



Appeal Decision

Site visit made on 15 July 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 August 2019

Appeal Ref: APP/N5660/W/19/3228919
292 Brixton Road, London, SW9 6AG

- 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 Julian Berger (Circle Land Ltd) against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 18/04883/FUL, dated 12 November 2018, was refused by notice dated 21 January 2019.
 - The development proposed is a new entrance door to side elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Brixton Road and Angel Town Conservation Area (CA), within which the appeal site lies.

Reasons

3. The appeal property is located on the western side of the road in the local shopping area. It forms a pair with No 290, comprising of a 3 storey building with simple painted brick facades to the upper storeys and projecting 'bungalow' commercial units at ground floor containing modern shop fronts. These two units project further forward than the other flanking units, thereby making them more prominent.
4. From the information before me, the significance of the CA is derived from the arterial nature of Brixton Road and the contribution made by the characterful built environment along it. This includes a mixture of elegant townhouses set back from the main road behind generous front gardens, but in the middle section this character changes markedly to a local shopping area with later C19th and C20th buildings extending to the pavement or set back behind 'bungalow' shop units, like in the case of the appeal property.
5. The proposed door would be located within the visually-prominent projecting side wall of No 292 and is intended to serve the upper floor accommodation. However, notwithstanding the variation in unit frontages, this would be out of character with the typical arrangement found on numerous units within the local shopping area, including the adjoining property No 294, which is to have such doorways incorporated into the shop front. I note the appellant is concerned that this type of approach would reduce the amount of shop

frontage, but whilst it is not the largest unit in the shopping area, it is also not the smallest and I do not have any evidence to demonstrate the unit would be made unviable. Moreover, it is a specific requirement of Policy Q16(v) of the Lambeth Local Plan (2015) to have such doorways as part of an integrated shop front design, and therefore I find conflict with this policy.

6. Furthermore, whilst the door would be timber, it would lack any detailing, transom light and door surround. This, particularly when viewed so closely against the contrasting traditional doorway in No 294, would result in a poorly articulated and discordant feature that would be harmful to the character and appearance of the area. To leave joinery details to conditions would not be appropriate as the design detailing is crucial to assessing the effect of the development on the CA. In addition, there is no assurance that suitable details would be approved by the Council.
7. The lack of objection from No 294, or that there may once have been an advertisement on the wall and potential for graffiti, are matters I give only limited, non-determinative weight in my decision.
8. I therefore conclude that the siting and design of the proposed development would cause significant harm to the character and appearance of the area. As a result, it would fail to preserve or enhance the character and appearance of the CA. This is contrary to LP Policies Q5(a)(biii)(bv)(c), Q11(ai), Q16(ii)(v) and Q22(ai), and the Council's Building Alterations and Extensions Supplementary Planning Document (2015). Collectively, these seek high quality design, which preserves, or where possible, enhances the historic environment and local distinctiveness.
9. This harm to the CA as a designated heritage asset would be less than substantial. In the terms of paragraph 196 of the National Planning Policy Framework (the Framework) this harm should be weighed against the public benefits of the scheme.
10. The benefits of improved access arrangements and potentially enabling the upper floors to be brought back into beneficial use, would be limited and largely private, and therefore would not outweigh the significant harm that I have identified above. The harmful elements of the scheme therefore conflict with the Framework, which directs, at paragraph 193, that great weight should be given to the conservation of a designated heritage asset, irrespective of the degree of harm identified.

Conclusion

11. For the reasons above, I conclude that the proposal would fail to accord with relevant policies of the development plan and the Framework, and therefore the appeal should be dismissed.

Adrian Caines

INSPECTOR