/03131/FUL) was refused solely in relation to the effect upon the living conditions of the occupants of neighbouring residential properties with regard to daylight and sunlight. However, in reaching a decision on the subsequent application which is the subject of this appeal the Council had regard to a recent appeal decision in respect of a proposal at 12 Atherfold Road (Ref: APP/N5660/W/16/3154338). Although there are differences between the site circumstances and detailed designs of the appeal proposal and the Atherfold Road scheme, they are comparable in that they both relate to rear mansards and substantial roof terraces. The Council determined the application in a consistent manner, with regard to development plan policy and other material considerations.

8. Reference is made to schemes at 5 and 46D Kellett Road which, based on the submitted evidence, proposed modest inset terraces covering part of the roofs of the respective closet wings in the context of a terrace which already featured alterations to the rear. As such, it would appear that these schemes are not directly comparable to the appeal proposal. Other examples of proposed roof alterations in the area have also been brought to my attention, however I do not have full details of the schemes referred to and therefore cannot make comparisons with the proposed development. Roof terraces and balconies on the neighbouring Clapham Library appear to form an integral part of this substantial stand-alone building and so are not comparable to the appeal proposal. Accordingly, I give all these other schemes little weight.

9. As the appeal property is a flat and does not benefit from permitted development rights, no fallback position exists in this regard. The absence of objection from neighbours or amenity groups does not in itself render the scheme acceptable and I must determine the appeal with regard to the planning merits of the case. I therefore give these matters very little weight.

10. For the reasons set out above, the appeal proposal would result in the creation of a dominant and discordant feature which would fail to respect the scale, architectural rhythm and materials of the appeal property and host terrace. I therefore conclude that it would have a harmful effect upon the character and appearance of the appeal property and the surrounding area. As such, the proposed development would fail to accord with the design aims of Policies Q2, Q5, Q8 and Q11 of the Lambeth Local Plan and the Lambeth Building Alterations and Extensions Supplementary Planning Document. Accordingly, the appeal proposal cannot benefit from the presumption in favour of sustainable development set out in paragraph 14 of the National Planning Policy Framework.

Conclusion

11. The benefit of providing outdoor amenity space and additional internal accommodation is not sufficient to outweigh the significant detrimental impact the proposal would have on the character and appearance of the appeal property and the surrounding area, particularly as these benefits could be achieved through the implementation of an alternative scheme for which planning permission has been granted (Ref 17/01130/FUL).

12. Therefore, for the reasons set out above and having regard to all other matters raised I conclude that the appeal should be dismissed.

CL Humphrey

INSPECTOR