



Appeal Decision

Site visit made on 24 July 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16/08/2023

Appeal Ref: APP/N5660/D/23/3320632

60 Glanville Road, Lambeth, London SW2 5DE

- 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 Rose Turner against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 22/04015/FUL, dated 10 November 2022, was refused by notice dated 30 January 2023.
 - The development proposed is the erection of a roof level extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a roof level extension at 60 Glanville Road, Lambeth, London SW2 5DE in accordance with the terms of the application, Ref 22/04015/FUL, dated 10 November 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos GL-001A, GL-100A, GL-101A, GL-102A, GL-105A, GL-200A, GL-201A and GL-300A.
 - 3) 2023The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the appeal property and the wider area.

Reasons

3. The appeal property is a two-storey, terraced dwelling located within the Blenheim Gardens Estate, a densely developed rectangular area of post-war housing in a formal grid pattern, with vehicle access only to its perimeters and pedestrian walkways elsewhere. No 60 is mid-terraced and set within a group of ten identical and parallel terraced rows. There are a further nine identical terraced rows obliquely mirrored on the opposite side of a central public garden space, with two separate blocks of three similar terraced rows orientated perpendicular to the others and at diagonally opposite corners of the estate,

- with similar designed three-storey blocks including flats on its perimeters. The proposal would add a second storey to the appeal property.
4. The Council considers the Blenheim Gardens Estate to be a non-designated heritage asset (NDHA). Neither the appeal property, nor the estate as a whole, is included on the Council's published 'local heritage list'; a list of NDHAs which it considers to be of local (or greater) significance. Neither have I been presented with any publicly accessible, clear, or up-to-date information to demonstrate what public consultation or selection criteria may have been used to declare the area a NDHA. Nevertheless, I recognise that a NDHA can sometimes be identified as part of the planning application decision making process. The basis for the Council's reasoning in this case, as set out within the officer's report relating to the appeal proposal, is some recent increasing interest over the estate architect's contribution to public housing during the 1960s and 1970s and the area's unique character derived from its 'Radburn Plan' concept with its pedestrian routes and central garden; low rise and distinctive architecture, with flat roofs and linear forms; and unified architectural treatment and detailing. In this instance, I recognise that the terrace of which the appeal property forms part, and the wider estate, has some degree of local significance merited by its architectural interest.
 5. My attention is drawn to an obviously similar case at 66 Blenheim Gardens that was granted planning permission (Ref 20/01346/FUL) in August 2020 for development described as '*Erection of 2nd floor extension (at roof level) to provide an additional level of accommodation*'. As background to this current appeal, the circumstances at No 66, which the Council accepts to be comparable, are important. No 66 is a mid-terraced dwelling within the Blenheim Gardens Estate and is part of a group that runs perpendicular to the orientation of the appeal property. The officer's report for No 66 details a very comprehensive set of strongly voiced objections at that time, which were based upon the architectural and social qualities of the estate, and its sensitivity to change. I have noted a similar degree and strength of opposition to the current appeal proposal.
 6. In 2020 the Council did not consider the Blenheim Gardens Estate as a NDHA. However, the sensitivity of the area was clearly understood and openly acknowledged within the officer's report for the proposal at No 66. The report carefully considered the impact it would have on the subject site, and the significance of the impact it would have on the character and appearance of the area, based on its prominence and the likelihood that it '*may set a design precedent that other properties within the estate may want to replicate*'.
 7. Notwithstanding, the Council arrived at some very firm conclusions in support of the proposal for No 66, which I understand resulted from negotiations with the Council's planning officers. They accepted that the design of the extension would continue the modernist 'block' style of development characteristic of the estate, replicating design details and materials. They accepted that the proposal would achieve an acceptable level of subordination by being set back from the front and rear elevations of the property by 0.6m and that as a consequence the extension would not dominate or overwhelm the host building. Moreover, the Council gave specific consideration in 2020 for the need to secure a design solution to help manage future development on the estate and firmly concluded '*Given the simple and robust style of the design of the proposal and the use of matching materials, it is considered that this*

development could be easily replicated across the other properties, which will allow the original character of the estate to be preserved’. In summary, they found that it would not be harmful to the character or appearance of the area and furthermore, that it would effectively act as an example of an acceptable form of extension that would be suitable for others seeking to improve and expand their homes. The decision for No 66 is a material consideration in my determination of this current appeal, and I attach a significant amount of weight to it.

