



Appeal Decision

Site visit made on 12 August 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 August 2019

Appeal Ref: APP/N5660/W/19/3230335

130B Rosendale Road, London SE21 8LG

- 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 Cathy Ashley against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 18/04291/FUL, dated 4 October 2018, was refused by notice dated 7 December 2018.
 - The development proposed was described on the application form as a loft conversion involving the erection of two rear dormer windows, together with the installation of three front, one rear and one side rooflights.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. As part of the appeal the appellant has included revised drawings¹. The revised drawings have reduced the number of proposed front rooflights from three to two, reduced the size of the proposed dormer on the rear return, and changed the design of the proposed rear dormer on the main roof from a flat roof to a hipped roof.
3. Although Government Guidance advises against using the appeal process to evolve a scheme², I note that the Council have commented on the revised drawings in their appeal submissions and have stated that the reduction in the number of front rooflights has overcome refusal reason 3. Furthermore, there were no objections during the application and appeal. I am therefore satisfied that no one's interests would be prejudiced by my taking the revised drawings into consideration. Therefore, notwithstanding the description of development in the banner heading above, I shall consider the appeal on the basis of the revised drawings submitted as part of the appeal, and confine my considerations to the proposed rear dormers that are the subject of the two remaining refusal reasons.

Main Issue

4. The main issue is whether the proposals would preserve or enhance the character or appearance of the Rosendale Road Conservation Area, within which the appeal site lies.

¹ PP-07-A R1, PP-08-A R1, PP-09-A R1, PP-10-A R1, PP-11-A R1, PP-12-A R1, PP-13-A R1

² Annex M.2.1 of *Planning appeals – England: Procedural Guide*

Reasons

5. The Rosendale Road Conservation Area (CA) is characterised by attractively-detailed Victorian properties of uniform appearance, set within mature gardens. Its significance lies in the manner in which the properties combine to give a feeling of an entity and provide a good example of a late Victorian development. The appeal property is a first floor flat within a two-storey semi-detached building, which is typical of this character. The architectural and historic detailing of this building, including the large unaltered slate roof, makes an important and positive contribution to the character and appearance of the CA and its significance as a designated heritage asset.
6. The Council's "Building Alterations & Extensions" Supplementary Planning Document (2015) (the SPD) provides advice on dormer windows. Among other things, it requires that the window type and style should be in keeping with those in the main building, and that blank dormers (those without windows) will rarely be acceptable. In all cases, the SPD states that careful design and construction detailing is essential. This is consistent with the criteria of Policy Q11 (Building Alterations and Extensions) of the Lambeth Local Plan (2015) (LP) and with the design aims of the National Planning Policy Framework (the Framework). I therefore give it significant weight in my considerations.
7. Even though the proposed rear dormer on the main roof would comply with the set-in and alignment requirements of the SPD, it would be notably wider than the window immediately beneath it and of squatter proportions. Moreover, it would be comprised of plain casement windows that are not in keeping with those in the main building, and together with a hipped roof, would give the dormer an overall modern appearance markedly at odds with the age and style of the host building. As a result, notwithstanding the proposed use of matching materials, the dormer would fail to respect the character of the host building and appear as an incongruous feature.
8. The proposed 'blank' dormer on the rear return would be of the type that the SPD and LP Policy Q11 states will rarely be acceptable. Whilst of a relatively small scale and set well down from the ridge, it would nevertheless lack architectural subtlety in its box-like design and the absence of any glazing. Furthermore, despite not projecting out beyond the main rear elevation, it would be awkwardly located in a position overlapping the main roof and return roof. As a result, it would be a visually harmful and incongruous feature.
9. Although the dormers would be shielded from public views from the street, the rear of the appeal property is visible to many of the surrounding neighbouring properties. These views also contribute to the character and appearance of the conservation area and are therefore important. Irrespective, the requirement for development proposals to preserve or enhance the character or appearance of the CA applies with equal force whether or not the proposal is prominent or in public view.
10. I accept that there are rear dormer windows on some of the surrounding properties and I was referred to two examples where the Council granted planning permission for rear dormers in Rosendale Road. However, I do not have full details of the circumstances that led to those proposals being accepted by the Council, or how and when the other dormers came to exist, but I do note that both those planning permissions predate the current SPD. I

therefore give them only limited weight in my considerations. In any event, each scheme must be assessed on its own individual merits.

11. For all these reasons, I conclude that the unsympathetic design and siting of the proposed dormers would unacceptably erode the architectural integrity and character of the building, and thus, would fail to preserve or enhance the character or appearance of the CA. This is contrary to LP Policies Q5 (Local Distinctiveness), Q11 (Building Alterations and Extensions) and Q22 (Conservation Areas), and to the SPD. Taken together, these seek good design, which positively responds to the original form and character of the host building, and which preserves, or where possible, enhances the historic environment and local distinctiveness.
12. This harm to the CA as a designated heritage asset would be 'less than substantial' in the terms of paragraph 196 of the Framework and is therefore required to be weighed against the public benefits of the scheme.
13. I realise that the appeal property may be unable to accommodate a staircase in a different location without losing significant usable floorspace, but those are personal matters. I also note that the proposal would provide additional bedroom spaces, but this would have very limited public benefit. Accordingly, there would be no public benefits that would outweigh the significant harm that I have identified above.

Other Matters

14. I have considered the possibility of granting planning permission for only the rooflights. However, I have opted not to on the basis that they are not clearly severable from the rest of the loft conversion proposals that I have found unacceptable.

Conclusion

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

Adrian Caines

INSPECTOR