



Appeal Decision

Site visit made on 5 February 2024

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14.02.2024

Appeal Ref: APP/N5660/W/23/3324903

5 Lanercost Road, Lambeth, London SW2 3DP

- 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 Shah against the decision of the Council for the London Borough of Lambeth.
 - The application Ref 23/00815/FUL, dated 14 March 2023, was refused by notice dated 16 May 2023.
 - The development proposed is a single storey/two storey rear extension to existing dwellings.
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey/two storey rear extension to the existing dwellings at 5 Lanercost Road, Lambeth, London SW2 3DP in accordance with the terms of the application, Ref 23/00815/FUL, dated 14 March 2023, and 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: 2227_01-00 Site Location & Block Plan, 2227_02-03 Existing & Proposed Elevations, 2227_02-04 Rev A Existing & Proposed Elevations, 2227_02-02 Existing & Proposed Roof Plan, 2227_02-01 Rev A Proposed Floor Plans, 2227_02-05 Existing & Proposed Section A-A.
 - 3) The materials used in the external surfaces of the development hereby approved shall match the existing adjacent original work in respect of the materials, colour, texture, profile, and finished appearance, except where otherwise indicated on the drawings hereby approved.

Procedural Matters

2. Since the appeal was lodged, a revised National Planning Policy Framework ('the Framework') has been published. This has not raised any new matters which are determinative to the outcome of this appeal.
3. The Council's reason for refusal refers to the Building Alterations & Extensions Supplementary Planning Document, adopted 2015. However, I have been informed that this document was superseded by the Lambeth Design Guide Part 4: Building Alterations, Extensions and Retrofit in August 2023 ('the Design Guide'). It is mandatory for me to take account of the most relevant and up to date information in reaching a decision, therefore I have dealt with

the appeal on this basis. The appellant had the option to comment upon the Design Guide during the appeal process and has therefore not been prejudiced.

4. The Council's conclusion at paragraph 9.1 of its Statement of Case references a different type of development proposal and different policies from those included within its reason for refusal. This appears to be a typographical error and therefore I have omitted this from my assessment.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

6. The appeal site comprises a two-storey semi-detached dwelling with accommodation in its roof space that is subdivided into flats. It is located on the northern side of Lanercost Road, within a residential area predominantly characterised by brick built two-storey, semi-detached dwellings set back from the road behind small gardens and/or parking areas with longer gardens to the rear. However, to the east of the appeal site is an L-shaped, two-storey flat roofed block of flats that wraps around the corner of Lanercost Road and Probyn Road.
7. The proposed extension would result in the demolition of an existing 1.5-storey rear projection and the construction of a part two-storey, part single storey rear extension that would result in the loss of the side return but would retain a gap to the adjacent shared boundary. The narrowness of the gap between the appeal site and the adjacent block of flats would ensure that any views of the extension from Lanercost Road would be significantly restricted. Furthermore, only glimpses of the first floor of the proposal would be visible when travelling along Probyn Road. Consequently, the proposal would have an unobtrusive effect on the character and appearance of the area.
8. The proposed two-storey extension would have an eaves height that is marginally lower than the eaves of the host dwelling and would have a hipped roof with a significantly lower ridge height. The proposed single storey extension would not extend as far from the rear elevation as the proposed two-storey extension, creating a stepped rear elevation that is supported by the Design Guide. Also, due to the proposed demolition of an existing 1.5-storey projection, the proposal would only result in a modest cumulative increase in overall floorspace. Consequently, although the proposal would result in a full width rear extension, I am satisfied that the proposal would appear subordinate to the host dwelling and would not result in a dominant addition.
9. The Design Guide seeks to resist the demolition of rear returns. However, for properties that are not heritage assets and are not within a Conservation Area, this is only where the property is part of a group which exhibits uniform patterns. The rear elevations of the dwellings along this side of Lanercost Road are not consistent in their appearance. They have been extended and altered in various ways with flat roof dormers, pitched roof projections, flat roof projections, single storey extensions and two storey extensions. The depths of the existing rear projections vary. Also, there are examples where the space between the two-storey projections and the boundary shared with the attached semi-detached property, and the side return, have been infilled. Furthermore,

the rear elevations of the appeal property and the attached semi-detached dwelling (7 Lanercost Road) differ in appearance. Consequently, the demolition of the rear return and the construction of the proposed extension would not harm the unity of the pair of semi-detached properties or the group value of the semi-detached properties along this side of Lanercost Road.

10. The fenestration within the rear elevation of the appeal property is mixed in design, size and materials and differs from the fenestration within the rear elevation of No 7. Therefore, there is no common window detailing that the fenestration within the proposed extension should adhere to. Consequently, I consider the design and materials of the proposed fenestration would respond positively to the host dwelling. Also, the roof designs of the proposed extensions would reflect those found on the host dwelling and the rear projection of No 7.
11. In reference to the main issue, the proposal would not harm the character and appearance of the surrounding area. It would comply with Policies Q2, Q5 and Q11 of the Lambeth Local Plan 2020-2035, adopted 2021 ('the LP') that, amongst other things, seek to ensure that extensions have a design which positively responds to the host building, does not unacceptably dominate the host building, and should not unacceptably imbalance semi-detached pairs, while the local distinctiveness of Lambeth should be sustained and reinforced. It would also comply with the Framework which seeks to achieve well-designed and beautiful places and the Design Guide.
12. The appellant suggests that LP Policy Q2 is not relevant to the proposal. While the policy refers to the protection of the living conditions of occupiers, it also seeks to prevent visual amenity from being unacceptably compromised from adjoining sites and the public realm. Therefore, it is of relevance to the main issue.

Other Matters

13. Concern has been raised that the proposal would harm the living conditions of the occupiers of neighbouring properties, with particular reference to a loss of light, privacy and a sense of enclosure, and would result in an increase in demand for on-street parking. The Council has not raised concern regarding these matters and from the information before me, I have nothing to disagree. Comments regarding the existing rear dormer window are not applicable to the proposed development.
14. Concerns regarding the maintenance of the flat roof of the single storey extension, lack of natural ventilation to a ground floor bathroom, and the possible quality of workmanship if the proposal was constructed are not material planning considerations. A condition requiring materials to match the existing building would ensure the proposal's external appearance is acceptable, otherwise the Council could take enforcement action.

Conditions

15. I have had regard to the conditions suggested by the Council and the tests for conditions set out within the Framework. In addition to the standard condition, which relates to the commencement of development, I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. I have included a condition requiring the development to be

constructed in accordance with the submitted details to ensure the external appearance of the building is acceptable.

Conclusion

16. For the reasons set out above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be allowed.

A Berry

INSPECTOR