



Appeal Decision

Site visit made on 27 January 2023

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/N5660/W/22/3292659

6 Griffin Mews, Balham, Greater London SW12 0BF

- 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 Matthew Thompson against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 21/04816/FUL dated 11 December 2021 was refused by notice dated 11 February 2022.
 - The development proposed is the erection of a rear mansard roof extension and rear return with Juliet balcony and 3 front rooflights, internal remodelling with replacement of the external staircase and demolition of the existing brick built store in the courtyard.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development has been taken from the Council's decision notice, which provides a more accurate and succinct description than the application form.
3. It is agreed between the main parties that the external staircase, Juliet balcony and demolition of the rear store at site is acceptable. Based on my observations I have no reason to disagree. The appeal therefore relates to the front rooflights and rear mansard extension elements of the proposal.

Main Issue

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

Reasons

5. The site comprises a first floor flat in a two storey, mid-terrace Victorian property fronting Cavendish Road. The properties in the immediate terrace feature rear returns backing onto Griffin Mews, via which the site is accessed.
6. The front roofscape of the terrace has a pleasing sense of consistency, unbroken by significant additions, with the exception of modest rooflights installed at certain properties. Although views of this roofscape are limited from the eastern side of Cavendish Road, I found it to be readily visible from the footpath on the western side, both when crossing Cavendish Road and travelling north or south along the highway. As such, views would also be readily experienced from facing properties.

7. The proposal would install three front rooflights, two of which would be sizeable features that, due to their proportions, would visually dominate the front roofslope of the property. While larger rooflights may be present in the wider area such as at No. 296A Cavendish Road, I found these to be limited such that rooflights of this scale do not form an established characteristic of the vicinity.
8. In any event, the appeal property is experienced primarily as part of its immediate terraced group, in the context of which and alongside the other roof level fenestration present, the proposed rooflights would appear unduly prominent and visually jarring. Overall, they would serve to detract from the otherwise largely uniform design of the roofscape of this group of properties, causing a significant level of visual harm to the immediate surrounds.
9. The proposal would also erect an L-shaped mansard to the rear roofslope and return at the property. Views of the wider rear elevation of this terrace are limited due to the tight grain of development. However, I noted the immediate rear roofscape surrounding the site was varied. Although there were no visible examples of L-shaped rear mansards adjacent to the site, there were other roof level additions, among which the proposal would be located.
10. The proposed mansard addition would inevitably alter the appearance of the rear elevation and roofscape of the property. However, it would be constructed from sympathetic materials and sit below the ridge line, ensuring that its addition would not unacceptably dominate or overwhelm the appearance of the dwelling or terrace. Close views would be limited to immediately surrounding properties, where it would be experienced alongside the other rear roof alterations such that any resulting imbalance or visual distinction from immediate neighbours would not appear out of place. In this context, the visual amenity from these sites would not be unacceptably compromised.
11. Limited, distant views of the rear element of the proposal would remain from surrounding streets to the east. I noted that within these streets other extensions onto rear roofscopes were a somewhat common feature, including at the junction of Griffin Mews and Hydethorpe Road close to the property. Due to the prevalence of other examples of such mansard extensions, I consider these form part of the character of this immediate area. Some of these would be experienced alongside the more distant views of the proposal. In this context, the L-shaped mansard to the rear roofslope and rear return at the appeal property would not appear incongruous.
12. I note that the Building Alterations and Extensions SPD lists criteria for rear mansards, which do not include extending onto rear returns. While this is a material consideration, it represents guidance rather than policy. The site specific circumstances are such that the L-shaped rear mansard proposed would not unacceptably alter or conflict with the surrounding character.
13. Nevertheless, while I find that the rear element of the proposal would not appear out of place at the site or within the area, it remains that the front rooflights would, due to their prominent siting and sizeable dimensions, cause visual harm to the character and appearance of the immediate surrounds.
14. For the reasons given I therefore find that, overall, 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

Q2, Q5 and Q11 of the Lambeth Local Plan 2020-2035 insofar as they seek to ensure good design that responds to the character of the area.

Other Matters

15. The appellant has referred to the Draft Design Code SPD, which refers to L-shape rear mansards as possibly being acceptable. However, notwithstanding my findings above and for the avoidance of doubt, this SPD has not yet been adopted and, as such, carries limited weight.
16. The appellant has made an assertion that the scheme would be permitted by another council, and states that the development is of a form acceptable throughout London. Other appeal decisions within the area have also been cited. However, limited information on the precise nature of these schemes or their comparability to the proposal is provided. In addition, each development is assessed on its own site specific circumstances. While I have found the rear mansard element of the proposal to be acceptable in this location, it remains that I have identified harm arising from the front rooflights proposed.
17. The appellant has referred to the incorporation of energy efficient elements in the design of the proposal, including an air source heat pump which would be located under the external stairs. It has also been raised that the proposal would result in an enlarged residential unit. While this is noted, any resulting benefits are limited by the single dwelling nature of the scheme, which in any event would not provide an additional housing unit. As such these benefits do not outweigh the harm I have identified above to the character and appearance of the dwelling and area.

Conclusion

18. For the reasons given above, the appeal should be dismissed.

C Rafferty

INSPECTOR