



Appeal Decision

Site visit made on 7 November 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 14th November 2017

Appeal Ref: APP/N5660/W/17/3180857
12B Gubyon Avenue, London SE24 0DX

- 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 & Mrs S H & W Peterman against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/07031/FUL, dated 15 December 2016, was refused by notice dated 24 February 2017.
 - The development proposed is loft conversion involving erection of a rear mansard roof extension to create 1 no. 2 bedroom flat.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons

3. The appeal site comprises a two storey semi-detached house at No 12 Gubyon Avenue (No. 12) with two storey rear return with a dual pitched roof and a single storey rear extension. The property, which has been converted into two flats, is located in a mature well-established residential area, typically characterised by semi-detached and terraced properties, with distinctive gabled roofs with rear returns. The appeal relates to the top flat at No. 12B.
4. The proposal would involve the construction of a rear mansard roof extension over the main roof with two rear dormers to create an additional flat in the roof space. The proposal would be of a flat topped design with a sloping rear vertical elevation built off the rear building line of the property. The external finish would be predominantly slate with light grey zinc used on the flat part of the roof, dormers and the side flank walls of the mansard roof. It would also involve rooflights on the front roof slope and the conversion of the existing four bedroomed flat on the first floor to a three bedroomed flat.
5. Policy Q11 (m) of the Lambeth Local Plan 2015 (LP) states roof additions and mansards will not be supported where they would harm the architectural integrity of the original building or its group. Paragraph 4.20 of the Lambeth Building Alterations and Extensions Supplementary Planning Document 2015 (SPD) states that in order to maintain subordination, roof extensions that

- extend over the rear return will be resisted and sets out detailed criteria that proposed roof extension should follow as basic design principles.
6. The roof extension would result in a material alteration to the property's roof which, when viewed from the rear of the building, currently makes a positive contribution to the roofscape of the semi-detached properties and the character and appearance of the area. The rear mansard extension, when combined with the proposed dormer rear windows, would result in substantial bulk being added to the roof plane and would overlap the rear return of the property. The proposal would therefore fail to achieve an appropriate degree of subordination to the host property and would significantly detract from the architectural integrity of the host building and the semi-detached pair of which it forms part.
 7. Whilst the appellants detailed cross-sectional drawing shows that the rear mansard roof extension would terminate slightly below the ridge of the main roof and the rear pitch of the mansard extension would be at 70 degrees, the proposal would not adhere to a number of the other detailed criteria set out in the SPD. These shortcomings would be exacerbated by the poor alignment and positioning of the dormers in relation to the existing rear windows and the roof extension's prominent position, which would be visible from a number of public vantage points along Woodquest Avenue at the rear. As such I consider that the proposed development, by virtue of its scale, form and design, would result in an incongruous and out-of-keeping addition that would adversely harm the character and appearance of the host property and the area.
 8. I have considered the appellants statement that the design of the proposed development has been carefully considered in order to take into account the character of the host property and the other roof extensions in the area. Whilst the use of matching materials and fenestrations would assist in integrating the proposed extension with the host property, these aspects again do not overcome the adverse effects outlined above. I also note the appellants comments that the criteria in the SPD are very prescriptive and should provide flexibility to allow each case to be considered on its merits, but I find that the proposal does not achieve the standards the SPD seeks in this case. I therefore accord these matters limited weight.
 9. I note the appellants willingness to carry out further amendments and the revised drawings submitted showing the realignment of the rear dormers and alternative flank mansard treatment to address some of the shortcomings in the detailed design of the proposal. However, this would result in material changes to the proposal before me and in any event I am required to consider the proposal on the basis of the same details that were before the Council when it made its decision. I therefore accord these matters limited weight.
 10. I have noted the other developments in the area drawn to my attention by the appellants. However, the two storey side extension at No. 10 and the rear roof extension and dormer at No. 14 have different development characteristics to the appeal scheme and were approved some time ago in a different policy context. The rear roof extensions and dormers at Nos. 2 and 7 Cosbycote Avenue and 36 Rollscourt Avenue have different development and locational characteristics to the appeal scheme. I therefore accord them limited weight as precedents in this case.
 11. Consequently, I conclude that the development would adversely harm the character and appearance of the host property and the area. It would be

contrary to the overall design aims of LP Policies Q5 and Q1 and the SPD. These policies and guidance, amongst other things, seek to ensure that roof additions and mansards will be of a high standard of design that do not harm the architectural integrity of the original building or its group and positively respond to the local context and local distinctiveness of the surrounding area.

Other matters

12. I have noted the parking stress survey submitted by the appellants in response to the comments in the Council's officer's report that a legal agreement would have been required had planning permission been granted to ensure a car free development. However, in light of my findings on the main issue above, it is not considered necessary to look at the parking stress survey in detail, given that the proposal is unacceptable for other reasons.
13. I have considered the appellants comments regarding the permitted development rights for householders and the Government's intentions to allow flexibility for householders to add extensions and roof accommodation. However, this does not apply in this case and as such is a matter to which I attach limited weight.
14. I have noted the issues raised by the appellants regarding the pre-application advice received from the Council and the complaint submitted to the Council regarding the pre-application advice. However, these are not a material consideration to which I can attach significant weight in making this decision.
15. I have noted the objections raised by local residents to the proposal. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.

Conclusion

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

David Troy

INSPECTOR