



Appeal Decision

Site visit made on 24 June 2021

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2021

Appeal Ref: APP/N5660/D/20/3261686

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 the Council of the London Borough of Lambeth.
 - The application Ref 20/02927/FUL, dated 1 September 2020, was refused by notice dated 14 October 2020.
 - The development is for proposed front French doors to lower ground floor.
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Decision

1. The appeal is allowed and planning permission is granted for proposed front French doors to lower ground floor at 48 Claylands Road, London SW8 1NZ in accordance with the terms of the application, Ref 20/02927/FUL, dated 1 September 2020, subject to the conditions in the attached schedule.

Preliminary Matter

2. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021. Whilst I have had regard to the revisions, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the changes to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the property and the St Mark's Conservation Area.

Reasons

4. The appeal site relates to a mid-terrace dwelling sited on Claylands Road. The property marks the horizon between one terrace and another, being taller than its neighbour to one side. The surrounding area is residential in nature and situated in the St Mark's Conservation Area (SMCA). I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. The significance of the appeal dwelling and the terrace derives from the attractive and well-kept appearance, built of yellow stock brick with stucco window surrounds, small front gardens and inverted pitched roofs concealed behind parapet walls. Together they make a positive contribution to the SMCA as a heritage asset.
6. The appeal proposal would replace the existing lower ground floor window to the front elevation with new timber framed French doors. The doors would be of simple 2/2 design, timber construction and the same width as the existing window opening.
7. I acknowledge the Council's concerns regarding alterations to windows on the properties along the terrace, which would affect the consistency of the residences as a group. Nevertheless, at my site visit I observed that there is minimal cohesion between the existing lower ground floor windows and doors within the row of dwellings.
8. Being partly below ground level, the proposed doors would not be particularly prominent within the context of the dwelling and wider street scene. Furthermore, given their unfussy appearance, the use of materials to match existing openings and the already mixed and varied character and appearance of the lower ground floor windows and doors to the front of the terrace, I consider that the proposal would preserve the character of the SMCA, and would therefore cause no harm to its significance as a heritage asset.
9. The Council has been unable to unearth evidence that the other alterations at lower ground level benefit from planning permission, and therefore does not consider that a precedent has been set. I have dealt with this appeal on its merits; the proposal is acceptable and does not cause any harm to the character and appearance of the host property, the site or the conservation area. Nonetheless, to my mind the various changes at lower ground floor now form part of the established, varied character and appearance of the terrace at this level, and the proposal is consistent within this context.
10. I therefore conclude that the proposal would not cause material harm to the the character and appearance of the property and the St Mark's Conservation Area. It would meet policies Q11 and Q22 of the Lambeth Local Plan September 2015, which require development, amongst other things, to sustain and reinforce local distinctiveness, to have a design which responds positively to original architecture, and to preserve or enhance the character or appearance of conservation areas.

Conditions

11. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the National Planning Policy Framework. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning. A condition requiring external materials to match those on the existing dwelling would ensure a satisfactory appearance.

Conclusion

12. Based on the above I conclude that the appeal should be allowed.

C Hall

INSPECTOR

Schedule of 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: Site Plan, Block Plan, Drawing 01 – Existing and Proposed Elevations and Floor Plans
- 3) The external finishes of the development hereby permitted shall match in material and colour those of the existing building.