



Appeal Decision

Site visit made on 24 February 2023

by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/N5660/W/22/3293215

Second Floor Flat, 67 Christchurch Road, London SW2 3DH.

- 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 Paula Hanley against the decision of London Borough of Lambeth.
 - The application Ref 21/02055/FUL, dated 24 May 2021, was refused by notice dated 20 August 2021.
 - The development proposed is replacement of rear dormer with larger dormer, replacement of second floor front windows.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development provided on the Council's decision notice and the appeal form as it better describes the proposed development than the description of development on the application form.
3. The Lambeth Local Plan 2020 – 2035 (LLP) was adopted in September 2021. Both the LLP and the former Local Plan were referred to in the reasons for refusal and the officer report. As such, no party has been disadvantaged by my consideration of the proposed development in the context of the LLP. I have not concluded against the former Local Plan as it is no longer relevant for decision-making.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. 67 Christchurch Road contains a mid-terraced building which forms part of a terrace of ten buildings. With the exception of a later infill building at 75 Christchurch Road, there is some uniformity of design for nine of the buildings. No 67 is most similar in its architecture and detailing to its immediate neighbour at 65 Christchurch Road and to 73 Christchurch Road.
6. All nine older buildings in the terrace have two storey bay windows with tall gables to their front elevations. There are differences in finish to the gables, with some buildings having a single window in the gable, while the gables at Nos 65, 67 and 73 have a pair of narrow windows separated by a brick mullion and decorative architectural detail. A number of buildings within the terrace have dormer windows on the front and rear roofslopes. Most of the existing

rear dormers along the terrace are small and are subordinate to their respective roofs. However, the rear dormers at 69 and 71 Christchurch Road are significantly larger and span much of the width of their roofs. On the other side of Christchurch Road, there are some larger front dormers.

7. LLP Policy Q5 seeks to sustain and reinforce local distinctiveness. It supports development which takes a creative, innovative and contextual design approach and considers townscape character, built form, quality and architectural detailing. LLP Policy Q11 deals with building alterations and extensions. Amongst other things, it expects proposals to positively respond to the original architecture, roof form, detailing, fenestration of the host building and other locally distinct forms. New dormers should be subordinate to retain the roof as the dominant element in the composition, and should also be of appropriate design, detailing and materials.
8. The Council's Building Alterations and Extensions Supplementary Planning Document (2015) (SPD) confirms that where traditional examples of dormers exist, they are modest and of simple, robust appearance. It confirms that the loss of these examples will be resisted on prominent roof slopes. It asserts that many more modern dormers in Lambeth are unfortunately bulky and poorly detailed. The SPD states that the introduction of new dormers requires a careful approach, to ensure compatibility with the main building and their wider context, and that large, insubordinate, box dormers are rarely acceptable.
9. While the proposed rear dormer would be set down from the ridgeline of the roof and set in slightly from the parapet walls, it would fill much of the width of the rear roofslope. Although it would contain three windows, it would have considerable areas of slate between the proposed windows. Taken together with its overall width, the expansive areas of slate would increase the bulky presence of the proposed rear dormer.
10. Although the alignment of existing windows on lower floors is not shown on plan, I saw at the site visit that the alignment of windows within the proposed rear dormer would not be compatible with the main building. While there are large rear dormers at Nos 69 and 71 and other large dormers nearby, the majority of rear dormers on the terrace are significantly smaller. Accordingly, the proposed development would introduce a further dormer which would fail to be subordinate. Notwithstanding that it would not be visible from a main road, the proposed rear dormer would have a detrimental effect on the building's rear roofslope and on its context in the wider terrace.
11. The SPD also refers to windows. It confirms that many old windows are finely detailed and well constructed using good quality timber and that their retention generally adds to the value of period properties. In order to protect the character of the building, the SPD asserts that any replacement windows should replicate the appearance, detailing and opening type of the originals. Although it is evident that the existing windows are not historic, they partially reflect the historic window layout in the gable.
12. Addressing the proposed replacement window in the front gable, plan 2021/054/06 shows the replacement of the existing pair of narrow windows with a single, larger window. The aforementioned plan fails to indicate whether any of the existing decorative architectural detail would be retained, but the proposed development would by necessity involve the removal of the existing central brick mullion and some of the central area of decorative architectural

detail. Furthermore, the proposed window would not reflect the dimensions of the existing windows. As a result, the proposed development would reduce the cohesiveness of architectural detailing at Nos 65 and 67. This would not be inconsequential. The proposed development would fail to positively respond to the architecture, detailing and fenestration of the host building and the wider terrace and would not sustain or reinforce local distinctiveness.

13. The SPD acknowledges that repairing and upgrading existing windows is the first option and the appellant considers this to be desirable, rather than imperative. However, the plans before me do not persuade me that the proposed development is the only suitable approach and that the proposed development would result in joinery details consistent with the host building.
14. Reference has been made to increasing light and ventilation to the flat and improving living conditions for existing and future occupiers. I recognise that neighbours are supportive of the proposed development, that the living room is dark even on a bright day, and that the appellant has provided some detail on their personal circumstances. However, I am mindful of the advice contained in Planning Practice Guidance¹ that in general planning is concerned with land use in the public interest. It is probable that the proposed development would remain long after the personal circumstances cease to be material. I consider that these personal circumstances would not outweigh the harm which would be caused by the proposed development.
15. The appellant has referred to the National Planning Policy Framework, with particular regard to sustainable development, design and the statutory role of the development plan as a starting point for decision making. While I have had regard to these considerations, they do not alter my overall findings.
16. The building at No 67 and its neighbours are not considered to be heritage assets. Despite the presence of other roof extensions and alterations locally and the retention of chimney stacks, ridge and parapet tiles, the proposed development would have a detrimental effect on the building itself and the wider terrace. I note that no pre-application advice was obtained and that the Council failed to engage with the appellant prior to determination. However, it will be seen from my decision that I agree with the Council's findings.
17. In conclusion, the proposed development would have a negative effect on the character and appearance of the area, contrary to LLP Policies Q5 and Q11 and the SPD, as set out above.

Conclusion

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

Joanna Gilbert

INSPECTOR

¹ Paragraph 21b-008-20140306 – What is a material planning consideration?