



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: 19 October 2020

Appeal Ref: APP/N5660/D/20/3254316

20 Osborne Mews, London, SW8 1LR

- 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 Stephen O'Brien against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 19/04482/FUL, dated 2 December 2019, was refused by notice dated 7 April 2020.
 - The development proposed is described as 'the removal of the existing rear conservatory and replacement with a rear garden room/home office; a new door to the rear garden to allow for ease of access for bike storage, the replacement of the existing single glazed, timber, painted white window frames with double glazed, timber, painted white window frames and the replacement of 2 uPVC windows to double glazed, timber, painted white window frames to reflect the originals.'
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Decision

1. The appeal is allowed and planning permission is granted for the removal of the existing rear conservatory and replacement with a rear garden room/home office; a new door to the rear garden to allow for ease of access for bike storage, the replacement of the existing single glazed, timber, painted white window frames with double glazed, timber, painted white window frames and the replacement of 2 uPVC windows to double glazed, timber, painted white window frames to reflect the originals, at 20 Osborne Mews, London, SW8 1LR, in accordance with the terms of the application, Ref 19/04482/FUL, dated 2 December 2019 and subject to conditions attached to this decision.

Appeal Procedure

2. 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

3. The main issue is the effect of the development on the character and appearance of the street scene and St Mark's Conservation Area.

Reasons for Recommendation

4. The appeal property is a modern mid terrace dwelling. A conservatory has been added which covers a substantial portion of the rear elevation of the dwelling. The existing small garden space is enclosed by panel fences and principally comprised a paved area, appearing generally devoid of mature vegetation. The

outlook to the rear is dominated by a high brick wall. I observed views of the wider terrace were somewhat limited by surrounding vegetation and boundary walls.

5. The dwelling forms part of a mews style development built in the 1980s on a former bus/tram depot. The development is almost wholly contained within a grid like street pattern. It is flanked by grand period properties which form terraces on Fentiman Road and Richborne Terrace to the north and south. Vehicular access is via Carroun Road with a further pedestrian access to the east, off Palfry Place. Views of Usbourne Mews from the wider street scene are generally limited to these access points. The property is within the St Mark's Conservation Area.
6. 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.
7. The conservation area is characterised by smart terraced housing dating from the early 19th Century. Whilst the Mews is a relatively modern addition to the area, it appears as a well-planned, contained development with simple design features which reflect the sense of rhythm and formal layout of surrounding period properties.
8. Properties, close to the appeal site, from the front appeared relatively unaltered and the terrace retains a sense of pleasing coherence and consistency. Views to the rear of dwellings are restricted from outside of the terrace. However, an observable exception was the glimpsed views of the appeal property from the east, where the conservatory roof, with a form not wholly sympathetic to the clean lines of the original built form, was partially visible.
9. The proposed removal of the conservatory and replacement windows are considered acceptable by the Council. I support this conclusion as such measures would allow the reinstatement of consistency in the terrace which was somewhat eroded by these alterations. As such it would improve the appearance of the dwelling and the wider area.
10. The proposed development includes a garden room which would be formed on the rear boundary wall. The depth of the structure would be similar to the existing conservatory, but its footprint would be somewhat larger as it would cover the full width of the garden.
11. However, the height of the structure would be lower than the conservatory, and, in this respect, it would be clearly subordinate to the host dwelling. Furthermore, the proposed simple form would better reflect the architectural style of the host property and wider terrace.
12. I observed no similar additions in neighbouring gardens. However, the development would not alter the prevailing character of the gardens given its low-profile flat roofed form. As such it would only just be visible above the boundary fences and from limited public vantage points at the eastern boundary of the terrace. Therefore, the development would neither harm the appearance of the host property or the wider terrace.
13. Policy Q14 of the Lambeth Local Plan 2015 (Local Plan) sets policy for development in gardens. Proposals will be resisted which would result in loss of

soft landscape/permeable drainage or openness. In respect to rear gardens it recognises the potential of development to erode amenity and habitat value. Proposals will only be supported where, amongst other matters, a significant portion (no less than 70%) of the existing garden is retained, it is single storey and subordinate in form, it is set back at least 1m from all site boundaries (to allow access for maintenance and provide gaps between buildings) and it is well designed with visually attractive materials (including its roof when viewed from adjoining properties).

14. The structure would not be stepped in and would conflict with policy in this respect. Whilst there would be some loss of garden, the retained space would not be materially smaller than existing and would not result in a material loss of soft landscaping or permeable drainage. Indeed, the design of the garden room, with low sedum roof and bi-folding doors, would result in a greater sense of openness for those using the garden. Furthermore, the proposed design would reflect the simple form of the terrace and be observable from the adjoining properties. Therefore, it would be generally consistent with the overall intent of the policy with regards safeguarding the openness and amenity value of rear gardens.
15. In light of the foregoing, it is concluded the development would not harm the appearance of the street scene and would preserve the character and appearance of the St Mark's Conservation Area. It would not be contrary to policy Q11 of the Local Plan which states when considering proposals for the alteration of buildings, they will be expected to have a design which positively responds to the original architecture and fenestration of the host building and subordination will generally be a key consideration.
16. It would also not be contrary to policy Q22 of the Local Plan which states development proposals affecting conservation areas will be permitted where they preserve or enhance the character or appearance of conservation areas.
17. I have found conflict with a criterion of policy Q14 of the Local Plan. However, taking account of the individual issues and weighing the merits of this case, the proposed development would generally be consistent with the aims and requirements of Local Plan policies when read as a whole.
18. Furthermore, it would also be consistent with design principles and policies regarding heritage assets of the National Planning Policy Framework.

Conditions

19. Carrying out the development in accordance with approved plans is necessary for certainty and in the interest of the character and appearance of the St Mark's Conservation Area.
20. The Council has requested a condition requiring external surfaces to be constructed in materials matching the existing building. However, materials for the garden room and windows proposed in submitted information differ to that of the host property. Therefore, this condition is unnecessary.

Conclusion and Recommendation

21. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be allowed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and concur that the appeal should be allowed.

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:
Location Plan 037/03/100
Proposed Ground Floor Plan 037/200,
Proposed First Floor Plan 037/201,
Proposed Roof Plan 037/202,
Proposed SectionAA 037/203,
Proposed SectionBB 037/204,
Proposed Front Elevation 037/205,
Proposed Rear Elevation 037/206,
Proposed Garden Room Elevation 037/207,
Proposed Section AA With context 037/208,
Proposed Section BB With context 037/209, and
Window Profiles 037/210.