
Appeal Decision

Site visit made on 15 September 2020 by A J Sutton BA Hons DipTP MRTPI

by Kenneth Stone BSc Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2020

Appeal Ref: APP/N5660/D/20/3252549

10 Wilkinson Street, London, SW8 1DB

- 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 Henry Sperling against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/04646/FUL, dated 11 December 2019, was refused by notice dated 5 March 2020.
 - The development proposed is described as 'Demolition of ground floor rear extension and erection of single storey side and rear extension; removal of render to rear elevation; replacement of all existing windows like for like (double glazed); removal of hedge and gate along front garden and erection of new railings'.
-

Decision

1. The appeal is dismissed insofar as it relates to the demolition of ground floor rear extension and erection of single storey side and rear extension.
2. The appeal is allowed insofar as it relates to the removal of render to rear elevation; replacement of all existing windows like for like (double glazed); removal of hedge and gate along front garden and erection of railings, at 10 Wilkinson Street, London, SW8 1DB, in accordance with the terms of the application Ref 19/04646/FUL, dated 11 December 2019, and the plans submitted with it insofar as relevant to that part of the development hereby permitted and subject to the schedule of conditions attached to this decision.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host property and the Albert Square Conservation Area (ASCA).

Reasons for Recommendations

5. The appeal dwelling is a mid-terrace, mid-Victorian, 3 storey property located in a residential street, within the ASCA. The front façade appeared relatively unaltered with a small private frontage bound by a hedge and gate. Some neighbouring dwellings had retained or restored railings at their front

- boundaries. The street scene is characterised by a general sense of period uniformity with a formal layout.
6. To the rear, properties are characterised by two storey, part width, projections and generally have a further single storey return of similar width. Dwellings have modest sized rear gardens, set in a linear pattern. More modern apartment blocks bound the rear gardens, limiting public views.
 7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
 8. The ASCA comprises Victorian residential development set in formal terraces which include grand, four storey housing with unified architectural detailing around the square.
 9. Wilkinson Street provides access to the square, and is lined by more modest scale, three storey dwellings. The built form on Wilkinson Street has a vertical emphasis, limited palette of high-quality materials, and despite the variety of boundary treatments to the front, there appears a rhythm and distinct sense of homogeneity in the street scene. The vertical emphasis, use of materials and sense of rhythm continues to the rear of the properties.
 10. The appeal property is situated close to the square. When viewed from the front and rear, its relatively unaltered appearance contributes positively, in terms of unifying architectural details and features, to the historic character of the area.
 11. The Council welcome the reinstatement of railings, in line with the Conservation Area Statement and subject to maintenance of soft landscaping. The replacement of windows would also be acceptable. However, they consider the proposed rear extension would conflict with development plan policies.
 12. Policy Q11 of the Lambeth Local Plan 2015 (Local Plan) states in the case of extensions, development which unacceptably dominates or overwhelms the host building will not be supported. It highlights that rear returns are characteristic of many 19th Century buildings in Lambeth and should generally be retained. It also states, amongst other criteria, infill extensions should be set back from the corner of the main return on heritage assets.
 13. The rear garden of No 10 is bound by brick walls and vegetation which somewhat limits open views of the terrace to the rear. However, I observed a general sense of uniformity of buildings from this perspective, in respect to vertical emphasis, limited palette of materials, sash windows and roof form of rear projections, which contribute to the character of the area.
 14. Whilst it may be a later addition, the form and scale of the existing single storey outrigger at No 10 appeared of some age and in keeping with the proportions and vertical emphasis of the host property. It allows sight of period features, retaining a return, characteristic of such properties. As such it is a positive feature of the host property. Furthermore, it provides a pleasing symmetry with a similar structure at No 8.
 15. The proposed development would remove the existing single storey projection and extend across the full width of the ground floor elevation. It would partially obscure the existing window, infilling a space and forming a continuous building

line flush with that of the removed single storey structure. Whilst it may be subordinate in height, it would introduce a mass with a horizontal emphasis, which would overwhelm this section of the property. It would result in the loss of a characteristic architectural feature, the rear return, and would interrupt the vertical rhythm of the host property. As such the development would harm the appearance of the host property.

