



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: 24 September 2021

Appeal Ref: APP/N5660/W/21/3268169

Flat 1, 7 Chelsham Road, London SW4 6NR

- 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 Llewellyn Kinch against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 20/03425/FUL, dated 7 October 2020, was refused by notice dated 23 December 2020.
 - The development proposed is the demolition of existing lean to conservatory and erection of wrap around single storey extension to the lower ground floor.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. 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

3. The main issue is the effect of the proposed development on the character or appearance of the host building and the wider Sibella Road Conservation Area (SRCA), within which it falls.

Reasons

4. S.72 of the Act² requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Paragraph 199 of the Framework states that, when considering the impact of a proposed development on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation. Policy Q22 of the Local Plan³ broadly accords with this approach.
5. The appeal property is at the edge of, but within the SRCA. This part of Chelsham Road marks a clear division between older, period properties within the SRCA and newer buildings particularly to the north and east that are outside of this designated area. The SRCA is characterised by substantial residential buildings, set back from the road with either a shallow forecourt or a

¹ National Planning Policy Framework (2021)

² Planning (Listed Buildings and Conservation Areas) Act 1990

³ Lambeth Local Plan (2015)

basement floor. Although not readily visible from the public realm, the buildings generally have large rear gardens. Whilst there is variation in the shape, style and detailing of the buildings, there is a consistency of materials, front building lines, roof heights and proportions which contribute to the significance of the SRCA as a whole and gives the area a pleasing and high-quality environment.

6. The appeal building has been subject to some alteration and extension at the rear, most notably a single storey side infill conservatory. This conservatory would be replaced as part of the proposal and would facilitate an open plan internal living arrangement.
7. The single storey nature of the proposal and the prevailing ground levels would ensure that the rear return remains largely visible, and the building's original layout would be understood. Nevertheless, the dual pitch design of the extension, together with the near doubling of the length of the rear return, would not be reflective of the rear elevation's appearance and as a result would be disruptive to its overall composition and proportions. I therefore agree with the Council that the resulting appearance would be over-extended and not sympathetic to the building's appearance.
8. Although the works are not visible from the public realm, neighbouring occupiers would be able to see much of the extension, particularly from upper floor windows. Whilst such views would be private, this would not diminish the harm that would occur. Indeed, given the number of neighbours who might see the extension, this would be a legitimate matter of public interest. Both the development plan and Framework aim to ensure good design, something which is not limited only to proposals which are highly visible.
9. I acknowledge that the development plan does not rule out contemporary additions to buildings in conservation areas, and in this case, I note the use of matching materials and large areas of glazing. However, to be acceptable I consider that the scale of an extension and its design must also be appropriately respectful of the appearance and characteristics of the host building. In this case, the proposal would represent an unsympathetic addition that would be harmful to the host property and the wider SRCA with regard to both character and appearance.
10. As a result, the proposal would be contrary to Policies Q5, Q11, and Q22 of the Local Plan and the guidance provided in the Council's Supplementary Planning Document⁴, which amongst other things, seek to ensure that, particularly in conservation areas, development is well designed and sympathetic to the host property and surrounding area.

Other Matters

11. I have been provided with various examples of extensions permitted on other properties within Chelsham Road, as well as within other conservation areas in the borough. Whilst these provide helpful background, I have considered the appeal proposal on its individual merits and with regard to the specific circumstances of the site and its surrounds. In this regard, I note that the small terrace of properties of which the appeal property forms part, distinguish themselves from most other properties in Chelsham Road by having a

⁴ Building Alterations and Extensions Supplementary Planning Document (2015)

basement level and thus smaller returns on the rear elevations. As noted in the SRCA appraisal that formed part of the Council's original designation report of 11 December 2001, this characteristic reflects the historic evolution of housing development in the SRCA. Therefore, in my opinion, to compare the overall length of the proposed rear extension with the returns of different properties which have a different design and context, would be too simplistic and would ignore the variety and historic evolution of housing within the SRCA.

12. The appellants point to the small increase in height over the existing boundary walls and that this would not impact on neighbours either side of the proposed extension. 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 with regard to the main issue of the case.
13. Whilst I agree with the appellants that the existing UPVC conservatory is not particularly in keeping with the building's aesthetics, it is a smaller and more discrete addition to the building than the current proposal. As such, the weight I could attach to the removal of the conservatory is limited and would in any event be insufficient against the harm and conflict with the development plan that I have found and to which I ascribe substantial weight.

Planning Balance

14. The harm I have identified to the SRCA would, given the limited extent and visibility of the proposal, be considered to be 'less than substantial' within the terms of the Framework. In accordance with paragraph 202 of the Framework, where such harm occurs, it must be weighed against any public benefits. Any public benefits that I could attribute to the scheme, such as a boost to the local economy, would carry very limited weight given the scale of the proposal. As such, neither the public benefits, nor any other material considerations, outweigh the harm to the SRCA that I have identified, and they are therefore insufficient to justify allowing the appeal in the light of the conflict with the development plan and provisions of the Framework.

Conclusion

15. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR