



Appeal Decision

Site visit made on 22 June 2023

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2023

Appeal Ref: APP/N5660/W/22/3312059

242A Gipsy Road, Lambeth, London SE27 9RB

- 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 Renuha Francis against the decision of London Borough of Lambeth.
 - The application Ref 22/02624/FUL, dated 19 July 2022, was refused by notice dated 25 October 2022.
 - The development proposed is described as a full width dormer.
-

Decision

1. The appeal is allowed and planning permission is granted for a full width dormer at 242A Gipsy Road, Lambeth, London SE27 9RB in accordance with the terms of the application, Ref 22/02624/FUL, dated 19 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Block and Site Plans – Drawing Number 001; First Floor, Loft & Roof Plans – Drawing Number 002 Rev 1; Elevation 1 – Drawing Number 003; Elevations 2 – Drawing Number 004; Elevations 3 – Drawing Number 005; Site Plan – Drawing Number 006; 3D Views – Drawing Number 007.
 - 2) The external materials used in the dormer hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The development has been undertaken. I am therefore considering the appeal retrospectively.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal property is part of a terrace of properties that has commercial properties on the ground floor on Gipsy Road with most properties appearing to have residential units above. To the rear of the appeal property is a modern, uniformly designed mews development of Bon Marche Mews.
5. The rear of the Gipsy Road properties contains a significant array of alterations, outbuildings and extensions. Most properties have a rear yard. There is also a

- wide range of dormer windows to the rear roofs of the properties including flat roof box style dormers.
6. The variety of extensions, outbuildings and dormers gives the rear of the properties, when considered together, a rather haphazard and jumbled appearance.
 7. The dormer subject to this appeal is situated at the rear of the property. It spans the width of the roof. It is set marginally below the ridgeline and set back from the eaves. The roofs are divided by parapets which provide a clear delineation of each property. The parapets at the appeal property have been retained and built up slightly so that the dormer sits between them. This provides a clear visual separation from the box dormer to the adjacent property. The dormer is also clad in tiles to match the existing roof.
 8. Its location to the rear of the property means it is not visible from the main road with views being mainly confined to within the private mews development. When considered in the context of the surrounding area, the dormer does not appear out of character. The use of matching materials allows an element of integration with the existing roof and the set back from the ridgeline and eaves lessens the impact of its overall bulk thereby not appearing incongruous or dominant. I also acknowledge that the appeal property is not listed nor within a conservation area as has been set out.
 9. The dormer nevertheless conflicts with the requirement of part (k)(ii) of Policy Q11 of the Lambeth Local Plan (2021) and section 4 of the Building Alterations and Extensions Supplementary Planning Document (SPD) (2015) that dormers should be set in from the sides of roofs. However, given the context of the appeal site and the surrounding properties, despite this conflict, it does not cause unacceptable harm.
 10. I therefore conclude that the dormer does not cause unacceptable harm to the character and appearance of the area. Although it conflicts with the requirement that dormers should be set in from the side, for the reasons outlined above, it complies with the requirement of Policies Q5 and Q11 of the Lambeth Local Plan (2021) in terms of ensuring that the design of new developments responds to the host building and its surroundings.

Other Matters

11. The Council consider that allowing the appeal would undermine their position in terms of refusing planning permission and then following up with taking enforcement action in a timely manner. As I have found the development to be acceptable in land use planning terms, this would not be a reason to dismiss the appeal.

Conditions

12. As the development has been undertaken it is not necessary to impose a condition requiring the development to commence within 3 years. In the interests of certainty, I have imposed a condition listing the approved plans. In the interests of the character and appearance of the area, I have imposed a condition requiring that matching materials are used.
13. The Council have requested that a condition requiring the submission of details of refuse and recycling storage is imposed in the event the appeal is allowed.

As the development is for a dormer only, such a condition does not directly relate to the development and is therefore not necessary.

Conclusion

14. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR