



Appeal Decision

Site visit made on 6 July 2021 by Max Webb BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 July 2021

Appeal Ref: APP/N5660/D/21/3272115

3 Bankton Road, London SW2 1BP

- 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 Charles Alexander Atkin against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 20/04434/FUL, dated 21 December 2020, was refused by notice dated 2 March 2021.
 - The development proposed is roof terrace with associated screening.
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Decision

1. The appeal is allowed and planning permission is granted for a roof terrace at 3 Bankton Road, London SW2 1BP in accordance with the terms of the application Ref 20/04434/FUL, dated 21 December 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: the location plan and drawing numbers 02, 04, 05 and 06.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host dwelling and the surrounding area.

Reasons for the Recommendation

4. The appeal site is part of a terrace group that has a relatively harmonious roof form, although the appeal property itself has a flat roof on the rear projection.
5. The proposal would convert a portion of the flat roofed section of the building into a roof terrace with a glass balustrade. A previous proposal and subsequent appeal¹ on this site sought to utilise a roof terrace that covered the full flat roof area and had tall glass screening. The proposal being considered in this appeal

¹ APP/N5660/W/16/3164301

would be set in from the eaves, smaller in size and have a lower glass balustrade than the previous proposal. The reduced size and scale of the proposed development ensures it would not be unsympathetic and would remain subordinate to the host dwelling, even when combined with the previous addition to the property.

6. The existing flat roof on the rear projection has parapets, and this proposal does not seek to install an enclosing wall taller than these and would therefore not appear overly bulky. These parapets would also significantly reduce the visibility of the glass balustrades, despite the roof terrace being slightly higher than other roof terraces nearby. It would not be visible from the public realm, and although it would be seen from properties in the vicinity, this would only be to a limited extent, so the proposal would not appear visually prominent.
7. Although other buildings in the immediacy of the appeal site have a relatively harmonious roof form, the host dwelling has a rear projection that has a flat roof with parapet. Therefore, the proposed terrace would not interrupt the locally distinctive roof form, due to its small overall size and the existing flat roof on the host dwelling. There are also other, similar sized roof terraces with glass balustrades in the immediate vicinity of the appeal property, and this means the proposal would not appear incongruous or out of character with the area.
8. Overall, the proposal would not harm the character and appearance of the host dwelling or the surrounding area. It would therefore be in accord with Policy Q5 and Q11 of the Lambeth Local Plan (2015), which together aim to protect local distinctiveness, with regard to built form, including at roof level. It would also conform with the Building Alterations & Extensions Supplementary Planning Document (2015), which aims to ensure roof terraces do not harm locally distinctive roof forms.

Conditions

9. In addition to the standard time period for commencement of the development, I have suggested a condition ensuring the development accords with the approved plans for reasons of certainty and precision, to ensure the development has an acceptable design.
10. The glazed panels would not be tall enough to prevent overlooking when stood on the balcony and, in any case, it is not considered that the balcony would cause undue overlooking to the neighbouring property. Therefore, the condition requested by the Council regarding obscure glazing is not considered necessary.

Conclusion and Recommendation

11. The proposal would accord with the Development Plan when it is considered as a whole. For the reasons given above, I recommend that the appeal should be allowed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

K Taylor

INSPECTOR