



Appeal Decision

Site visit made on 2 October 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2024

Appeal Ref: APP/N5660/W/23/3321018

189 Abbeville Road, Lambeth, London SW4 9JH

- 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 Mr William Bourne against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 22/03130/FUL, dated 30 August 2022, was refused by notice dated 26 October 2022.
 - The development proposed is Mansard loft conversion and rear roof terrace. No change of use.
-

Decision

1. The appeal is allowed and planning permission is granted for loft conversion involving the erection of a rear mansard roof extension and installation of a rear roof terrace and three roof lights to the front roof slope. at 189 Abbeville Road, London SW4 9JH in accordance with the terms of the application, Ref 22/03130/FUL, dated 30 August 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: OS Map Location Plan; 22061_P1_10; 22061_P1_11; 22061_P1_20; 22061_P1_30; Design and Access Statement.
 - 3) All new external work and finishes and work of making good shall match the existing building in respect of the materials, colour, texture, profile and finished appearance, except where indicated otherwise on the drawings hereby approved.

Preliminary Matters

2. In the decision above I have used the description of development from the decision notice and appeal documentation as it more accurately describes the proposal.
3. There has recently been a revised National Planning Policy Framework (the Framework) published by Government. The parties have been given an opportunity to comment on the Framework and I have taken any responses into account in my decision.

Main Issues

4. The main issues are the effect of the proposal on:

- the character and appearance of the host building and the area, and
- the living conditions of neighbouring occupiers with particular regard to noise and outlook.

Reasons

Character and appearance

5. The host dwelling is a mid terrace property in use as two flats with the ground floor in separate ownership. It is in a predominantly residential area with dwellings in relatively close proximity to each other. This gives a characteristic regular rhythm to the street scene.
6. The terrace has a variety of roof forms and outriggers. The proposed roof terrace would be set in and set back from the edge of the roof and would extend over only part of the of the existing outrigger closest to the rear elevation of the property, enclosed within the existing roofscape. Further, whilst the bulk and scale of the main roof would be increased by the introduction of the mansard, the views of it would be limited due to its siting to the rear within the middle of the terrace and the height and form of adjacent properties. It would remain subordinate to the existing dwelling. The proposal would maintain the architectural integrity of both the dwelling and the terrace as, due to the recess, it would not alter the rhythm of the street.
7. I conclude that the proposal would not harm the character and appearance of the host building or the area. It would comply with Policies Q5 and Q11 of the Lambeth Local Plan 2021 (LLP) which together amongst other matters seek to ensure development responds to the original built form including roofscapes. It would also comply with the guidance in the Building Alterations and Extensions Supplementary Planning Document 2015 which has similar aims.

Living conditions

8. At my site visit I saw that there is already an element of mutual overlooking between the host property and the neighbouring property due to the proximity of the buildings and the location of habitable room windows.
9. Whilst the proposal would increase the bulk of the rear of the host building, it would not be of a scale to significantly impact on the outlook of the neighbouring occupiers as it would be limited in its extent. The timber screen around the proposed roof terrace would be set back from the edge of the building and would not be prominent in views from the neighbouring habitable windows.
10. As the roof terrace would be used as outdoor amenity space for the two bedroomed flat and is of limited size, the level of use is unlikely to cause excessive noise and disturbance associated with its use. It would be set above the neighbour's windows and the proposed screen would prevent overlooking.
11. I conclude that the proposal would not be harmful to the living conditions of the neighbouring occupiers with particular regard to noise and outlook and would accord with Policy Q2 of the LLP which seeks to ensure that development provides adequate outlook and the adverse impact of noise is reduced to an acceptable level through screening.

Other Matters

12. Whilst I accept that there would be additional bulk and massing to the roof, this would not be to the extent that it would interrupt views of the sky from the neighbouring property or lead to a loss of light. In addition, while there is existing overlooking due to the proximity of the dwellings in the area, the timber screen would prevent overlooking associated with the proposed development.
13. The value of properties is not a matter that I can have regard to. In terms of the accuracy of information in the appeal documents, I have based my decision on my observations at the site visit, the submitted plans and other evidence before me.
14. The proposal is adjacent to the Clapham Conservation Area. The Council do not consider that the proposal would affect the setting of the nearby Conservation Area and from the evidence before me I have no reason to disagree with this.
15. Planning permission was granted for a rear mansard and dormer window including the installation of two conservation pitched rooflights to the front slope in 2018. As this permission has expired, I only give this matter limited weight.

Conditions

16. I have considered the conditions recommended by the Council, having regard to guidance found in the Planning Practice Guidance. In the interest of proper planning and to provide certainty I have recommended the standard time limit condition and specified that the development should be carried out in accordance with the approved plans.
17. In addition, a condition requiring matching materials is necessary to preserve the character and appearance of the area.

Conclusion

18. The proposal accords with the development plan therefore for the reasons given the appeal is allowed.

H Senior

INSPECTOR