



Appeal Decision

Site visit made on 7 June 2022

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2022

Appeal Ref: APP/N5660/W/22/3291292

Flat 1, 7 Chelsham Road, London SW4 6NR

- 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 Llewellyn Kinch against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/03931/FUL, dated 8 October 2021, was refused by notice dated 6 January 2022.
 - The development proposed is demolition of existing extension with the erection of a single storey lower ground floor wrap around extension.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing extension with the erection of a single storey lower ground floor wrap around extension at Flat 1, 7 Chelsham Road, London SW4 6NR in accordance with the terms of the application Ref 21/03931/FUL dated 8 October 2021 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: Location Plan, CR_EXISTING_ELVS_AA_CC_002 002, CR_EXISTING_ELVS_BB_002 002, CR_EXISTING_FPL_001 001, CR_PROPOSED_ELVS_AA_CC_002 002, CR_PROPOSED_ELVS_BB_002 002 and CR_PRO_FPL_002 002.
 - 3) All new external work and finishes to the development hereby permitted and work of making good shall match the existing building in respect of the materials, colour, texture, profile and finished appearance, except where indicated otherwise on the drawings hereby approved.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host building and the Sibella Road Conservation Area.

Reasons

3. The appeal site is within the Sibella Road Conservation Area (CA) which is generally characterised by generous mid-19th century dwellings. There is some variety in the form, style and detailing of the buildings, but most are of similar materials, width and roof height, and sit tightly spaced on strong building lines within a grid pattern. These qualities provide for an attractive and distinctive sense of coherence to the area overall.

4. The appeal relates to a three-storey over basement mid-terrace building with a three-storey outrigger rear return, to the side of which is a conservatory at lower ground floor level. Other properties in this and nearby terraces on this side of the street are generally of similar overall form, and while some others have single-storey extensions to the side and/or rear of the returns, the outriggers remain prominent, and their regular arrangement provides for an attractive rhythm to the group. Together with the architectural detailing of the terrace, most notably to the front where elements including canted bays and decorative stonework reflect features common to many other properties that I saw in the wider area, I find that the terrace and appeal building make a positive contribution to the character and appearance and thus significance of the CA.
5. The appeal proposes replacement of the conservatory with an extension that would wrap around the side and rear of the outrigger return at lower ground level. This would be contrary to part E.iii of Policy Q11 of the Local Plan 2021 which sets out that infill extensions should generally be set back from the end of the main return on heritage buildings. The Council's Building Alterations and Extensions Supplementary Planning Document 2015 (SPD) further advises that wrap-around extensions to rear returns are not considered appropriate on heritage assets where extensions should stop short of the corners of the returns to emphasise their subordination and retain the corner.
6. Nevertheless, it is still important to consider whether harm to the host building or area would result. In this case, the existing conservatory is already level with the rear of the return rather than being set back from the corner. I appreciate that the extension would wrap around the corner. However, the additional depth against the existing building would not be excessive. In addition, it would be at lower ground floor level, and the flat roof behind low parapet walls would be of modest height against the much taller return, with a clear set down from the upper ground floor window cill and two clear storeys of development above it. The flat roof would also be sympathetic to the design of the outrigger return, and in combination with the simple design of the glazing would give the extension a more contemporary and discreet appearance in comparison to the host rear elevation.
7. Given these factors, I find that the return would remain clearly legible and the most prominent feature of the rear elevation of the host building, and it would not be dominated or overwhelmed by the extension. I am satisfied that the extension would be a clearly subordinate and subservient addition that would respect the original form and hierarchy of the host building, and that it would not disrupt the distinctive pattern of prominent rear returns to the terrace.
8. In reaching this view, I have had regard to a dismissed appeal on the site¹ where it was found that a wrap-around extension would be an unsympathetic addition that would be harmful to the appeal building and CA. However, changes made from the dismissed scheme include a reduction in the depth of the extension and alteration of the roof from a pitched to a flat design. I consider that these are material changes which considerably lessen the bulk and dominance of the extension now proposed such that it would not harmfully disrupt the overall composition, proportions or integrity of the host building.

¹ Appeal ref APP/N5660/W/21/3268169

9. Moreover, the siting to the rear of the terrace means that the extension would not be readily apparent from surrounding street scenes, limiting the visual impact of the proposal and its effect on the appearance of the CA. While there would be views from some neighbouring properties and gardens, there are varied extensions to a number of other buildings in the terrace and wider area, including an extension that wraps around the side and rear of the outrigger to 11 Chelsham Road. Whether or not this extension was permitted under a different policy context, I do not therefore consider that the development would be notable or incongruous in its context.
10. The Council has referred to a proposal for a wraparound extension at 27 Chelsham Road that was dismissed at appeal, but it has not provided a copy of the appeal decision, and from the very limited details provided I can draw little firm comparison with the circumstances of the appeal development. The weight that I can afford to this decision is therefore very limited.
11. The Council also refers to extensions at 11 and 25 Chelsham Road which it suggests demonstrate the harm that such large structures cause to the character and appearance of the CA. However, the details before me indicate that the development would be set further below the upper ground floor windows of the host building than the extensions at Nos 11 and 25. It would additionally result in a lesser increase in depth as a proportion of the outrigger depth than the extension at No 11. These examples are not therefore directly comparable to the appeal development, and they do not alter my view that the proposal would be a sympathetic addition to the site.
12. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Sibella Road CA in accordance with s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. However, with regard to the specific circumstances of the appeal site, I find for the reasons above that the extension would not be disproportionate or dominant against the host or surrounding buildings, and that it would be a discreet addition that would respect established positive characteristics of the area. I therefore conclude that the character and the appearance of both the host building and the CA would be preserved, and the reasons for dismissal of the earlier appeal have been overcome.
13. Although the extension would not be set back from the end of the return and would not therefore fully accord with Policy Q11 of the Local Plan or with guidance in the SPD, it would comply with their general thrust in seeking subordinate development that respects the host building. I also find no conflict with Policies Q5 or Q22 of the Local Plan which include requirements broadly for development that responds to positive aspects of the locality and historic character, that sustains and reinforces local distinctiveness and that preserves or enhances conservation areas. Furthermore, the significance of the CA would be preserved in accordance with the requirements of the National Planning Policy Framework.

Conditions

14. In addition to the standard time limit, I have imposed a condition specifying the approved plans for the avoidance of doubt and in the interest of certainty. I have also imposed a condition to require external materials to match the existing building to ensure a satisfactory appearance.

Conclusion

15. Notwithstanding the conflict with one aspect of Policy Q11 of the Local Plan, I find for the reasons given above that the proposal would accord with the development plan when it is read as a whole, and material considerations do not indicate that a decision contrary to the development plan should be reached.

16. I therefore conclude that the appeal should be allowed.

J Bowyer

INSPECTOR