
Appeal Decision

Site visit made on 8 December 2021

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 13th January 2022

Appeal Ref: APP/N5660/D/21/3282540

41 Pearman Street, London SE1 7RB

- 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 Ms June Cannon against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/01601/FUL, dated 20 April 2021, was refused by notice dated 16 June 2021.
 - The development proposed is the reconstruction of the third floor back addition and the roof-access enclosure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the Council made its decision the 2021 Lambeth Local Plan 2020-2035 (Local Plan) has been adopted and forms part of the development plan. I have therefore determined the appeal on that basis. The policies from the previous 2015 Local Plan identified in the Council's reason for refusal are similar to those corresponding numbered ones in the adopted Local Plan, particularly in respect of the clauses pertinent to the appeal. Consequently, no parties' interests will have been prejudiced by my taking it into account.
3. Although the Council's officer report refers to the Lower Marsh Conservation Area, the appeal site is located some way from its Boundary. Neither the report nor the Council's refusal reason suggests that there would be an effect on the setting or significance of that designated heritage asset and I have determined the appeal accordingly.

Main Issue

4. The main issue raised by this appeal is the effect the development would have on the character and appearance of the host property and the area.

Reasons

5. The appeal site is the penultimate building in a terrace of substantial three storey residences with similar properties situated opposite. The rear of the terraces are less formal than the more uniform front elevations, characterised by outriggers projecting from the back which in the main appear distinct in height from the taller rear elevations of their host buildings. Those aspects which are visible contribute positively to the character and appearance of the

- area where the two 19th Century terraces create a distinctive enclave surrounded by later development.
6. Many properties on both sides of the street have alterations of a variety of designs and configurations at roof level and on top of these outriggers. With very limited exceptions these retain the distinction between the outriggers and the main part of the buildings. The current extensions to the appeal property maintain this distinction.
 7. This variety of existing alterations to the rear of the terrace has created a context within which there appears to be some scope for imaginative alterations. Nevertheless, the appeal proposal would link both elements with a long, sweeping slope and in doing so would ignore the differentiation between the outrigger and the main property. Furthermore, the bold wedge shape would be at odds with the existing appearance of the rear of the terrace even considered within the current arrangement.
 8. In contrast to the majority of properties with roof and outrigger alterations, the rear of No 41 is considerably more prominent given its penultimate situation in the terrace which makes it conspicuous in views along Frazier Street for some distance. This distinguishes the appeal property from the majority of other buildings in the terrace. The proposal would appear all the more incongruous in the context of the more unaltered appearance of the rear of the equally prominent end terrace property next door. The existing extension at No 29 farther along the street displays some similarities to the proposal. However, this is in a considerably less conspicuous location than the appeal site with trees and intervening development largely masking that extension from any prominent public views.
 9. The proposal would harm the character and appearance of the building and the area, contrary to Local Plan Policies Q2, Q5, Q8 and Q11. Together, and amongst other criteria, these seek to avoid compromising visual amenity from the public realm, sustain local distinctiveness, make proposals visually attractive, ensure that extensions are subordinate, and avoid roof additions which harm the architectural integrity of the original building or its group.
 10. Although Local Plan Policy Q11 expects the inclusion of renewable energy in proposals, the design, form and situation of the extension would conflict with the Policy overall. As the extension would not clearly deliver design excellence nor make a positive contribution to its local context, it would not accord with Local Plan Policy Q5's concession for proposals that deviate from locally distinct development.
 11. Notwithstanding that contrasting materials would be used, the proposal would conflict with the Council's Guidance¹ that roof extensions which extend over rear returns will be generally resisted. This Guidance quotes from an earlier National Planning Policy Framework in respect of avoiding the imposition of architectural styles or tastes which is no longer explicit in National Policy. In any event, it is the effect of the design and configuration of the proposal within its particular context that would give rise to a harmful effect rather than a particular style or taste.

¹ Building Alterations & Extensions Supplementary Planning Document, 2015.

12. The existing 'conservatory' type extensions and roof structure at No 41 are not particularly appropriate to the building, appearing more as late 20th century additions than anything which might reflect its 19th century origins. However, their rather incongruous appearance does not detract from the character and appearance of the host building or the area to such a degree that would make their removal so pressing that replacement by the appeal proposal would be justified.

Other Matters

13. The appellant has drawn my attention to various other developments elsewhere in the vicinity. As these relate to different building types and configurations to that of the appeal property, they have very little relevance to the proposal. As well as that at No 29, there are examples on the Pearman Street terraces in similar situations of a variety of designs. However, the appeal proposal is distinguished from these by the prominence of the rear of the appeal site which means that its situation is considerably more sensitive than that of some other rear elevations of the terraces. In any event I have determined the appeal on its own merits.
14. I can appreciate that the proposal would re-establish roof access in a more convenient form, introduce solar panels to generate energy and replace a poorly performing existing structure in need of repair. However, there is no evidence that these objectives could only be achieved by way of the particular design proposed. The absence of objections in respect of neighbours' living conditions does not weigh in favour of the appeal. These other considerations do not, therefore, lead me to a different conclusion.

Conclusion

15. For the above reasons, the proposal would harm the character and appearance of the host property and the area in 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, the appeal is dismissed.

Geoff Underwood

INSPECTOR