



Appeal Decision

Site visit made on 9 May 2023

by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2023

Appeal Ref: APP/N5660/D/23/3316276

17 Hillside Road, Lambeth, London SW2 3HL

- 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 Caroline Hitchen against the decision of the London Borough of Lambeth.
 - The application Ref 22/03456/FUL, dated 27 September 2022, was refused by notice dated 22 November 2022.
 - The development proposed is described as "single storey extension, solar panels on the main roof and green roofs".
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension, solar panels on the main roof and green roofs at 17 Hillside Road, London SW2 3HL in accordance with the terms of the application, Ref 22/03456/FUL, dated 27 September 2022, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. I note that the appeal site is covered by an Article 4 Direction, which has the effect of requiring planning permission to be obtained for a range of alterations which would otherwise be covered by "permitted development" rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Main Issues

3. The main issue is whether the proposal would be respectful to the character and appearance of the host property and adjacent properties having regard to the Leigham Court Estate Conservation Area (CA).

Reasons

4. The host property is an attractive mid-terraced dwelling located in a row of similar properties within the CA. The CA is an early example of a model housing estate comprising long terraces of good-quality, purpose-built flats and houses, constructed on a grid pattern. The surrounding group of dwellings are relatively uniform in appearance. There are three terraces of bungalow cottages along Hillside Road, with 17 Hillside Road forming one of the mid terraced properties. The bungalows are in sharp contrast to the earlier two and three storey terraces that characterise the surrounding roads. The terrace is single storey fronting Hillside Road and to the rear, where the ground level steps down, are

two storey with garages (some now converted) at the rear ground floor level, with the upper storeys set back to provide amenity space to the garage roofs.

5. The houses within the estate are notable for their common scale and materiality and for the use of high-quality materials and craftsmanship. Accordingly, the CA is a heritage asset which derives its significance from its architectural and historical character. The appeal property is largely unaltered, and along with the adjacent dwellings within the terrace, makes a positive contribution to the character and appearance of the CA.
6. There is a statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). Policy Q22 of the Lambeth Local Plan (LP) reflects that provision given to the protection of heritage assets. Furthermore, the National Planning Policy Framework (the Framework) places great weight on the conservation of designated heritage assets when considering the impact of a proposed development on the significance of a designated heritage asset.
7. The proposed extension would not be visible from the front elevation on Hillside Road.
8. It would be single storey, sitting below the existing parapet line and would cover only part of the width of the rear of the dwelling. Moreover, it would not extend the full depth of the existing terrace. As such the proposed extension would be a subservient addition to the host dwelling.
9. The proposed extension sits between the two columns of the original façade, and the existing window and door openings on the rear elevation of the dwelling would remain. Owing to its glazed and lightweight structure these existing features would continue to be visible. Accordingly, the proposed extension would not erode the appearance of the original dwelling. Whilst there are three terraces of bungalow cottages, there are gaps separating them, with mature landscaping and trees in these intervening spaces. As such, from the rear of the site, these terraces are not viewed together, but rather as separate terraces. I therefore do not concur with the Council that the proposed development would interrupt the rhythm or architectural integrity of this terrace or the group of terraces.
10. The juxtaposition of the original dwelling and the contemporary addition proposed would not result in an unduly dominant or an incongruous visual relationship which would harm the host property or the group value of the terraces as a whole.
11. To the rear of the appeal site is a terrace of garages enclosed by a timber fence, with Hillside Gardens and tennis courts beyond. As the proposed extension sits below the existing roofline, and is a modest and visually lightweight addition, the proposed extension would sit comfortably within the immediate environment and would not be visually prominent in the wider streetscene. Due to the sloping topography of the land to the rear of the appeal site, the position and height of the existing garages, and the presence of boundary treatments and landscaping, views of the proposed extension would be limited. Accordingly, the proposed extension would not be a significant feature in terms of visual prominence within the CA.

12. The proposed solar panels would be discreetly located on the roof of the existing dwelling; visually screened by the existing parapet and would therefore not harm the character and appearance of the CA. I accept there are public benefits from the inclusion of energy efficiency and biodiversity improvements within the proposed development, in the form of the solar panels, insulation and the green roofs. The move to renewable technologies is clearly a national priority and the measures incorporated within the proposed development would impact positively on biodiversity and air quality, as well as reducing the use of fossil fuels associated to domestic energy production.
13. For the reasons stated above, I conclude that the proposed development would not harm the appearance of the host property, the row it is part of and would preserve the character and appearance of the Leigham Court Estate CA. Consequently, I find no conflict with Policies Q5, Q11 and Q22 of the Lambeth LP. Collectively these policies seek to respond positively to historic character and local distinctiveness and to preserve or enhance the character or appearance of the conservation areas by respecting and reinforcing the established, positive characteristics of the area. Similarly, there is no conflict with the Framework which seeks to ensure developments are sympathetic to local character and history.

Conditions

14. In addition to the statutory commencement condition, a condition is necessary to ensure that the development complies with the submitted plans in the interests of clarity. This includes the submitted Fire Statement, as required by Policy D12 of the London Plan.
15. As the materials of construction differ to the external fabric of the existing dwelling, I will impose a condition requiring details of the materials to be submitted to and approved by the Council prior to the external finish of the development being constructed. I consider this condition is reasonable and necessary in the interests of preserving the character and appearance of the CA.

Conclusion

16. For the reasons given above I conclude that the development accords with the development plan as a whole as well as the content of the Framework. Therefore, the appeal should succeed.

R Gee

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - 220216_0000 Site Location Plan
 - 220216_1101 Proposed Plans
 - 220216_2101 Proposed Sections
 - 220216_3101 Proposed Elevations

220216_4001 Proposed Doors and Windows
Fire Statement - September 2022

3. Prior to any to works being commenced on the external elevations/roof of the building and the solar panels hereby approved, details and samples of the materials and finishes to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details and maintained as such in perpetuity.

*****End of Conditions*****