



Appeal Decision

Site visit made on 29 September 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2020

Appeal Ref: APP/N5660/D/20/3245851

6 Guildford Road, London SW8 2BX

- 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 Vincent Sterk against the decision of the Council of the London Borough of Lambeth.
- The application Ref 19/03698/FUL, dated 7 October 2019, was refused by notice dated 18 December 2019.
- The proposed development was originally described as “new windows and doors to ground floor rear elevation, removal of steps at the rear from raised ground floor balcony to ground floor”.

Decision

1. The appeal is dismissed.

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.

Procedural Matters

3. During my site visit, I observed that works to the rear elevation were being carried out. For example, the rear stair had been removed, as had the rear patio doors at lower ground floor level. The appeal property is therefore significantly different in appearance to how it is shown within the existing plans and elevations submitted as part of the application. Regardless, this appeal can still be determined insofar as it relates to the proposed drawings.
4. In their decision notice, the Council refers to a drawing titled 116/P_600. However, a drawing titled 116/P_600 A was provided as part of the materials submitted with the appeal. In subsequent correspondence, the Council clarified that it had based its decision on the basis of 116/P_600 A, and that its reference to 116/P_600 within the decision notice was made in error. I have therefore considered 116/P_600 A as part of my recommendation.

Main Issue

5. The main issue is whether the proposal would preserve or enhance the character or appearance of the Lansdowne Gardens Conservation Area (LGCA).

Reasons for the Recommendation

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that with respect to development affecting buildings or
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other land in a conservation area, "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." The appeal site is situated within the LGCA, the special interest of which is largely derived from its historic street scene and the architectural merit and visual uniformity of its terraces. The appeal property forms part of a terrace of large, four-storey properties that is acknowledged within the Lansdowne Gardens Conservation Area Statement 2009 as making a positive contribution to the character and appearance of the LGCA.

7. During my site visit, I saw from the rear garden of the appeal site that there was some variation between the rear elevations of properties within the terrace. I saw that properties featured outriggers of varying form and proportions, and that the rear elevations of some houses had been painted while others had not. Although there is some variation in these respects, the rear of the terrace nonetheless has a broadly coherent and uniform appearance, especially in terms of the traditional fenestration.
8. In contrast, due to its scale and proportions, the proposed double-height window would appear as an idiosyncratic element that would erode this established characteristic of the appeal property and the wider terrace. This would be evident in private views from neighbouring properties. Furthermore, without glazing bars, both the proposed double-height window, and the side-facing window at lower-ground floor level, would have a distinctly contemporary appearance that would relate poorly to the traditional fenestration of the appeal property and the rest of the terrace. As such, the proposal would cause harm to the character and appearance of the appeal property and surrounding area, as well as the special interest of the LGCA.
9. While it may be the case that the existing windows are not original, their scale and design nonetheless relate positively to the character and appearance of the appeal property and the wider terrace. Also the fact that the lower cill level, surrounding brickwork and width of the double storey window, would all remain the same as the existing does not mitigate the incongruous appearance of the proposed window. In addition although I accept that technologically and aesthetically contemporary alterations to 19th Century buildings such as the appeal property can be successful, I have nevertheless found that the proposed development would be unsympathetic in this case for reasons detailed above.
10. In reference to the determination at 10 Lansdowne Gardens, the proposal in this case was fundamentally different to the proposal before me. As such, whilst it also affects the uniformity of the terrace, it is not directly comparable to nor provides any justification for the proposal. In any case, I have taken the site-specific circumstances of the appeal site into consideration as part of my recommendation.
11. The appellant has drawn my attention to the rear fenestration of two properties, either side of Viceroy Road, which front onto Lansdowne Circus. These two properties form part of a distinct group of buildings which front onto the Circus. During my site visit, I saw that the rear elevations of each of these buildings had a similar pattern of fenestration which incorporated tall windows. However, while such windows may be characteristic of this group of buildings, this does not provide justification for the proposal where such a tall window would not be characteristic of the terrace and would instead appear out-of-keeping and incongruous, as detailed above. For the same reason, other

examples of tall windows within the surrounding area as shown within the appendix of the appellant's statement of case do not appear to contrast with their immediate context.

12. As the proportions and appearance of the proposed replacement door at lower-ground level would be broadly comparable to that of the existing, I am satisfied that this element of the proposal would be acceptable. Moreover, as the rear stairs and railings are not integral to the character or appearance of either the appeal property or the wider terrace, their removal would be acceptable.
13. Nonetheless, for the above reasons, I conclude that the proposed development would fail to preserve the character and appearance of the LGCA. The proposal would therefore conflict with Policies Q5, Q11 and Q22 of the Lambeth Local Plan 2015 which respectively state, amongst other things, that development should respond positively to local context and historic character in terms of quality and architectural detailing; respond positively to the original architecture, detailing and fenestration of the host building; and preserve or enhance the character or appearance of conservation areas.
14. The proposal would also conflict with the Building Alterations and Extensions Supplementary Planning Document 2015 which generally states that unsympathetic alterations can harm the appearance of buildings, and specifically identifies that replacement windows on heritage assets should replicate the appearance of the originals.
15. The proposal would cause less than substantial harm to the significance of the LGCA. However, there are no public benefits that would outweigh this harm.

Other Matters

16. I note that the appeal property is not subject to an Article 4 direction. Regardless, this appeal must be determined against the development plan as per Section 38(6) of the Planning and Compulsory Purchase Act 2004. Considered against the development plan, the proposal would be unacceptable in planning terms for the reasons set out above.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR