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## Appeal Decision

Site visit made on 1 March 2022 by C Glaister BSc (Hons)

**Decision by S. Ashworth BA (Hons) BPL MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 6 June 2022**

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**Appeal Ref: APP/N5660/D/21/3286783**

**6 Wilkinson Street, London SW8 1DB**

- 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 Brian Laframboise against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 21/02785/FUL, dated 9 July 2021, was refused by notice dated 21 September 2021.
  - The development proposed is described as a "Ground floor rear side extension including a new roof light. The side extension will include a lightwell for ventilation and natural light".
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. 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 Matter

3. The Lambeth Local Plan 2020–2035 (LLP20) was adopted on 22 September 2021. The application was originally assessed during the draft stage of this plan, and the LLP20 Policies relevant to the refusal of the development were included in the decision notice. The appeal must be considered with regard to the adopted development plan. The substance of the Policies remained the same upon the adoption of the LLP20, and it is not therefore necessary to seek further submissions on the new local plan.

### Main Issue

4. The main issue is the effect of the proposal on the host dwelling and whether it would preserve or enhance the character or appearance of the Albert Square Conservation Area.

### Reasons for the Recommendation

5. The site is a mid-terrace property located within the Albert Square Conservation Area (CA). The character and appearance of this area largely derives from its 19th Century origins and from the unified architectural detailing and rhythm of the formal terraced housing. To the rear the houses originally had two-storey paired rear outriggers with mono-pitched roofs and

gaps between each pair. Some have single storey end extensions, also of varying depths. From the evidence before me it appears that a number of the gaps between pairs still exist, and new development at the rear is generally distinguishable from the original outriggers. The garden of each dwelling is verdant, and the vegetation obscures the rear elevations of the terrace to some degree from both the public realm and surrounding properties. However, harm to the character and appearance of the building would still inherently result in a failure to preserve or enhance the character or appearance of the CA.

6. The Building Alterations & Extensions Supplementary Planning Document 2015 (SPD) suggests that extensions should achieve subordination; that on heritage assets wrap-around extensions are not appropriate and that infill extensions should stop short of existing corners. Policy Q11 of the LLP20, requires that infill extensions should generally have a glazed, lightweight or contrasting character to differentiate them from the rear return.
7. The development would extend the side of the outrigger at ground-floor level across the full width of the plot, to a large extent removing the gap between the outrigger and the boundary although the retention of a lightwell would enable some of the original form to be appreciated. However, the end elevation of the extension would be flush with that of the existing building rather than stopping short of the existing corner. Moreover, due to its design and materials, the existing and proposed elements of the outrigger, at ground-floor level, would appear unified. In other words, the end part of the existing outrigger would become indistinguishable from the extension.
8. The extension would include an amount of glazing in the form of glazed panels and doors to the rear and a flat roofed roof light which would extend above the roofline. Whilst lightweight in appearance, it seems to me that this centrally positioned feature would appear discordant against the form and massing of the existing building. Moreover, a substantial proportion of the rear elevation and the majority of the roof of the extension, would have a solid appearance. Consequently, the extension would not be of such lightweight or contrasting appearance that would distinguish it from the existing rear return.
9. I acknowledge that there are some infill extensions at the rear of the terrace although I am unconvinced on the basis of the evidence before me that these extensions constitute the predominant form of development in the area. The infill extension at 4 Wilkinson Street, was granted on appeal<sup>1</sup> some time ago and appears to pre-date both the introduction of the SPD and the recently adopted LLP20. Moreover, it appears to be of a different design to that before me. Furthermore, I note the Inspector in that case took into account the relationship of the property with that on its opposite side which had previously been extended. Accordingly, the context of that appeal was different to that before me.
10. I have limited information about other side/rear extensions referenced by the appellant. However, from what I have seen these also appear to be substantively different to the proposal. These developments do not therefore justify the harm that would arise from the proposal.
11. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or

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<sup>1</sup> Appeal Ref: No. APP/N5660/D/13/2190838

enhancing the character or appearance of conservation areas. Paragraph 199 of the National Planning Policy Framework (2021) (the Framework) states that great weight should be given to the conservation of designated heritage assets.

12. The extent of the harm to the CA as a whole would be less than substantial in the terms of the Framework. In such situations the Framework requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
13. As the development would provide a small amount of additional space, the contribution to London's housing needs would be minor. Moreover, I am unconvinced based on all I have seen and read, that an extension of a different character, which better respects the form of the original dwelling, could not be achieved. The public benefit associated with the appellant's continued habitation and investment in the property in this way would therefore be very limited. As such the public benefit of the proposal would not outweigh the great weight given to the conservation of the designated heritage asset.
14. For these reasons, the development would fail to preserve the character and appearance of the dwelling and the wider Albert Square Conservation Area. It would not therefore comply with Policies Q5, Q11, and Q22 of the LLP20 which together seek to ensure development positively responds to the original architecture of the host building and respects and reinforces the established local context and positive characteristics of the area, and that the character or appearance of a Conservation Areas is preserved or enhanced. It would also fail to comply with the National Planning Policy Framework (2021) which seeks to ensure development is sympathetic to local character.

### **Conclusion and Recommendation**

15. Based on the above, and having regard to all matters raised, including an absence of objection from neighbours, I recommend that the appeal should be dismissed.

*C Glaister*

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.

*S Ashworth*

INSPECTOR