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# Appeal Decision

Site visit made on 21 January 2020

**by D Peppitt BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26<sup>th</sup> February 2020**

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**Appeal Ref: APP/N5660/W/19/3240934**  
**Flat 4, 114 Gauden Road, London SW4 6LU**

- 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 Dr Carl Chandra against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 19/03036/FUL, dated 16 August 2019, was refused by notice dated 18 October 2019.
  - The development proposed is the erection of a rear dormer to flat 4.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and consequently, whether the proposal would preserve or enhance the character or appearance of the Sibella Conservation Area.

## Reasons

3. The appeal site is a substantial semi-detached property divided into flats, located within the Sibella Conservation Area (CA). The property forms part of a matching group of properties, namely, Nos 57 to 67 on the north side of the road and Nos 102 to 116 on the south side of the road. The houses are arranged as mirrored semi-detached pairs, built of stock brick with stucco dressings and hipped slate roofs with prominent bracketed eaves.
4. The area is predominantly residential in character, although, to the rear of the property there are commercial units on Timber Mill Way, which sits outside the CA. However, I saw that the rear elevations of the property are readily visible from this area and the surrounding garden areas.
5. I am conscious of my statutory duty arising from section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The CA is defined by a regular street pattern of mid-to-late 19th century terraced and semi-detached houses. The simple uncluttered roofscape of the appeal site and the surrounding area, is representative of the scale and nature of domestic properties within the CA. The distinctive roofscape of this group of properties is largely unaltered, with the exception of Nos 63 and 108, which have small side extensions.

6. Policy Q11 of the Lambeth Local Plan (LLP) (2015) states that when considering proposals for the alteration or extensions of buildings, the Council will expect proposals to have a design which positively responds to the original architecture, roof form, detailing and fenestration.
7. The Building Alterations and Extensions Supplementary Planning Document (BAESPD) (2015) states that dormers should be subordinate, of a modest size and aligned with the openings below. Whilst I note the example in the SPD has a different roof type, the guidance provides direction for how extensions should respect the original fenestration.
8. I note the Sibella Road Conservation Area Appraisal (SRCAA) does not provide guidance on rear dormers and only highlights the harm caused by side roof extensions. Therefore, I find that the proposal does not conflict with the information contained in the SCRAA.
9. Due to the positioning of the large central dormer and its projection from the roof, it would appear as an overly dominant and incongruous feature in views to the rear of the property. I acknowledge that the dormer would be constructed of materials to match the existing windows on the rear elevation below and would be set below the ridge, and in from the eaves. However, this would not overcome the intrusive appearance of the dormer on the rear elevation, which would be highly visible from Timber Mill Way and the surrounding gardens or the nearby properties.
10. I note that the Council states that dormer windows are not a common feature in the vicinity, and this reflects my observations on my site visit. Within this context, the dormer would be an unsympathetic addition in relation to the host property, would unbalance the relatively symmetrical relationship with its immediate neighbour and would be an intrusive feature within the wider roofscape.
11. The appellant has stated that there are several examples of rear dormer extensions in the conservation area and surrounding areas. However, I have not been provided with the full details of these proposals or their planning status, therefore, I am unable to determine if they are directly comparable. In any case, I have determined the proposal on its own merits and within its own immediate context.
12. In finding harm to the CA, due to the small-scale nature of the proposal, and the character and the significance of the CA, I would quantify its extent to be 'less than substantial' rather than being 'substantial'. Nonetheless, I must attach considerable importance and weight to that harm and in applying the test set out in paragraph 196 of the National Planning Policy Framework (the Framework), the benefits for the proposed development would be private. Accordingly, I find that there would be little public benefit to offset the identified harm.
13. For the reasons set out above the proposal would harm the character and appearance of the host building and would not preserve or enhance the character or appearance of the CA. Therefore, it would be contrary to policies Q5, Q11 and Q22 of the LLP, paragraph 196 of the Framework and the guidance within the BAESPD. These policies and guidance seek to conserve and enhance the historic environment.

### **Other Matters**

14. I note that the proposal would not change the existing residential use, would not have a material harm on the living conditions of neighbouring occupiers, would not harm the energy performance certificate for the property and be in-line with current UV regulations. I also acknowledge that the proposal would offer a more useable, lighter and better-configured living space for the appellant. However, this would not outweigh the harm that I have identified above.
15. Reference has been made to how the current proposal has been amended from a previously refused scheme to overcome the Council concerns. Whilst I note changes have been made, this in itself is not determinative, and I have determined the appeal as submitted and on its own planning merits.

### **Conclusion**

16. For the reasons set out above, I conclude that the appeal is dismissed.

*D Peppitt*

INSPECTOR