



Appeal Decision

Site visit made on 28 January 2021

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2021

Appeal Ref: APP/N5660/W/20/3260208

384A Coldharbour Lane, London, SW9 8LF

- 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 Glen Edwards against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 20/01430/FUL, dated 25 April 2020, was refused by notice dated 13 August 2020.
 - The development proposed is for a loft conversion with rear dormer.
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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, the terrace, the Brixton Conservation Area (BCA) and its setting.

Reasons

3. The BCA covers most of Brixton's Victorian town centre and is a busy, vibrant and diverse conservation area. It is primarily characterised by 19th and early 20th century mixed commercial and domestic development, public buildings, arcades, markets and a diverse range of independent stores and leisure facilities including bars, cafes, restaurants and clubs. Collectively the traditional and mixed design, appearance and use of these buildings and terraces contribute to the diverse character, appearance and significance of this lively and bustling conservation area.
4. The appeal site is situated at the eastern end of Coldharbour Lane, which is a narrow commercial lane, that is characterised by small independent shops, cafes and bars at ground floor level, with flats above. A short distance to the east is the railway embankment, with small commercial units below. Also, there are a number of Grade II and non-designated heritage assets in the locality.
5. The Appeal property comprises a three storey Victorian inner terrace building with a commercial unit at ground floor level, with a flat above. The building fronts onto the pavement and to the rear the ground floor of the property backs onto the side elevation of the building at 50 Atlantic Road (No.50). The fenestration on the rear first and second floors is asymmetrical and include a variety of window frames. There are currently no roof extensions within the small terrace in which the appeal property is located. Their pitched slate roofs

- are modest in size, form and appearance. The host terrace is not a heritage asset, although as a small Victorian terrace with a mixture of commercial and residential uses it does make a valuable contribution to the character, appearance and significance of the BCA despite its neglected appearance.
6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance. The LBCA Act similarly requires special attention to be paid to the desirability of preserving or enhancing the setting of listed buildings. Policy Q22 of the Lambeth Local Plan 2015 (Local Plan) is consistent with this.
 7. Section 16 of the National Planning Policy Framework (Framework) states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm requires clear and convincing justification, whilst opportunities for new development in conservation areas should be sought. When assessing any scheme, if the proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Policy 7.8 of The London Plan (2016) similarly seeks to retain the significance of heritage assets.
 8. In relation to design, section 12 of the Framework and policies Q5 and Q11 of the Local Plan seek to sustain and reinforce the distinctiveness of Lambeth. New development should respond to local character and history and reflect the identity of local surroundings. The design of alterations and extensions should positively respond to the original architecture, roof form, detailing and fenestration of the host building. Roof dormers should be set below the ridge line and in from the flanks and eaves of the host building so that the roof remains the dominant element in the composition. The materials and detailing should be appropriate to the host building and should be modest in size and aligned with the windows below.
 9. The Council's Building Alterations & Extensions Supplementary Planning Document 2015 (SPD), provides further advice on the design and siting of dormer extensions. It advises that proposed sill height should be around one metre above the floor level in the room it is to serve and the head height of the dormer should be in line with the ceiling height. The window type should be in keeping with the existing fenestration and the external materials should be simple and robust. On sensitive buildings they should be modest in size and align with the windows below.
 10. The SPD also advises that within conservation areas, where attics are small and floor space is limited small dormers can be linked together, although the link element should be subordinate to the dormers. It suggests that the link is recessed back from the dormers by a third and is clad in the same material as the main roof slope. Paragraph 3.19 of the Brixton Conservation Area Statement 2012 advises that appropriate new dormers should be detailed to match the host building and scaled in a traditional manner. It also advises that new dormers should not be proposed where they would look alien.
 11. There are no dormers within the host terrace and they are not a common feature on buildings with small loft spaces and shallow pitched roofs. Whilst it is noted that there are numerous dormer windows within this part of the BCA, particularly on front elevations, the buildings concerned are not comparable to

the appeal property, or the terrace in terms of height, scale, form, design and appearance. They reflect the diverse range of buildings and roofscape in the BCA.

12. Atlantic Road is the only road from which the proposed dormer would be clearly visible and then only from a small stretch of the road where the terrace roof can be seen between the rear of 378 Coldharbour Lane (No.378) and the side elevation of No.50. From this section of Atlantic Road the black painted single storey wing to the rear of No.378 and associated "street art" draw attention to the open gap above, where the terrace roof is clearly visible. The roof of the terrace appears modest, with the chimneys and parapet walls providing a sense of uniformity and reflecting the narrow width of the buildings. The proposed dormer extension would also be visible from the elevated passing train windows and the rear of nearby properties.
13. The proposed dormer would provide the necessary internal floor area to provide a double bedroom, small en-suite and a built-in cupboard within the resultant roof-space. Due to its size the resultant dormer addition would occupy a significant proportion of the roof-space. The recessed central section would not be visible from the street scene and would be seen against the roof-slope in views from the rear of nearby properties. Notwithstanding this, the outer dormer windows would appear bulky and would dominate the roof-slope.
14. The dormer windows would be out of alignment and would appear overly large in comparison to the narrower windows immediately below at second floor level. As a result, the rear of the host property would appear unbalanced and cluttered, when viewed from Atlantic Road, passing trains and the rear garden environment. The roof dormer would unacceptably detract from the simple and uniform lines of the roof of the appeal property and the terrace and would add to the unwelcome clutter created by the partly enclosed flues at No.378. Despite this, I am satisfied that the proposed dormer would not impact on the setting of any of the nearby listed buildings and those identified at non-designated heritage assets in the BCA Statement. This is because the proposed dormer would not be visible in views to or from these buildings.
15. For these reasons the proposed dormer extension would harm the character and appearance of the host building, the terrace, the surrounding area and the BCA. It would similarly harm the significance of the BCA. Whilst this harm would be less than significant, it nonetheless needs to be weighed against any public benefits resulting from the scheme.
16. The construction of the proposed dormer would result in some local employment; would make full use of the roof-space within the residential part of an existing building; and is located in a highly accessible location. The proposal would also result in some investment within a part of the BCA where buildings exhibit various levels of neglect. These are things that are encouraged and supported within existing and emerging policies and guidance. However, in this instance, these public benefits would materially fail to outweigh the less than significant harm to the BCA, to which I give great weight.
17. It is noted that a number of linked dormer extensions on similar properties have been approved within the Borough. However, none of the examples cited are comparable to the appeal site in terms of location. The appeal property is located within a very small terrace of mixed commercial and residential properties that are devoid of any roof additions. It is within the BCA and the

roof of the terrace is visible from an historic busy street scene and passing trains. As such these decisions have not influenced this decision, which is based upon the prevailing planning policies and the individual merits of the proposal.

18. For these reasons I conclude on the main issue that the proposal would unacceptably harm the character and appearance of the host property, the terrace and the BCA. It would harm the significance of the BCA and whilst this harm would be less than substantial, it would not be outweighed by any public benefits. Accordingly, the proposal would conflict with LP Policies Q5, Q11 and Q22, the SPD, the Brixton Conservation Area Statement 2012 and the Framework.

Other matters

19. The ownership of the appeal property and any rights relating to the carrying out of any work within the property is a private legal matter that falls outside the scope of this appeal.

Conclusion

20. The conclusion on the main issue amounts to a compelling reason for dismissing this appeal, which could not be satisfactorily addressed through the imposition of conditions.

Elizabeth Lawrence

INSPECTOR