



Appeal Decision

Site visit made on 31 January 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th February 2023

Appeal Ref: APP/N5660/D/22/3306515
5 Hannington Road, London SW4 0NA

- 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 James Paterson against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 22/02171/FUL, dated 14 June 2022, was refused by notice dated 11 August 2022.
 - The development proposed is the erection of a second-floor rear extension, revised opening to the rear elevation including new flat roofs to existing first floor roofs to the rear.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a second-floor rear extension, revised opening to the rear elevation including new flat roofs to existing first floor roofs to the rear at 5 Hannington Road, London SW4 0NA in accordance with the terms of the application Ref 21/02171/FUL, dated 14 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Refs 947-A-101, 947-A-102, 947-A-103, 947-A-104, 947-A-105, 947-A-110 and the Site Location Plan, which shows the site edged red.
 - 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.
 - 4) The roof area of the extensions hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of a further specific permission from the local planning authority.

Procedural matter

2. There is a discrepancy in the drawings to which the Council has referred. The proposed side elevations show different roof forms to the single storey projection next to the main return at the back of the appeal property. Since the proposed floor plan and the accompanying details indicate a replacement flat roof to this part of the building, I have proceeded on that basis.

Main issues

3. The main issues are the effect of the proposed development firstly, on the character and appearance of the host building and the local area; and secondly, on the living conditions of the occupiers of 4 Hannington Road with particular regard to outlook, sense of enclosure and light.

Reasons

Character and appearance

4. The appeal property is a 3-storey mid-terrace dwelling with rear projections within a predominantly residential area. Like No 5, several properties in the same terrace have a 2-storey rear return with a mono-pitched roof, which creates a sense of rhythm across the terrace, to some extent. Nevertheless, most properties within this terrace have been extended and externally altered at the rear. As many of these built additions are sizeable and differ in design, depth and in their general appearance, the overall visual effect is to give the rear of the terrace of which No 5 forms part a varied profile.
5. A new second floor extension is to be placed on top of the existing 2-storey rear return, to create 3 levels in all. This element of the appeal scheme would be a proportionate addition to the host building. With its roof terminating a full half storey below that of the host building, the completed rear return would remain subordinate to the main dwelling, in accordance with Policy Q11b of the Lambeth Local Plan 2020-2035 (LP). The new addition would reflect the style of the host building with matching external materials. As such, the new second floor extension would be in keeping with the character and appearance of the host building. While the rear return of No 5 would be taller and more substantive in-built form than others along the same terrace, it would relate well to the proportions and style of the main building. Consequently, the new addition would not be incongruous, obtrusive nor detract from the intrinsic character and appearance of the wider terrace or the local area.
6. The rear of the finished building would not fully conform to the pattern in the same terrace where several properties retain their 2-storey rear returns. The Council's Supplementary Planning Document, *Building Alterations and Extensions* (SPD) notes that alterations to the basic form of the rear return such as adding extra storeys are likely to be resisted in groups where there is uniformity. In this case, the pattern of 2-storey rear returns of similar width and roof form, although evident, has been disrupted by the plethora of mainly lower level-built additions, which give the terrace a varied profile. Moreover, to one side of the site, 6 Hannington Road has a full width 2-storey rear extension rather than a rear return. In that varied context, it seems to me that while there is some broad uniformity in certain aspects of the rear terrace, it is also capable of successfully accommodating new development that contrasts with the existing built form in terms of scale and general appearance.
7. Replacement flat roofs are proposed to the existing single storey projections at the back of No 5 with new windows and openings also sought. The front entrance door is also to be moved further forward from its current recessed position. The Council appears to raise no objection to these components of the appeal scheme. On the submitted evidence, neither do I.
8. On the first main issue, I therefore conclude that the proposed development would not materially harm the character and appearance of the host building or

the local area. As such, it does not conflict with LP Policies Q5 or Q11 or with the Council's SPD. These policies and guidance broadly aim to ensure that development positively responds to the host building, other locally distinct forms such as group characteristics and the local context.

Living conditions

9. To one side of the site is 4 Hannington Road, which has a 2-storey rear return and a ground floor addition within the recess at the back of the property. In the main rear elevation of No 4 is a first-floor window, from which the flank wall, as proposed to be extended upwards, would be evident at close range. This window is set back from the common boundary with the site and so such views would be at an oblique angle with the main direction of outlook across the back garden of No 4 largely unaffected. For the same reason, and while taller and more substantive than the existing sidewall, the proposal would not overbear nor would it unduly heighten a sense of enclosure at the rear of No 4.
10. There would be some loss of natural light to the rear of No 4 due to the presence of the proposed rear extension just to the northeast. I note that the Council carried out an informal test on the floor plans and elevations and concluded that the proposal did not meet the appropriate BRE standards for daylight and sunlight. From what I saw, the additional loss of natural light due to the appeal scheme would be limited in duration and extent. On balance, it would not be so great as to have an appreciable effect on living conditions.
11. On the second main issue, I conclude that the proposed development would not materially reduce the living conditions of the occupiers of No 4. As such, there is no conflict with LP Policy Q2 or the SPD insofar as they aim to safeguard residential amenity.

Other matters

12. The use of obscure glazing, as proposed, would overcome potential overlooking problems towards neighbouring gardens from the window of the new second floor addition. Since there are numerous high-level windows across the terrace of which No 5 forms part, I doubt that the presence of a further opening, or other changes sought to the openings at the rear of No 5, would lead to a sense of being overlooked for the occupiers of adjacent properties. As such, the proposal would not cause a significant loss of privacy through overlooking. There is no convincing evidence before me that the proposal would have a damaging effect on the structural integrity of neighbouring properties.

Conditions

13. I have imposed a condition requiring that the development be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the development, a condition is required to ensure that the external materials of the extensions match those of the existing building. A condition is also required to prevent the new flat roofs being used as a terrace or balcony to safeguard the privacy of nearby occupiers.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR