



Appeal Decision

Site visit made on 7 August 2019

by Simon Hand MA

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

Decision date: 20 August 2019

Appeal Ref: APP/N5660/C/18/3208699

8 Heyford Terrace, London, SW8 1XT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeal is made by Mr Angelo Marini against an enforcement notice issued by the Council of the London Borough of Lambeth.
 - The enforcement notice was issued on 13 July 2018.
 - The breach of planning control as alleged in the notice is without planning permission; a) the installation of marble effect cladding to the front and side ground floor elevations and front boundary wall of the premises ("the unauthorised cladding"); and b) the installation of three black external floodlights at 1st floor level and two metal lights at ground floor level all on the front elevation ("the five unauthorised lights").
 - The requirements of the notice are: a) remove the unauthorised cladding from the premises; and b) remove the five unauthorised lights from the premises; and c) make good the front and side elevations as existed prior to the breach of planning control and remove all associated waste and debris resulting from compliance with the above steps from the premises.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.
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Decision

1. It is directed that the enforcement notice be varied by deleting requirement (b) and replacing it with "*(b) remove the three black external floodlights at first floor level on the front elevation*". Subject to this variation the appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

The Appeal on Ground (a)

2. No 8 forms the end of a terrace of Victorian houses. The appellant has clad the ground floor elevation with marble, including the wall fronting the pavement where he has created planters, also clad in marble. The decoration carries on into the doorway and, judging from photos supplied by the appellant, into the house itself. However, it is the external appearance I am concerned with.
3. As the Council point out, No 8 is part of a terrace which consists of 8 houses of three stories. The terrace has a consistency of design between pairs of houses within an overall conformity. The central 6 houses at ground and first floor level have similar red and London brick patterns with white stonework window frames and lintels. They have a relatively plain frieze running along between

the first and second floors, and the windows on the central two houses are contained within an arch, whereas the flanking pairs have three rectangular openings. By way of contrast the end two houses, Nos 1 and 8 (the appeal property), appear to be wider with three windows at ground floor (rather than two on the others), a projecting balcony over the ground floor, a wider and more detailed frieze between the first and second floors, and pairs of windows in arches at the second floor. The pediments of the houses show the same similarity, the two central houses have detailed brick triangular pediments, the flanking 4 have plainer triangles and the end two have quite different stepped pediments.

4. The overall effect of this is to create a pleasing and subtle blend of coherence and difference. At first glance it is the similarities that catch the eye, but the detailed differences grow with closer inspection. This is clearly an important part of the overall design of the terrace and is fundamental to the character and appearance of the streetscene. The appeal property, by way of contrast, stands out as jarring and incongruous. The large scale of the marble is completely at odds with anything else in the area. Sometimes, a new and vibrant design can stand out in a good way, but not in an area where consistency in design is an important characteristic. The marble cladding stands out as harmful.
5. I note the buildings are not listed, nor in a conservation area, but nevertheless, the marble frontage is deeply harmful to the character of the streetscene and so contrary to policies Q5 (local distinctiveness) and Q11 (building alterations) of the Lambeth Local Plan (2015). I also note the cladding on the side wall seems to have been removed, but there is no suggestion it was not in place at the time the notice was issued.
6. The notice also includes the external illumination. The appellant mentions lights on a hotel opposite, but I could see no hotels in the area and there did not appear to be any external illumination on the other houses. The appellant has offered to remove the coloured up-lighters but wishes to retain the normal white lights on the ground floor. Once the marble is removed, the impact of any external lights will be reduced and it does not seem unreasonable to me, to have lights for security purposes on the front of one's house. I shall therefore vary requirement (b) to remove mention of the two ground floor lights, which will not therefore need to be removed. Otherwise the appeal on ground (a) fails and the I shall uphold the notice.

Simon Hand

Inspector