



Appeal Decision

Site Visit made on 1 September 2021

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/N5660/W/21/3270821

Second Floor Flat, 32 St. Luke's Avenue, London SW4 7LQ

- 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 Anup Sharma against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 20/03552/FUL, dated 16 October 2020, was refused by notice dated 18 January 2021.
 - The development proposed is the erection of a rear roof extension with Juliet balcony to the second floor flat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application form makes reference to dormers and the use of an existing flat roof as a terrace. However, the description used by the Council in their decision notice, and by the appellant in their appeal form, more accurately describes the proposed development and so I have similarly used it in the heading for the appeal.
3. A revised Framework¹ was published by the Government between the determination of the planning application and the appeal coming before me. I am satisfied that this latest version of the Framework does not raise any new considerations in relation to this appeal.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and wider area.

Reasons

5. The appeal site is an upper floor flat in a property which is part of a terrace of three storey properties in a residential street. The proposed development would result in the installation of a rear dormer with Juliet balcony. A new parapet wall would be constructed to separate the proposed dormer from the neighbouring dormer at 30 St. Luke's Avenue. The Council indicates this wall would be approximately 0.3m above the height of the proposed dormer.
6. Due to the back-to-back layout and terraced nature of the properties in the vicinity of the site, the dormer would be obscured from views at street level.

¹ National Planning Policy Framework (2021)

However, due to its bulky appearance, the proposed dormer would be particularly visible from some rear windows of properties along Kenwyn Road.

7. By virtue of the proposed dormer's width and height, it would not appear as a subservient extension but instead would appear more as an additional storey to the building. This would be reinforced by the parapet wall to the side of the dormer. Furthermore, the Juliet balcony would not be at the same scale or in alignment with the windows below, adding to the disruption that would be caused to the building's appearance.
8. I therefore conclude that given the size and scale of the proposal together with its appearance, it would represent an incongruous and unsympathetic addition that would be harmful to the character and appearance of the host property and wider area. As a result, it would be contrary to Policies Q2, Q5 and Q11 of the Local Plan² and the guidance provided in the Council's Supplementary Planning Document³, which amongst other things, seek to ensure that development is well designed and sympathetic to the host property and surrounding area.

Other Matters

9. Evidence submitted by the appellant included references to other dormers in the area, some of which were built under permitted development rights, and previous appeal decisions. However, I have considered this appeal on its own merits and have found that other dormers in the vicinity of the appeal site, including the dormer at 30 St. Luke's Avenue, were generally smaller and appeared more as subservient additions to the roof. In contrast, the proposed dormer would be a large and dominant addition to the roofscape of the terrace.
10. Although the appellant has made reference to permitted development rights, as these would not apply in this case, it has not altered my decision.
11. I note that the appellant considers the dormer would represent an improvement to their quality of life. However, I saw on my site visit that the existing room is a good size and functions well with the current internal head height and roof lights. Any perceived improvement to these living conditions would not, in my opinion, outweigh the significant harm I have identified.
12. The appellant points to the absence of harm to the living conditions of neighbours. However, this in itself does not mean that the current scheme is acceptable and does not in any event absolve me from making an assessment as to its effects in regard to the main issue of the case.

Conclusion

13. The proposal would harm the character and appearance of both the host property and surrounding area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Stewart Glassar
INSPECTOR

² Lambeth Local Plan (2015)

³ Building Alterations and Extensions Supplementary Planning Document (2015)