16. The proposed use of lightweight materials/glazing and the mono-pitched roof would not sufficiently soften the appearance of the box like form or address the identified harm and conflict with development plan policies outlined above.
17. The rear of the host property is not readily observed from any public vantage points and views from the wider terrace would be glimpsed and limited. However, for the reasons outlined, the development would harm the appearance of the dwelling and in doing so would not conserve features which contribute positively to the character of the area. Therefore, the development would not preserve the character or appearance of the ASCA.
18. The harm arising would be less than substantial. The proposed reinstatement of railings would be a benefit, as would the removal of render to expose the original brickwork. However, given the current positive contribution of the appeal property to the character of the area, these aspects of the development would result in a limited benefit overall. The replacement of windows would have a neutral effect on the appearance of the dwelling with some small benefit derived from improving energy efficiency. The improved living accommodation would be of private benefit to occupiers of the dwelling. In summary any limited public benefit arising would not outweigh the identified harm the proposed rear and side extension would have on the character of the ASCA.
19. In light of the forgoing, it is concluded the proposed erection of a single storey side and rear extension would harm the appearance of the host property and would not preserve the character of the ASCA. It would therefore be contrary to policies Q5, Q11 and Q22 of the Local Plan which collectively state local distinctiveness should be sustained and reinforced through new development, proposals for the alteration or extensions of buildings will, amongst other matters, have a design which positively responds to the original architecture of the host building, and proposals affecting conservation areas will be permitted where they preserve or enhance the character or appearance of conservation areas.
20. Proposals for replacement of windows and removal of render are not in dispute in this case, and I see nothing before me to question this conclusion.
21. Whilst the existing front boundary does not appear in an original form, it did not appear unsightly or detrimental to the character of the area. However, the reinstatement of railings, of an appropriate type, would strengthen the historic uniformity in the area and enhance the character of the ASCA.
22. Therefore, the proposed removal of render, replacement of all existing windows and removal of hedge and gate along the front garden and erection of new railings would not harm the appearance of the host property and would enhance the character of the ASCA. These aspects of the proposed development would not conflict with policies Q5, Q11 and Q22 of the Local Plan summarised above. These elements of the proposed development are divisible from the unacceptable aspects of the development as identified above.

23. The Building Alterations and Extensions SPD 2015 (SPD) was not submitted and therefore has not been decisive in this case.

Other Matters

24. A similar development allowed on appeal at No 4 is noted. Whilst the current SPD guidance may be close to that of previous iterations, the context at No 4 differs in respect to infill development at the neighbouring property. I understand that there is no planning history associated with the development at No 2. Development plan policies have changed since the appeal decision and in this case, I have identified conflict with relevant policies.
25. The development at No 28, whilst covering the full extent of the rear elevation has a broken roof form and fenestration detail and in these respects is somewhat different from the design proposed.
26. Although noting the wrap-around extensions at Nos 34 and 26, no details of these developments have been submitted. However, both properties are located at the western end of the terrace, some distance from the host property, where the extent of alterations and context may differ from that of the appeal site.
27. The infill development at No 12 is set back slightly from the rear projection and retains a rear return. It therefore differs in these respects from the proposal before me.
28. In summary, for the reasons stated above the examples of similar forms of development differ sufficiently from this proposal and therefore have had limited weight in reaching this recommendation.

Conditions

29. A condition requiring development to be carried out in accordance with approved plans, insofar as relevant to that part of the development hereby permitted is considered necessary in the interest of certainty.
30. Conditions requiring the approval of detailed drawings for replacement windows and a soft landscaping scheme are necessary and reasonable in the interest of preserving the character and appearance of the ASCA.

Conclusion and Recommendation

31. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be allowed in part and dismissed in part. In respect to the proposed demolition of the ground floor rear extension and erection of single side and rear extension, the appeal should be dismissed. Whilst, I recommend that in respect of the removal of render to rear elevation; replacement of all existing windows like for like (double glazed); removal of hedge and gate along front garden and erection of railings the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

32. I have considered all the submitted evidence and concur that the appeal should be allowed in part and dismissed in part.

Kenneth Stone

INSPECTOR

Schedule of 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 in so far as relevant to that part of the development hereby permitted:

Existing Location Plan shown on Drawing Number: 1018_10WS_X000 and Front Elevation Proposed Drawing Number: 1018_10WS_D108.
- 3) The replacement windows hereby approved shall not be installed until details of the design of the replacement windows, including drawings at scale 1:5 and 1:20, have been submitted to and approved in writing by the local planning authority. The replacement windows shall be installed in accordance with the approved details.
- 4) A soft landscaping scheme for the front garden shall have been submitted to and approved in writing by the local planning authority within 6 months from the completion of the development. The approved landscaping scheme shall be carried out in the first planting and seeding season following the approval of the scheme; and, any plants which within a period of 5 years from the completion of the approved landscaping scheme die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.