



Appeal Decision

Site visit made on 25 November 2021

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 14th December 2021

Appeal Ref: APP/N5660/W/21/3274792

54C Hackford Road, London SW9 0RF

- 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 Annabel Symington against the decision of Lambeth Council.
 - The application Ref 21/00067/FUL dated 8 January 2021 was refused by notice dated 15 March 2021.
 - The development proposed is a loft conversion and creation of a small terrace over part of rear elevation.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issue

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

Reasons

4. The site comprises a three storey mid-terrace property in use as separate flats and backing onto the rear yard of an adjacent terrace row. The surrounding area is residential, made up of dwellings of consistent style and form. In particular, the roofscape along this side of Hackford Road as visible from the site is largely unaltered, with the exception of certain rooflights.
5. The development proposed is a loft conversion, which would create a mansard extension and a terrace at roof level, served by a timber door and enclosed by a glass screen. Rooflights are also proposed along the front elevation. The Council agrees that the rooflights would not cause significant harm, and that a mansard extension is acceptable in principle. However, the Building Alterations and Extensions Supplementary Planning Document, 2015 (the SPD) lists numerous principles that rear mansard extensions should follow.

6. These include at paragraph 4.20(d) that there must be adequate room for flashing and at 4.20(g) that windows should match those below. Although flashing is not proposed, this could be conditioned. A door at roof level may not be an uncommon feature in dormers, and the proposed door would incorporate glazing and timber. Nonetheless, in this instance its size and below cill level nature would fail to match the other fenestration of the building, contrary to the guidance of paragraph 4.20(g).
7. Furthermore, the roof terrace would be an incongruous addition to the immediate area. While not readily visible from the public highway, clear views of it and the proposed door would be possible from rear elevations and back yards immediately adjacent to the site. From these locations it would be the first example of such a terrace in the immediate vicinity which, due to its elevated position, would read as a prominent feature. This would fail to follow paragraph 4.30 of the SPD, which states that Policy Q11 (o) seeks to resist roof terraces on building types where they would be uncharacteristic.
8. This prominence would be further highlighted by the obscured glass screening, rather than reduced. In this raised location it would be a conspicuous feature that, along with the proposed door, would signal the presence of the terrace, setting the dwelling apart from neighbouring properties.
9. Although the appellant has stated that the terrace would require a modest incision in an already shallow roof pitch, it would nonetheless still upset the consistency of the surrounding roof form along this side of Hackford Road. It would visually and functionally alter the roof area at the site in a way that would not be characteristic of the surrounds. Overall it would appear out of place, introducing an alien feature to the dwelling that would fail to respect the pattern of development.
10. For the reasons given I find that the development would have a significant adverse effect on the character and appearance of the host dwelling and surrounding area. As such, it would fail to accord with Policies Q5 and Q11 of the Lambeth Local Plan, adopted September 2015 and the SPD, which together seek to promote good design.

Other Matters

11. The personal circumstances of the appellant are also acknowledged, whereby the proposal would improve the standard of accommodation and provide external space. However, personal circumstances will seldom outweigh more general planning considerations and the matters raised in this instance do not attract sufficient weight to override the harm that would arise.
12. It is further argued that the terrace would be for occasional use only so as not to lead to anti-social behaviour or substantial impacts on amenity. However, the mere presence of the terrace would nonetheless cause harm to the character and appearance of the dwelling and area, regardless of its usage. In any event the limited impact on the amenity of surrounding occupiers represents a lack of harm, which is a neutral matter that does not weigh in favour of the proposal.
13. Reference is made to examples of other mansard roof extensions and comparable development in the surrounding area, including on Hackford Road. However, it is notable that the examples referred to on this side of Hackford Road do not incorporate either a roof terrace or a door at roof level, which are the elements that

cause harm to the character and appearance of the dwelling and area in this case. While other roof terraces have been granted permission in the wider area, the proposal must be assessed on its own site specific circumstances and reference to the other development approved by the Council therefore carries limited weight in this instance.

Planning Balance and Conclusion

14. Given the limited weight afforded to the other matters above, taken together they do not outweigh the significant harm identified to the character and appearance of the host dwelling and surrounding area by the proposal.
15. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR