

Appeal Decision

Site visit made on 3 December 2020

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 January 2021

Appeal Ref: APP/N5660/D/20/3255367

91 Union Road, London, SW4 6JD

- 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 David Gardner against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 20/01043/FUL, dated 17 March 2020, was refused by notice dated 13 May 2020.
 - The development proposed is the demolition of existing rear outrigger and erection of single storey ground floor rear extension and demolition of front garden boundary wall and erection of new wall and gates and re-landscaping of front garden.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

3. The appeal property is an attractive and well detailed end of terrace two storey home with a relatively lengthy single storey pitched roof rear projection across a little over half of the rear. Dwellings in the terrace are broadly similar and whilst additions and alterations do vary the outriggers remain common features. Front garden treatment is not consistent, the appeal property has drive-on parking and some rendered walling. The area is of established residential character; pleasing details and broad architectural rhythm lead to an attractive appearance for this locality. The proposal is as described above; the rear extension would be full width.

Character and appearance

4. The site lies within the Sibella Road Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy Q22 of the Lambeth Local Plan 2015 (LP) reflects this and adds more detailed criteria designed to ensure the safeguarding of these heritage assets. It includes a particular focus on seeking to prevent inappropriate demolition.
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5. I can appreciate that the proposed rear extension with its varied flat roof heights, well placed fenestration and interesting range of external finishes demonstrates a thoughtful approach to providing the internal accommodation and garden arrangement sought by the Appellant. In many situations it would be commendable visually, functionally and in terms of protecting or enhancing living conditions for neighbours. Regrettably it is simply not suited to this context. The loss of the outrigger, or failure to provide an *equivalent* replacement, would be a significant change which I could not sanction on the dwelling and along this terrace where this protrusion type is a unifying element. These projections are such an inherent characteristic of these terraced homes that there would have to be absolutely exceptional reasons for removal and major visual change. In this case the planned modern idiom 'replacement' due to siting, massing, materials and elevational treatment would look ill-at-ease on the property itself, detract from the integrity of the terrace, and generally fail to accord with local distinctiveness and character.
6. The existing treatment of the front garden and boundary is unfortunate and adds no positive aesthetic to the streetscene; suitable alteration would be desirable. However, unfortunately the scheme before me would embody a gate arrangement with a style and scale which would be quite alien to the scene and a bin store which would be unduly prominent. This adds to my concerns expressed above over the character and appearance implications of the planned works to the rear.
7. Having regard to all of the above I conclude that there would be conflict with S72(1) of the Act and LP Policy Q22; there would not be preservation of the character and appearance of the Conservation Area. Additionally, taken together, LP Policies Q5, Q11 and Q15 seek high quality design and, amongst other matters, call for extensions to demonstrate subordination; new works to enhance the existing built environment; and generally call for the safeguarding of local distinctiveness and character. Given the nature of the appeal scheme, I conclude that the proposal would run contrary to these policies. It would also run counter to the Council's adopted Supplementary Planning Document Building Alterations and Extensions 2015. This provides detailed design guidance and embodies objectives reflective of the LP policies albeit I do recognise that this document could not be expected to cover every eventuality.

Other matters

8. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be, such as some economic stimulus, would not outweigh this harm. Furthermore there are no other benefits, including to the Appellant, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.
9. I sympathise with the Appellant's wish to extend and improve this dwelling and I hope that a suitable solution can be found. I do note that the Conservation Officer makes some suggestions on this front although clearly any comment on details would be beyond my remit. I note the 'permitted development' (pd)

and 'fallback' points made by the Appellant but I have no specific proposition or evidence on this matter and unlike any question of pd I have to assess the scheme before within the prevailing planning policy context. I note that neighbours did not object. I can see that there could be energy efficiency and biodiversity gain arguments fairly put forward. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the host property and the locality. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR