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# Appeal Decision

Site visit made on 13 June 2023 by S Wilson LLB MSc MRTPI

**Decision by John Morrison BA (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 06 July 2023**

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**Appeal Ref: APP/N5660/W/23/3317042**

**57 Spenser Road, London SE24 0NS**

- 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 Claire Roberts against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 22/04279/FUL, dated 1 December 2022, was refused by notice dated 24 January 2023.
  - The development proposed is a ground floor extension.
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## Decision

1. The appeal is dismissed.

## Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

## Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building.

## Reasons for the Recommendation

4. The appeal building is a block of four flats arranged over two floors. It is relatively modern with enclosed staircases as side extensions. The building is largely original and of a traditional form which presents as a rectangular floor plan and a dual pitched roof. These aspects promote a pleasant symmetry to the building's design.
5. The extension would project the full depth of the rear garden. This, coupled with its narrowness and location, would appear as an awkward and unbalancing bolt on to the building, jarring with its originality and simple form. In addition, the shape, pitch and height of the proposed roof would exacerbate its contrast with the host building. Being to the rear of the building, the extension would be largely screened from the wider street scene. This would not however overcome the incongruity of its design, size or shape. Nor would offsetting its height against the boundary wall.
6. The extension would be subordinate by virtue of being single storey against the overall size of the building, but its design and projection would be noticeably uncharacteristic, as I have explained, and dominate the rear elevation. Giving rise to harm to the character and appearance of the host building. Accordingly,

the proposal would conflict with Policies Q5, Q8, and Q11 of the Lambeth Local Plan (2021), the National Planning Policy Framework (2021) and the Building Alterations and Extensions Supplementary Planning Document (2015) insofar as they require development to be of high-quality design that preserves the character and appearance of the host property.

### **Other Matters**

7. The building is outside of, but directly adjacent to the Poets Corner Conservation Area. The Council have not alleged any harm thereto nor its setting in their reasons for refusal and given the location of the building, its design and spaces around it, the relative obscurity of the rear garden and the scale of the proposed development I'd be inclined to agree.
8. The appellant has suggested their willingness to adhere to conditions. Additionally, a pre commencement condition has been suggested to confirm the specification of facing materials. However, it is not possible to overcome the harmful elements of the proposal using conditions.
9. There is a degree of existing mutual overlooking from all rear elevation first-floor windows to the garden area below, where the proposal would be located, and vice-versa. Since the proposed development would not add anything new to this situation, I would not find conflict with the protection of resident's living condition aims of Policy Q2 of the LP. This would not however be sufficient to make the appeal scheme acceptable given the harm I have found in regard to the main issue.

### **Conclusion and Recommendation**

10. The appeal scheme would conflict with the development plan and there are no other material considerations worthy of sufficient weight to find contrary. I therefore recommend the appeal be dismissed.

*S Wilson*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

*John Morrison*

INSPECTOR