
Appeal Decision

Site visit made on 1 March 2022 by Max Webb BA(Hons)

Decision by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2022

Appeal Ref: APP/N5660/D/21/3284092

28 Broadhinton Road, London SW4 0LT

- 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 Lisa Lyons-Wilson against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/01268/FUL, dated 26 March 2021, was refused by notice dated 22 July 2021.
 - The development proposed is the erection of a lower ground floor rear extension including new rear garden levels. Reconfiguration of the front garden.
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Decision

1. The part of the appeal that relates to the reconfiguration of the front garden is dismissed.
2. The part of the appeal that relates to the erection of a lower ground floor rear extension including new rear garden levels is allowed. Planning permission is granted for erection of a lower ground floor rear extension including new rear garden levels at 28 Broadhinton Road, London SW4 0LT in accordance with the terms of the application, Ref 21/01268/FUL, dated 26 March 2021, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, insofar as they relate to the erection of a lower ground floor rear extension including new rear garden levels:
BR-HH-A-A.00 Rev A, BR-HH-A-A.01 Rev A, BR-HH-A-A.02 Rev A,
BR-HH-A-A.11 Rev A, BR-HH-A-A.21 Rev A and BR-HH-A-G.01 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

4. From the evidence before me and my observations on site, I agree with the Council that the proposal would result in an excessively large excavation to the

front of the property that would be detrimental to the character and appearance of the area. The appellant has suggested they wish to alter and resubmit the proposal insofar as it relates to the reconfiguration of the front garden and have therefore requested a split decision. As the works to the rear are severable from the reconfiguration of the front garden, I am satisfied that would be appropriate should the proposed works to the rear be acceptable.

5. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to this as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

6. The main issue is whether the erection of a lower ground floor rear extension including new rear garden levels preserves or enhances the character or appearance of the Clapham Conservation Area.

Reasons for the Recommendation

7. The Clapham Conservation Area (CCA) derives its significance from the traditional, relatively consistent appearance of the residential development in the area. The appeal site sits within a terrace that contributes to the significance of the CCA through its appearance, including consistency on the front elevation and the rhythm created by the closet wings to the rear. There are rear additions to multiple properties on this terrace, including extensions that wrap around the closet wing on properties neighbouring the appeal site at 29 and 30 Broadhinton Road.
8. The proposal looks to create a wrap-around extension at lower ground floor level. Whilst guidance in the Building Alterations & Extensions Supplementary Planning Document (adopted 2015) (SPD) suggests that wrap-around extensions may not be appropriate on properties in conservation areas, this is to maintain the appearance of features such as closet wings. The extension would be large, however the sunken positioning means it would not appear dominant over the existing closet wing. The closet wing would remain the prominent feature to the rear of the dwelling. The proposal would therefore maintain the appearance of the rear elevation of the terrace and would not interrupt the rhythm of the properties.
9. The SPD also outlines how subordination is key when considering extensions. The sunken positioning of the proposal and the proposed materials help to create an appropriate level of subordination and ensure the original architecture of the property would be maintained.
10. The proposed addition would not extend to the rear any further than the neighbouring extensions at Nos.29 and 30. Regardless of whether the extensions at Nos.29 and 30 are considered anomalous, they do form part of the appearance of this terrace. As these are the next two properties on from the appeal site, the introduction of this extension would not lead to significant disruption of the rhythm seen on this terrace. This, combined with the sunken

nature of the proposal, ensures it would appear sympathetic in both scale and appearance to the terrace as a whole.

11. Overall, the proposed erection of a lower ground floor rear extension including new rear garden levels would preserve the character and appearance of the CCA. It would therefore conform with Policies Q5, Q11 and Q22 of the Lambeth Local Plan 2020-2035 (adopted 2021), which together seek to protect local distinctiveness, ensure extensions respond positively to original architecture and are subordinate, with particular regard to ensuring the character and appearance of conservation areas are preserved.

Other Matters

12. The removal of fruit trees for the construction of the proposal has been considered acceptable by the Council. As the trees are relatively small and a substantial amount of vegetation and greenery would remain, I agree with the Council's assessment.

Conditions

13. The standard time condition has been included for reasons of certainty. For the same reason, I have recommended conditions regarding plans and materials, as well as to ensure an appropriate level of design that protects the character and appearance of the dwelling and surrounding area.
14. The Council's officer report suggests a condition regarding landscaping. The plans provided with the application outline the trees that would be retained and the inclusion of planters. As I have recommended a condition that would ensure the proposal complies with these submitted plans, I do not consider an additional landscaping condition would be necessary.

Conclusion and Recommendation

15. For the reasons given above and having had regard for the Development Plan when it is considered as a whole, I recommend that in relation to the reconfiguration of the front garden, the appeal is dismissed. However, I recommend that in relation to the erection of a lower ground rear extension including new rear garden levels, the appeal is allowed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed insofar as it relates to the reconfiguration of the front garden and the appeal is allowed insofar as it relates to the erection of a lower ground rear extension including new rear garden levels.

Zoe Raygen

INSPECTOR