
Appeal Decisions

Site visit made on 1 October 2019

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 October 2019

Appeal Ref: APP/N5660/W/19/3230689

2a Hanover Gardens, London SE11 5TL

- 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 and Mrs J and C Bretherton against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/00148/FUL, dated 15 January 2019, was refused by notice dated 18 March 2019.
 - The development proposed is remove first floor rear window and replace with door, erection of railings along rear wall at first floor level, and install decking on roof at first floor level.
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Appeal Ref: APP/N5660/Y/19/3234312

2a Hanover Gardens, London SE11 5TL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs J and C Bretherton against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/00149/LB, dated 15 January 2019, was refused by notice dated 18 March 2019.
 - The works proposed are remove first floor rear window and replace with door, erection of railings along rear wall at first floor level, and install decking on roof at first floor level.
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Decisions

Appeal Ref: APP/N5660/W/19/3230689

1. The appeal is allowed and planning permission is granted for 'remove first floor rear window and replace with door, erection of railings along rear wall at first floor level, and install decking on roof at first floor level' at 2a Hanover Gardens, London SE11 5TL in accordance with the terms of the application, Ref 19/00148/FUL, dated 15 January 2019, and the plans submitted with it, subject to the condition that the development hereby permitted shall begin not later than three years from the date of this decision.

Appeal Ref: APP/N5660/Y/19/3234312

2. The appeal is allowed and listed building consent is granted for 'remove first floor rear window and replace with door, erection of railings along rear wall at first floor level, and install decking on roof at first floor level' at 2a Hanover Gardens, London SE11 5TL in accordance with the terms of the application, Ref 19/00149/LB, dated 15 January 2019, and the plans submitted with it, subject to

the condition that the works hereby consented shall begin not later than three years from the date of this decision.

Reasons

3. 2a Hanover Gardens is a dwelling in the upper three floors of a three storey plus basement mid-terraced property, which is a Grade II listed building located in the St Marks Conservation Area (SMCA). The basement is a separate flat.
4. The main issue is the effect of the proposed works on the architectural and historic interest of the listed building and on the appearance of the SMCA.
5. Unlike the frontage of the terrace, which is well preserved and retains its original appearance, the rear of the terrace is much altered, particularly the appeal property and its immediate neighbours. No. 3 has a rear two storey extension with a flat roof that is surrounded on its open three sides by fences and trellis. No. 2 also has a flat roofed two storey rear extension between its four storey staircase outshut and the extension at no. 3. Windows and doors to the two rear extensions and to the rear elevations of the two dwellings are, largely, modern in pattern.
6. The proposed works include the alteration of a window in the first floor of the appeal dwelling to be a door with fanlight over; the door would provide access to the flat roof of the two storey rear extension. The works also include the installation of decking over the flat roof and black painted metal railings along the one open side of what would be a balcony; the railings would match those across a door opening in the elevation of the rear extension below. The rear elevation of the appeal property is not visible from any public vantage point.
7. Taking into account the context of their immediate surroundings the proposed works would not cause any harm. They are minor in nature, would reflect the design of other works previously carried out to the property, and have been sensitively designed to enhance the dwelling. The works would not adversely affect the architectural and historic interest of the listed building or the appearance of the SMCA. No harm would be caused to the significance of these heritage assets and the proposed works do not conflict with any policies of the Lambeth Local Plan.
8. The Council has suggested four conditions. Suggested condition two is not necessary because the permission and consent require the works to be in accordance with submitted plans, and suggested conditions three and four are also not necessary because those plans and the application include sufficient information to ensure that the works would protect the appearance of the listed building and the SMCA. Suggested condition one is the standard time limit condition and has been imposed in both cases.
9. The proposed works would not harm the architectural and historic interest of the listed building or the appearance of the SMCA. Planning permission and listed building consent have therefore been granted for 'remove first floor rear window and replace with door, erection of railings along rear wall at first floor level, and install decking on roof at first floor level' at 2a Hanover Gardens, London.

John Braithwaite

Inspector