



Appeal Decision

Site visit made on 5 July 2021

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2021

Appeal Ref: APP/N5660/W/21/3268558

115-117 Norwood High Street, London SE27 9JF

- 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 F Prentice against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 20/03363/FUL, dated 5 October 2020, was refused by notice dated 23 December 2020.
 - The development proposed is for the conversion of 2 dwelling houses into 5 flats, involving the erection of a mansard roof extension; replacement of two windows within front elevation with single doors; privacy screening to the front flat roofed area and refuse/cycle parking storage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity and precision I have used the address and the description of the proposed development given on the Appellant's appeal form and the Council's Decision Notice.
3. A new London Plan was adopted in March 2021. However, the application in this case was submitted in October 2020. As such, the Council relied upon Policies contained within the Lambeth Local Plan, 2015 (LLP) and the London Plan 2017. However, the LLP is currently under partial review to ensure it complies with any amendments to the *National Planning Policy Framework* (the Framework) and the London Plan 2021. Therefore, at the time of the appeal the draft Policies unaffected by the main modifications in the LLP are given significant weight by the Council, while Policies subject to proposed main modifications are afforded moderate weight. In addition the Council have identified a number of Policies contained within the London Plan 2021 in its statement of case dated 30 May 2021, which are relevant to the appeal and supersede Policies 6.3 and 6.12 of the London Plan 2016. I have proceeded accordingly.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area and the host properties, and;
 - planning obligations with particular reference to parking permits.

Reasons

Character and appearance

5. The appeal site is a non-heritage asset located outside the confines of a Conservation Area in a short terrace of dwellings set back from the highway as part of a linear row of properties facing onto Norwood High Street. Norwood High Street is a well-used road that has a regular bus service and is in walking distance of West Norwood train station.
6. The area is characterised by a mix of two and three-storey dwellings that include period properties, as well as post-war apartment buildings. The appeal side of St Mary's road is further typified by parapet-roofed two-storey dwellings and commercial premises with 'step-down' one-storey extensions to the front elevation.
7. The two host properties of Nos 115 and 117 Norwood High Street are part one, part two-storey white-rendered dwellings with railed privacy/waste and recycling areas to the front elevation. There is a flat roof/terraced area above which is set in front of two white PVC casement windows and a parapet roof. The white-rendered rear elevation has a part flat/part 'butterfly roof', and four white PVC type casement windows at first-floor level that are similar to those at the neighbouring No 121 Norwood High Street and can be seen from the service road that leads to a car-wash facility to the rear of Nos 123-127 Norwood High Street.
8. In addition the submitted drawings show that there are a pair of patio-type glazed doors to the rear ground floor of the appeal building which provide stepped access to the rear garden.
9. The proposal is to convert the two dwellings into five flats. The white-rendered elevations to the front and rear would be retained. The existing windows facing Norwood High Street would be removed and replaced by larger glazed doors that would open onto the first-floor terrace which would be set behind an new obscured glazed balustrade. A new grey slate 'Mansard' style extension would be constructed above the parapet roof. To the rear elevation the existing fenestration would be replaced by longer grey windows including an opaque panel, that would match the zinc clad finishes of the two 'Mansard' dormer windows. To the front elevation facing the street the 'Mansard' would have full height glazed sliding doors. To the front of the ground floor elevation of the proposal there would be a new brick-built store for waste and recycling set behind railings, and to the rear of the proposal there would be cycle storage provided as part of an enclosed structure.
10. I acknowledge that there are a number of relatively recent schemes¹ associated with the appeal site that are either being considered, have been permitted or were found to be unacceptable to the Council. These are noted. Moreover, that the Council do not wish to contest the proposed first-floor elevational doors, the height of the rear flat-roof section of the building, or the rear fenestration other than the alignment of the position of the 'Mansard' dormer windows. However, notwithstanding the Council's position, I have limited details of those earlier schemes before me. Therefore, as is correct, I have considered the proposal on its own planning merits.

¹ 20/03389/FUL, 20/01541/FUL and 20/03389/FUL

11. As such, while the Appellant has made a number of changes to a previous application², that includes an increased set-back to the 'Mansard' and reduced the number of dormer windows from three to two, the fact remains that the proposal would have asymmetrical dormer windows to the rear. Moreover, the scale and mass of the proposal to the front of the appeal site would be at odds with the properties on this side of Norwood High Street. Indeed, while the Appellant submits that the proposed 'Mansard' would be 'divorced' from the street, and notwithstanding the submitted timber-framework outline dimension photographs, I find to the contrary; that the bulky development would erode the simplicity of the roof-line to the front of the properties and the 'butterfly roof' to the rear of the terrace, both of which are highly characteristic of this type of building and London high-street location.
12. Consequently, in addition to the incongruous positioning of the dormer windows to the rear, the proposal would be overly prominent in the street-scene when viewed or glimpsed along the highway and its adjacent footways. Moreover, while I noted at my site visit a number of 'Mansard' type extensions to larger properties on the other side of Norwood High Street, I cannot be certain if these were found to be acceptable under the same development plan as the proposal before me or not. As such, the proposed development would be out of keeping with the modest linear terraces on this side of Norwood High Street which are currently devoid of 'Mansard' style roof additions.
13. I conclude therefore, given my findings above, that the proposal would harm the character and appearance of the area and the host properties.
14. Accordingly, the proposal is contrary to Policies Q5 and Q11(m) of the LLP, as supported by the 'Lambeth Building and Extensions Supplementary Planning Document' (2015) which aims include that the local distinctiveness of Lambeth should be sustained and reinforced through new development.
15. For similar reasons, the development does not meet the requirements of Paragraph 127 (c) of the Framework which requires that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Planning obligation

16. The main parties agree that a planning obligation is required in order to mitigate the effect of the development on the adjacent highway, and to support sustainable transport options in this well-connected location. The agreement would restrict parking permits, and provide access to 'car-club' memberships for the future occupiers of the proposed development.
17. Moreover, notwithstanding Paragraph 54 of the Framework, I note that the Appellant is familiar with the procedure for submitting such an agreement. Indeed, the Appellant is in the process of finalising a S106 agreement with the Council for a similar but separate proposal for development on the site. Nevertheless, I cannot be certain that a comparable agreement will be forthcoming for the proposal before me.

² 20/01541/FUL

18. Therefore, the proposal is contrary to Policies T1, T6, T7 and D4 of the LLP, and Policies contained within the London Plan 2021 when considered as a whole, which say, amongst other things, that development should be car-free, including permit free and permit-capped schemes, particularly in areas where alternative modes of transport are available, and Paragraph 108 (a) of the Framework which requires that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that, appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location.

Other Matters

19. I acknowledge that the proposal would provide additional housing units against the Council's housing supply on a brownfield site in a sustainable location, and that the waste and recycling provision would meet the aims of the London Plan 2021. However, this does not outweigh the harm I have found above.

Conclusions

20. For the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR