



Appeal Decision

Site visit made on 9 June 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2021

Appeal Ref: APP/N5660/W/20/3262237

50 Tremadoc Road, LONDON, SW4 7LL

- 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 Harry Norman against the decision of London Borough of Lambeth.
 - The application Ref 20/01744/FUL, dated 28 May 2020, was refused by notice dated 20 August 2020.
 - The development proposed is construction of a roof terrace with 1.7m high obscure glazed screen to the rear outrigger.
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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 area.

Reasons

3. The terraced housing on Tremadoc Road features an unusual design to the roof of the rear outrigger, with a hipped-roof falling towards, and allowing light into, the upper-floor windows of the main terrace. Although common to both sides of Tremadoc Road, this design is not prevalent in the surrounding area, with houses backing on to the appeal site featuring a different design, character and appearance. Combined with the regular rhythm and form of the roof slopes, the chimneys, and their relationship to the main buildings, these outriggers terraces have a distinct character and appearance.
4. Policies in the Lambeth Local Plan 2015 (the Local Plan) and specifically, Policy Q5 seek to sustain and reinforce local distinctiveness, and highlights the importance of roofscapes to local character and context. Policy Q11 adds further detail on roof terraces, noting that they will normally be resisted on locally distinct building types where they are not characteristic of the host building or group.
5. Whilst the consistency of the roof form of the appeal site with neighbouring properties on both sides of Tremadoc Road does reflect them being built at the same time, to the same design, the difference between this design and that of the surrounding terraces leads me to conclude that the group is a locally distinct building type. The character and appearance of the site, and particularly of the roof, is therefore protected by policies in the Local Plan.
6. I acknowledge that the appeal site has been altered, with the addition of a mansard roof, and that houses to the rear have been variously altered with

- other terraces and alterations. However, the previous alterations to this site have maintained the relationship of the main building to the outrigger and the houses to the rear are of a different form and character. The roof terrace would not therefore be characteristic of the host building or the wider group.
7. The design, form and materials of the proposal would interrupt the regular rhythm, form and character of the appeal site and its surroundings, introducing a design element alien to the established character of the group. I find that this would be harmful both to that established character and appearance, and the locally distinct roofscape as a whole.
 8. I note the examples of other planning permissions in the area set out, recognise that consistency in the planning process is important and that like cases should be decided in a like manner. However, each case is determined on its own merits and on the basis of the evidence, particularly in relation to matters of character and appearance. As such, given the differences in material, scale and form, between those sites, proposals and context, and the proposal before me, they do not lead me to alter my findings.
 9. The proposal would therefore be contrary to Policies Q5, Q8 and Q11 of the Local Plan, which seek, amongst other things, to ensure that local distinctiveness is sustained, that development responds to positive aspects of local context and character, including architecture, with particular emphasis on roof form, detail and the protection of locally distinct building types.

Other Matters

10. Policies in the Local Plan predate the National Planning Policy Framework (the Framework), and the appellant suggests that they are out-of-date as a result. Whilst this is the case, in carrying out the test at Paragraph 213 of the Framework, I find that the policies referred to above are consistent with the aim of the Framework to achieve well-designed places particularly with regard to ensuring that development is sympathetic to the local character. As such, I give them full weight in this appeal.
11. However, even if I were to have concluded that the policies in the Local Plan were out of date, the adverse impacts I have found upon character and appearance would significantly and demonstrably outweigh the private benefits which the proposal would deliver.

Conclusion

12. For the reasons given above I conclude that the proposal conflicts with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be dismissed.

S Dean

INSPECTOR