



Appeal Decisions

Site visit made on 3 May 2023

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 12th May 2023

Appeal A Ref: APP/N5660/W/22/3300336

136 Camberwell New Road, LONDON, SE5 0RS

- 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 Umar Uddin against the decision of London Borough of Lambeth.
 - The application Ref 21/04388/FUL, dated 11 November 2021, was refused by notice dated 30 March 2022.
 - The development proposed is erection of mansard roof extension.
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Appeal B Ref: APP/N5660/Y/22/3300339

136 Camberwell New Road, LONDON, SE5 0RS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Umar Uddin against the decision of London Borough of Lambeth.
 - The application Ref 21/04798/LB, dated 11 November 2021, was refused by notice dated 30 March 2022.
 - The works proposed are erection of mansard roof extension.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matter

3. The appeals relate to the same proposal under different legislation. I have dealt with both appeals together in my reasoning.

Main Issue

4. The main issue for both appeals is the effect upon the significance of the grade II listed building, which comprises a terrace known as 122-138 Camberwell New Road, and whether the proposal would preserve or enhance the character and appearance of the Vassal Road Conservation Area.

Reasons

5. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section

- 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
6. The appeal building is part of a listed terrace comprising nine original dwellings. The terrace dates from the early to mid 19th century. It has a simple but fine appearance derived from the even placement of its sash windows and consistent plot widths, and is enhanced by a stucco faced ground floor with round headed windows and fanlights to the doors. Mansard roof extensions have been added to the central three dwellings, leaving a matching set of three either side that are in their original form, with no visible roof above the parapet. This original arrangement can thus still be easily appreciated and is part of the building's significance, with the emphasis from street level on its classical front façade with no visible roof above the line of the parapet.
 7. The appeal building stands within the Vassal Road Conservation Area (the CA). The CA is characterised primarily by a dense arrangement of formal terraces and villas, including the listed terrace subject of this appeal. Most date from the 19th century and exhibit a high level of architectural detail and refinement. Their appearance, their formal relationship with the streets and mature planting are primary contributors to the character and appearance of the area.
 8. The proposal would see a further mansard roof extension added to the listed building. This would further dilute the original architectural composition and would have a significant adverse impact on the existing symmetry of the terrace, which has been retained despite the addition of existing mansards. The proposed mansard would be isolated away from the existing three mansards, and thus appear awkward and overly prominent alongside the flat roofs of the neighbouring dwellings.
 9. The proposal's impact would be exacerbated by the use of dark grey powder coated aluminium windows. No justification is put forward for this choice. A window constructed in this material would be particularly incongruous above the existing timber sash windows of the front façade.
 10. Additionally, no side elevations of the proposed mansard have been submitted, and the manner that the extended chimneys are represented differs between the proposed front and rear elevation drawings. It is thus not possible to have a full understanding of the detail of the proposal. Further harm may therefore arise from the inappropriate treatment of the side of the extension or extended chimneys.
 11. The proposal would therefore have a significant adverse impact on the special interest of the listed building. It follows that it would also harm the character and appearance of the CA, as it would harm the external appearance of one of the terraces that contributes to its significance. In terms of the National Planning Policy Framework (the Framework) the harm to both the listed building and the CA would be less than substantial. Paragraph 202 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
 12. It is suggested that the proposal would improve the quality and living conditions of the dwelling. The existing dwelling is sizeable. I can glean no understanding of how the rest of the dwelling is used from the information before me as only a floor plan of the existing second floor has been submitted. The Council suggests that it already has five bedrooms. On this basis, adding a

further two could worsen the living environment without a commensurate increase in living room space, and may have an adverse impact on how the building functions as a single dwelling. Without any further explanation of what the additional rooms would offer, and how they would relate to the use and layout of the rest of the house, I can only give very limited weight to this matter.

13. Paragraph 199 of the Framework establishes that great weight should be given to the conservation of a heritage asset. The public benefit carries very limited weight and is not sufficient to outweigh the level of harm identified.
14. In summary, the proposal would fail to meet the requirements of the LBCA as it would harm the special interests of the listed building and would not preserve the character and appearance of the CA. It would be contrary to Policies Q2, Q5, Q11, Q20 and Q22 of the Lambeth Local Plan 2020-2035. Together these Policies seek to ensure that development proposals are well designed to reinforce local distinctiveness by responding to positive aspects of historic character in terms of built form and scale, quality and architectural detailing, and avoiding mansards where they would harm the architectural integrity of the original building.

Conclusion

15. For the reasons above, both appeals should be dismissed.

A Tucker

INSPECTOR