8. I saw for myself the extension to No 66 during my visit. It stands proud as an isolated roof extension within an otherwise uniform height terrace. Yet it performs precisely as was assessed by the Council when the planning application was considered. It has an acceptable degree of subordination due to the setbacks front and rear, and clearly replicates the modernist architecture of its surrounds in terms of style, materials and detailing, which is key.
9. The current appeal proposal relates to a mid-terraced property of similar prominence to No 66 within the Blenheim Gardens Estate. The size, position, appearance, and materials proposed for the extension to No 60 would repeat that approved at No 66. I am unable to discern any meaningful or significant difference between them.
10. The officer’s report for No 60 accepts that the proposal would take reference from the modernist ‘block’ architecture of the host property and that it would be responsive to it. I agree. Notwithstanding, the Council considers that, owing to the limited instances of roof level alterations, the proposed development at No 60 would sit at odds with the scale and form of development within the estate and would result in a departure and harm to its overall character and appearance. This is squarely at odds with their findings with regard to No 66.
11. With the exception of the construction of the extension to No 66, which had the benefit of planning permission, there has been no obvious or significant visual change to Blenheim Gardens Estate that I am aware of, which has remained relatively static in terms of character and appearance since 2020. Consistency in decision making is important to give confidence to the planning process. The Council’s decision to treat the estate as a NDHA is noted. When dealing with NDHAs, Paragraph 203 of the National Planning Policy Framework states that the effect of an application on the significance of a NDHA should be taken into account in determining the planning application. However, it goes on to say simply that a balanced judgement will be required in the decision having regard to the scale of any identified harm or loss and the significance of the heritage asset. With all of this in mind, it is difficult to understand the Council’s volte-face given the obvious similarity between the proposal at 66 Blenheim Gardens and 60 Glanville Road, and their clearly stated reasons for supporting the development at No 66.
12. In my assessment the proposed extension to No 60 would respond positively to the original ‘modernist’ design and character of the host property by adopting a matching architectural style, and with fenestration details and slate cladding that would match the existing. It would obviously add mass and bulk, and would stand proud above the existing roof level of the terrace, but with a set back to the front and rear of 600mm, a level of subordination would be achieved, ensuring that the extension would neither dominate nor overwhelm

the host building. It would replicate the simple and robust style of architecture that typifies the estate in a manner that I am satisfied would successfully preserve its original character. There would therefore be no harm to the character or appearance of the area. In these circumstances I find that the significance of the local historic environment would be unaffected. I therefore find no conflict with Policies Q2, Q5 or Q11 of the Lambeth Local Plan (2021) (LLP) as far as they seek to ensure that new development, including building alterations and extensions, protects the visual amenity of an area and responds positively to the distinctiveness of local context. Neither do I find conflict with LLP Policy Q23 as it seeks to protect NDHAs and their settings.

Other Matters

13. The principle of designating an area as a conservation area is not a matter for consideration as part of a S78 planning appeal.
14. There is no evidence before me to support some assertions made that levels of natural light received by neighbouring properties, or levels of privacy, would be affected to any degree that would be significant. The potential for noise and dust pollution from a household extension would not be significant. I note that the Council did not raise any concerns with these matters.
15. I have not been directed to any development plan policies that distinguish between the extension or alteration of houses available as social housing or those within private ownership. Neither am I aware of policies that would specifically restrict the enlargement of particular sized homes.
16. I have no evidence to support an assertion that the structural stability of any neighbouring properties would be at risk as a result of granting planning permission.

Conditions

17. The Council has suggested three conditions. In addition to the standard time limit condition, I agree that a condition is required specifying the relevant plans, as this provides certainty. In the interest of maintaining the character and appearance of the area, a condition requiring the external materials of construction to match the existing building is also necessary.

Conclusion

18. For the reasons given, I find that the proposal would not harm the character or appearance of the area. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR