



Appeal Decisions

Site visit made on 18 October 2021

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2021

Appeal A Ref: APP/N5660/W/21/3271841

282 South Lambeth Road, London SW8 1UJ

- 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 M Bishop against the decision of the Council of the London Borough of Lambeth.
- The application Ref 20/04075/FUL, dated 23 November 2020, was refused by notice dated 22 January 2021.
- The development proposed is the erection of an orangery to the rear.

Appeal B Ref: APP/N5660/Y/21/3271837

282 South Lambeth Road, London SW8 1UJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr M Bishop against the decision of the Council of the London Borough of Lambeth.
- The application Ref 20/04076/LB, dated 23 November 2020, was refused by notice dated 22 January 2021.
- The works proposed are the erection of an orangery to the rear.

Decision

1. *Appeal A* - The appeal is dismissed.
2. *Appeal B* - The appeal is dismissed.

Preliminary Matters

3. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021, and this post-dates the Council's decision notice. However, there have been no substantive revisions to national policy in relation to conserving and enhancing the historic environment. I have therefore had regard to the revised Framework in my decision and I am satisfied that this has not prejudiced the main parties.
4. Moreover, the Lambeth Local Plan 2020-2035 was adopted by the Council on 22 September 2021. This now forms part of the statutory development plan for the area and replaces the Lambeth Local Plan 2015. The Council have advised that Policies Q20 and Q22 of the Lambeth Local Plan 2015, which are quoted in the decision notice, have now been superseded by Policies Q20 and Q22 of the Lambeth Local Plan 2020-2035. Accordingly, the parties were invited to comment on these policy changes, and their implications for the appeal, and I have taken these responses into account in reaching my decision.

Main Issues

5. The main issues in both appeals are whether the proposal would preserve the special interest of the Grade II listed building, 282-298 South Lambeth Road

SW8, of which the appeal property forms a part, and linked to that, whether it would preserve or enhance the character or appearance of the South Lambeth Road Conservation Area.

Reasons

Special interest and significance

6. The appeal property is a three storey late-Georgian end of terrace townhouse as part of a wider terrace (Nos. 282 to 298) of Grade II listed houses. The list description makes reference to the terrace being constructed from stock brick with parapet front. Each house has gauged flat brick arches to sash windows with glazing bars in stucco lined reveals. Doors are six-panelled with corniced head and fanlight, under round gauged brick arch with impost blocks in slightly projecting brick panel and mutuled cornice.
7. Accordingly, the significance of the listed building, in terms of its special architectural and historic interest, derives from its age, character and appearance as a well-preserved example of a late-Georgian terrace, which displays many strong architectural features that are typical of its period. The building's significance is also derived from its value as a group with other historic buildings along the street.
8. It is understood that the listed terrace would have historically included modest individual single storey ranges to the rear. However, these were demolished in the 1970s as part of the post-war approach to historic building conservation and where buildings were deemed to have been under threat of demolition. This has left the terrace with a flat-backed painted smooth render finish to its rear elevation at ground floor level, with this being the arrangement at the time of listing. This is evident along the rear of the terrace and provides a strong sense of uniformity, with no extensions or substantial modern alterations to the rear. Consequently, this provides a narrative as to the historical development and current appearance of the listed building, thereby contributing to its historic and architectural significance.
9. The appeal property also falls within the South Lambeth Road Conservation Area (CA). The CA is dominated by 19th century residential housing which together provide a good representation of a 19th century suburban development along a main route into London. It follows, therefore, that the appeal property, being an early 19th century residential terrace of historic and architectural interest, makes a significant positive contribution to the character and appearance of the CA.

The appeal proposal

10. The appeal seeks planning permission and listed building consent for the erection of a single storey conservatory to the rear of the property. The proposed extension would extend across almost the entire width of the appeal property and project approximately 3 metres beyond its rear elevation. The walls of the conservatory would be constructed from a mix of matching brickwork and white uPVC framed glazing, with a wood grain detail to the framing. Aluminium rafters would form the roof with white uPVC capping and toughened solar controlled glass roof sheets.

The effect of the appeal proposal

11. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require me to have special regard to the desirability of preserving the building, or its setting or any features of special architectural or historic interest it possesses. Section 72(1) of the Act also requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. I have therefore considered the appeal scheme in light of these weighty statutory duties.
12. Despite maintaining a subservient relationship with the host property, the proposed conservatory would disrupt the flat-backed finish of the rear elevation and erode the uniform appearance of the terrace. It would also obscure a small window in the rear elevation, detracting from this architectural detail.
13. Furthermore, the proposal's form, appearance and choice of materials would be at odds with the historic character of the building, having a modern appearance and utilising uPVC framed glazing, whereas the host building has a more refined appearance and utilises a more traditional palette of materials. In these terms the appeal scheme would constitute a discordant contrast to the appeal building and therefore an unsympathetic addition. As a consequence, the appeal proposals would result in clear harm to the heritage asset.
14. The appellant has suggested that the proposal would not harm the listed building because it is located to the rear where it would be screened by neighbouring development and by boundary treatments. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained. In any case, it was clear from my visit that the proposal would be visible in public views from the rear, and particularly in views from the elevated walkways and stairwells as part of the housing development located along Teversham Lane.
15. Bringing these points together, the proposal would fail to preserve the special interest of the listed building and, in doing so, it would also fail to preserve or enhance the character or appearance of the South Lambeth Road Conservation Area. Accordingly, the proposal would not meet the weighty statutory requirements set out above and would conflict with Policies Q20 and Q22 of the Lambeth Local Plan 2020-2035. Together these policies seek to conserve the special interest of listed buildings and preserve or enhance the character or appearance of conservation areas.

Other matters

16. In support of the appeal the appellant has referred me to several other approved developments in the locality which they consider provides a precedent for allowing the appeal. However, I do not have full details of these other cases before me or the circumstances in which they were found to be acceptable. In any case, I have determined the appeal on its own merits.

Overall balance and conclusion

17. In accordance with paragraphs 201 and 202 of the Framework, it is for the decision maker, having identified harm to the designated heritage asset, to consider the magnitude of that harm. In this case, under the terms of the Framework, I consider the harm to be less than substantial given the extent of the proposal and its consequent effects. The harm must therefore be weighed against the public benefits of the proposal.

18. The appellant argues that the proposed conservatory would improve the energy efficiency of the property and therefore lead to a reduction in greenhouse gas emissions. However, given the scale of the proposal the benefits in this regard would be extremely limited. Consequently, the harmful effects to the significance of both the listed building and the conservation area are considerations to which I attach great weight and importance, and their combined weight would not be outweighed by this public benefit. For this reason, the proposal would be contrary to the Framework's aim to conserve heritage assets in a manner appropriate to their significance.
19. In conclusion, I have found that the appeal proposal would fail to preserve the listed building and its special interest; would neither preserve nor enhance the character or appearance of the conservation area; would not accord with the Framework; and would conflict with the above cited policies of the development plan. Moreover, with regard to appeal A, no material considerations have been advanced of a sufficient weight to justify a decision other than in accordance with the development plan.
20. Therefore, for the reasons given, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

J M Tweddle

INSPECTOR