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## Appeal Decision

Site visit made on 18 October 2017

**by Andy Harwood CMS MSc MRTPI**

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

**Decision date: 09 November 2017**

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**Appeal Ref: APP/N5660/W/17/3179979**

**16 Ferndale Road, London SW4 7SF**

- 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 Fabiano Alves against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 16/05885/FUL, dated 13 October 2016, was refused by notice dated 17 January 2017.
  - The development proposed is a rear extension to basement and ground floors.
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### Decision

1. The appeal is allowed and planning permission is granted for a rear extension to basement and ground floors at 16 Ferndale Road, London SW4 7SF in accordance with the terms of the application, Ref 16/05885/FUL, dated 13 October 2016, subject to the conditions set out in the attached schedule.

### Preliminary Matters

2. I have used the address from the Council's decision as the proposal affects more of the property than just 16B, the address shown on the planning application forms.
3. The Council accepted amended plans after the submission of the application and determined the proposal with respect to those. I will also consider the revised plans. The Council has also confirmed that the alterations to the roof of the building as shown on the submitted plans, have previously been approved. I note that the plans show that an extension creating an additional level on the existing closet return extension of the building has also been approved. I have not been provided with those previously approved plans but agree that those aspects of the proposal are acceptable.

### Main Issue

4. Whether the proposed extensions would preserve or enhance the character or appearance of the Ferndale Road Conservation Area (CA).

### Reasons

5. The appeal site is a terraced property along Ferndale Road. The fronts of the terraced buildings dominate the character and appearance of the road and the CA. It is not clear that the group of buildings are in themselves non-designated heritage assets and I have not been provided with details of how

the Council considers such matters. There is a strong rhythm of the windows, chimneys and party walls along the street. The fronts of the buildings are embellished with elaborate ornamentation and are unified which is significant to the CA. The rear elevations of this building and others that I could see from the appeal site are less noteworthy, being far plainer and varied. There remains some unity within the upper floors and along the rear roofscape of the terrace. However the lower levels have been substantially altered and therefore are not especially significant to the overall character and appearance of this group of buildings or the wider CA.

6. The proposal would include the extensions of the closet return at basement and ground floor level. This would extend the lower parts of this feature out further into the garden giving it a stepped side profile that would be noticeable but not prominent along the terrace. The existing balcony at ground floor level would be replaced with a partial balcony terrace on top of a basement level infill extension and above that, a solid panel would provide a further terraced balcony at that level. The panel would in-fill between the rearward part of the original return and that on the adjoining property and would be set back from the extended lower parts.
7. The Council's Supplementary Planning Document<sup>1</sup> states that wrap around extensions are not considered appropriate on heritage assets. As I state above, it is not clear that the building is a heritage asset although clearly parts of it are significant within the CA. Furthermore, I do not consider that the SPD demands such weight that it can be imposed regardless of the merits of each case. Policy Q11 of the Local Plan<sup>2</sup> (LP) doesn't go as far. That policy leaves more room for a case by case judgement and LP Policy Q22 regarding Conservation Areas requires an assessment of the impact upon established positive characteristics.
8. In this case, much of the infill extension would set down low into the site at basement level and would not be prominent along the rear of the terrace. The ground floor element that would stand up more substantially above the general garden levels along the terrace would be partially screened by boundary treatment. From the adjoining property at No 14 this would largely appear as an extension of the boundary wall and would have little overall impact upon the positive characteristics of the existing building. The solid panel at first floor level would contrast with surrounding brickwork whether it is rendered white or a darker hue. Overall the proposals would be subordinate to the existing host building and the distinctive features of the building and wider terrace within the CA would be unaffected.
9. In relation to the main issue, the proposals, including the alterations previously approved would preserve the character and appearance of the CA. If the building and terrace are considered as non-designated heritage assets, the proposals would not harm their significance. This would comply with LP Policies Q5, Q8, Q11 and Q22. This would also comply with the advice with section 12 of the National Planning Policy Framework requiring the conservation and enhancement of the historic environment.
10. I have included the conditions covering the matters suggested by the Council including one specifying the relevant drawings as this provides certainty that

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<sup>1</sup> Lambeth Building Alterations and Extensions, Supplementary Planning Document, September 2015

<sup>2</sup> Lambeth Local Plan, adopted September 2015

the development will be implemented as proposed. I have also required further details of materials (including the colour of render) as well as larger scale detailing for the railings.

### **Conclusion**

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

*A Harwood*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: '1604/100 revD'; '1604/101 revD'; '1604/102 revD'; '1604/103 revD'; '1604/104 revG'; '1604/105 revG'; '1604/106 revF'; and '1604/107 revF'.
- 3) No development shall commence until further details of the materials to be used in the construction of the external surfaces of the extensions and alterations hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until details of the design of the proposed railings including plans/elevations/drawings at scale 1:20 have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.