



Appeal Decision

Site visit made on 9 March 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2021

Appeal Ref: APP/N5660/D/20/3263071

48 Claylands Road, LONDON, SW8 1NZ

- 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 Robert Bang against the decision of London Borough of Lambeth.
 - The application Ref 20/02932/FUL, dated 1 September 2020, was refused by notice dated 9 November 2020.
 - The development proposed is Erection of a single storey rear side infill extension following demolition of existing bay window; replacement of existing windows to the rear with new timber framed french doors. Erection of an upper ground floor side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for Erection of a single storey rear side infill extension following demolition of existing bay window; replacement of existing windows to the rear with new timber framed french doors. Erection of an upper ground floor side extension. at 48 Claylands Road, LONDON, SW8 1NZ in accordance with the terms of the application, Ref 20/02932/FUL, dated 1 September 2020 subject to the conditions in the schedule attached to this decision.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is a mid-terrace property in the St Marks Conservation Area (the CA) and in terms of design, form, character and appearance, marks the transition from one terrace to another. To the front, the appeal site and its neighbours have a consistent, attractive character and appearance, with London roofs behind front parapet walls. The character and appearance of these terraced houses and their relationship to each other, the open space to the front and the street makes a positive contribution to the significance of the CA as a heritage asset, reinforcing the urban, residential character of the CA.
4. To the rear, and not visible from the public domain, the consistency and rhythm of the character and appearance falls away. Neighbouring properties to the south-east, within the same terrace as the site, vary in their appearance, with extensions and alterations of differing depths, widths, heights, roofing styles, materials and detailing. Neighbouring properties to the north-west are part of the different, but adjoining terrace, so are already markedly different to the appeal site in character and appearance terms. As such, the proposal would

have a neutral effect on the character or appearance of the CA and would therefore preserve it.

5. The detailed design of the proposal makes clear and preserves the distinction between the original property and the extension and is appropriately subordinate. In addition, the relationship of the side-extension to the existing windows preserves and respects their original pattern and layout. In my view, given the varied alterations to the rear return within the terrace to either side of the site, the proposal does not detract from or cause harm to the character and appearance of the property or the area.
6. Given the lack of visibility from the public domain, the detailed design elements of the proposal and the already mixed and varied character and appearance of the rear of the terrace, and having regard to the great weight to be given to the asset's conservation I consider that the proposal would preserve the character of the CA, and would therefore cause no harm to its significance as a heritage asset.
7. Whilst I acknowledge that other extensions near to the site may have been built under a different policy and guidance regime, they do, nevertheless now form part of the established character and appearance of the area, and I have found that the proposal is consistent with this established, mixed character and appearance. In addition, I have found that in any event the proposal is appropriate and does not cause any harm to the character and appearance of the host property, the site or the area.
8. The proposal does therefore comply with Policies Q5, Q11 and Q22 of the Lambeth Local Plan, September 2015 (the Local Plan), which seek, amongst other things to ensure that development preserves local distinctiveness, is designed to positively respond to the original architecture, form, character and appearance of a host property and respects and reinforces the established positive characteristics of the area. There is a limited conflict between the proposal and part (e)(i) of Policy Q11. However, given my overall conclusions on the effects of the proposal and its compliance with the other parts of that policy, I do not consider that conflict to be unacceptable. The proposal also complies with guidance in the National Planning Policy Framework (the Framework) on conserving and enhancing the historic environment.

Conditions

9. Having had regard to the response of the Council, the requirements of the Framework and the Planning Practice Guidance I have imposed standard conditions concerning commencement (1), requiring compliance with the submitted plans (2) and the use of matching materials (3), in order to ensure the satisfactory appearance of the completed development and to preserve the character and appearance of the CA.

Other Matters

10. I note concerns from the neighbouring property over the potential for a loss of amenity. However, in light of the relationship of the proposal to neighbouring properties, its scale, and the overall scale of the property, as well as the conclusions of the Council on this matter, I do not consider that such harm would arise. Similarly, concerns over the potential for flood risk have been addressed in the Flood Risk Assessment.

Conclusion

11. For the reasons given above, I conclude that the appeal should be allowed, and planning permission granted.

S Dean

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. That the development hereby permitted shall be carried out in accordance with the following approved plans and details therein: Existing and Proposed Elevations – 01, Existing and Proposed Elevations – 02, Proposed Floor Plan – 04, Flood Risk Assessment, Heritage Statement, Tree Report Survey, Tree Constraints Plan – 201, Tree Protection Plan – 301, Design and Access Statement - August 2020, Site Location Plan.
3. That the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

End of Schedule of Conditions