



Appeal Decision

Site visit made on 24 January 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th February 2023

Appeal Ref: APP/N5660/D/22/3309641

7 Penrith Place, Lambeth, London, SE27 0AQ

- 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 C Brady against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 22/01882/FUL, dated 23 May 2022, was refused by notice dated 3 August 2022.
 - The development proposed is described as 'living and study room extensions at first floor'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host property and its group; and
 - The effect of the proposal on the living conditions of the occupiers of Nos. 14 and 15 Penrith Place, with particular reference to outlook, privacy and light.

Reasons

Character and appearance

3. The appeal property is a two-storey end of terrace dwelling with a single storey, flat roof element to the side. It is located within a small courtyard comprising of terraced and semi-detached properties. The proposal is for a first floor side extension with a terrace enclosed by a glazed balustrade.
4. The front external wall of the existing dwelling comprises painted light grey brickwork. The front elevation of the remainder of the host terrace also comprises of brickwork and render which is similarly painted light grey. Whilst the single storey flank elevation of the appeal property displays exposed brickwork, this elevation is not readily visible as it is screened by the adjoining terrace. The rear elevation of the building backs onto the railway and is not seen in the same context as the remainder of the dwelling.

5. The proposed extension would be rendered and painted to match the front elevation of the existing property. The side and rear elevation of the property would also be rendered and painted to match.
6. Whilst I acknowledge that the external materials of the adjacent terrace and nearby semi-detached dwellings is brickwork, I am satisfied that the rendered and painted walls of the proposed extension would match the appearance of the front elevation of the host property and the wider terrace which it forms part of. The rear elevation of the building is only visible from the railway where it would be viewed in the context of the mixed character and appearance of the other buildings in the surrounding area which display a variety of external materials including painted render.
7. I acknowledge that the Council's Supplementary Planning Document: Building Alterations and Extensions (2015) (SPD) and the supporting text to Policy Q5 of the Lambeth Local Plan (2021) (LP) generally discourage the use of painted brickwork and render. However, in this case the painted render finish would match the appearance of the most prominent elevation of the host property and the wider terrace and I therefore consider its use appropriate.
8. I conclude on this issue that the proposal would not have a harmful effect on the character and appearance of the host property and its group. Accordingly, it would comply with Policies Q5 and Q11 of the LP and the SPD which amongst other things, require the local distinctiveness of Lambeth to be sustained and reinforced.

Living conditions

9. The proposed side extension would extend to within about 1 metre of the front elevation of 15 Penrith Place which is the end dwelling of the adjacent terrace. No 15 has a large first floor window and a recessed ground floor window on its front elevation.
10. The proposed opaque glass screen balustrade enclosing the first floor terrace would be directly adjacent to part of the first floor front window of 15 Penrith Place where it would clearly be apparent. The side and front walls of the proposed extension would also be highly dominant when viewed from the first-floor window of No 15. Accordingly, I find that the proposed extension and balustrade would lead to a significant sense of enclosure and loss of outlook to the occupiers of No 15 which would be harmful to their living conditions.
11. Whilst the side balustrade enclosing the terrace would be obscure glazed and of a height that would prevent views directly into the windows of 15 Penrith Place, the balustrade along the existing front parapet wall would be lower in height. Consequently, users of the terrace would be able to obtain close, direct views into the windows on the front elevation of 14 Penrith Place. This would result in a loss of privacy to the occupiers of No 14 and as such would result in serious harm to their living conditions.
12. Given the orientation and siting of the proposed extension close to the front elevation of Nos 14 and 15 Penrith Place, I agree with the Council that it would have the potential to affect the amount of light received by habitable room windows. Whilst the submitted drawings refer to a vertical sky component calculation no further evidence has been submitted in the form of a daylight and sunlight assessment. Based on the limited information before me I am

unable to conclude that the proposal would not unacceptably affect levels of light to windows on the front of Nos 14 and 15.

13. I therefore conclude on this main issue that the proposal would have a harmful effect on the living conditions of the occupiers of 14 and 15 Penrith Place with particular reference to outlook, privacy and light. Thus, it would be contrary to Policy Q2 of the LP and paragraph 130(f) of the National Planning Policy Framework which collectively require acceptable standards of privacy, outlook and light in respect of existing and proposed users.

Conclusion

14. Whilst I have found that the proposal would not be harmful to the character and appearance of the host property or its group, I have identified that it would be harmful to the living conditions of occupiers of 14 and 15 Penrith Place. The proposal would therefore conflict with the development plan as a whole. There are no material considerations that indicate a decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

J Davis

INSPECTOR