



Appeal Decision

Site visit made on 14 January 2020

by Nick Fagan BSc (Hons) DipTP MRTPI

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

Decision date: 21st January 2020

Appeal Ref: APP/N5660/D/19/3241868
7 Dalmore Road, London SE21 8HD

- 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 Ms Caroline Prendergast & Ms Dawn Barfoot against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/02414/FUL, dated 12 June 2019, was refused by notice dated 2 September 2019.
 - The development proposed is described as a new gabled end to slate roof to match adjoining half of adjacent neighbour's roof; existing rear dormer to be enlarged; existing lower ground floor level to be lowered and extended at rear; new windows to side elevation and existing lightwell to front bay to be enlarged; and new ground rear side infill extension.
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Decision

1. The appeal is allowed and planning permission is granted for a new gabled end to slate roof to match adjoining half of adjacent neighbour's roof; existing rear dormer to be enlarged; existing lower ground floor level to be lowered and extended at rear; new windows to side elevation and existing lightwell to front bay to be enlarged; and new ground rear side infill extension at 7 Dalmore Road, London SE21 8HD in accordance with the terms of the application, Ref 19/02414/FUL, dated 12 June 2019, subject to the following conditions:
 - (1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following approved plans/drawings: PL01A, PL02A, PL03B, PL04B, PL05B, PL06B, PL07A, PL08B, PL09B, PL10 & PL11.
 - (3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the dwelling and the Rosendale Road Conservation Area.

Procedural Matter

3. Revised drawings were submitted as part of the appeal process. These drawings detail the following revisions:

- Removal of railings to front and replacement with a horizontal grille.
 - Amended / less rooflights. Retaining existing rather than changing, where possible.
 - Juliette balcony removed and existing sash window retained.
 - Reduced windows to flank. Retaining existing rather than changing, where possible.
 - Set rear extension in by a brick depth.
4. These revisions were subject to consultation with adjacent neighbours, Ward Councillors, the MP and the same local amenity groups that were subject to original consultation by the Council. Subject to this, because the revisions reduce the impact of the proposal on the character and appearance of the area, and consequently their compliance with the 'Wheatcroft Principles'¹, I am prepared to accept them – these revisions are contained within the drawings listed in Condition (2) above,

Reasons

5. The Council's three refusal reasons together set out its objections to the various individual aspects of the proposal. The objection to the originally proposed rear garden-facing Juliet balcony and associated glass balustrade to Bedroom 1 and to the three large rear rooflights has been successfully overcome by their deletion in the above revised drawings. The existing sash window to Bedroom 1 would now be retained, as would the rooflight to the main rear roof plane, and only one small new 'conservation' rooflight would be installed in the roof of the rear outrigger projection.
6. The most substantial change to the appearance of the house would be the proposed gable extension. But this would match that already existing at the adjoining semi-detached property, No 5. The Conservation Area (CA), which encompasses Dalmore, Rosendale, Carson and Eastmearn Roads, comprises mainly mid to late Victorian semi-detached houses. Most of these, certainly the ones on this road, are hipped roofed. However, No 5 and the pair of neighbouring houses at Nos 11 and 13 are an exception to this because they have gable extensions. Whilst I agree with the Council that such gable extensions at the roofline should be generally restricted, the symmetry of Nos 11/13 is acceptable. Likewise, the matching of such a symmetrical approach at Nos 5/7 would be equally acceptable in design and streetscape terms.
7. Whilst I agree that the originally proposed steel balustrade to the lightwell would not have been acceptable, this has been deleted in the revised drawings and the expanded lightwell would be covered by a metal horizontal grille, as on some other houses in the street. There are various sizes of lightwells in the neighbouring houses to the south, many of which have been enlarged over time to the size proposed for the expanded lightwell here. These do not look out of place in the CA's street scene and neither would this one, principally because the front gardens are quite deep – deep enough to park a car, in fact.
8. The Council's conservation officer objects to the additional windows to the flank elevation (facing towards No 9) at upper ground level. There are currently no

¹ As set out in *Bernard Wheatcroft Ltd v SSE* [JPL 1982 P37]

windows at this level on this side elevation and oblique views of these windows would be possible from the street. But such views would not be prominent because these windows would be well set back from the front wall of the house. They would generally match the alignment of the windows below them at lower ground floor level; I cannot see any objection to them and they would beneficially reasonably increase light to habitable rooms on this floor of the dwelling.

9. Again, the Council's conservation officer objects to the demolition of the rear lower ground floor bay window. This would alter the symmetry of the matching rear bay to No 5 but a 3m deep rear extension to what is a long rear garden is not unreasonable and owing to its low level the impact of such an extension on the wider CA would be minimal. The proposed wide Crittal glazing to this extension facing the garden, which would be at a lower ground level than the existing, would be an appropriate and pleasing feature to the rear elevation. I cannot see any objection to the lowering of the rear part of the dwelling to match the depth at the front on the lower ground floor.
10. Policy Q11 (e) of the Lambeth Local Plan (2015) (LP) states that extensions should be single storey and be set back from the corner on the main return on heritage assets. The proposed rear extension at upper ground floor level would result in a two-storey structure here. But there is a similar height rear extension immediately next door at No 9 and several other rear extensions of at least this height in houses to the south. The design of this extension, which would be set back from the rear wall of the main outrigger rear projection by one brick, would be an acceptable subsidiary addition to the rear elevation of the dwelling.
11. For these reasons I conclude that the proposed development would not harm the character or appearance of the dwelling nor the Rosendale Road Conservation Area. On the contrary, it would preserve the character and appearance of the CA as required by Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990.
12. LP Policies Q5, Q11 and Q22 together require development including extensions to sustain local distinctiveness, be subordinate to the dwelling, meet a number of detailed criteria (including as set out above), and preserve or enhance the character or appearance of CAs. Although the proposal does not meet all the precise requirements of Policy Q11 regarding extensions, I have explained above why the proposals are acceptable for this dwelling. They clearly comply with Policies Q5 and Q22.
13. Condition 2 above is necessary since it lists the revised drawings, which are necessary to make the overall scheme acceptable. Condition 3 is necessary to ensure that matching yellow stock bricks and slates are used in the extensions as shown on the drawings.
14. For the reasons given above I conclude that the appeal should be allowed.

Nick Fagan

INSPECTOR