



Appeal Decision

Site visit made on 14 February 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01.03.2024

Appeal Ref: APP/N5660/W/23/3323383

Flat 3, 4 Ostade Road, Lambeth, London SW2 2BA

- 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 Ryan Greenidge against the decision of The London Borough of Lambeth Council.
 - The application Ref 23/00550/FUL, dated 20 February 2023, was refused by notice dated 17 April 2023.
 - The development is 3 linked dormer windows and 2 front roof lights to second floor flat.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of 3 linked dormer windows and the installation of 3 linked dormer windows and 2 front roof lights to second floor flat at Flat 3, 4 Ostade Road, Lambeth, London SW2 2BA in accordance with the terms of the application 23/00550/FUL, dated 20 February 2023, and the plans submitted with it.

Procedural Matters

2. This appeal relates to a development that has been implemented, therefore the application is retrospective, and I have determined the scheme accordingly.
3. As the description of the development varies in documents submitted for the purposes of this appeal, I have used the description from the Council's decision notice, as this is clear and accurate.
4. Subsequent to the decision made by the Council on the application to which this appeal relates, the Government published the revised National Planning Policy Framework (the Framework) on 19 December 2023. I consider that there have been no major changes relevant to the main issue in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.

Main Issue

5. The main issue is the effect on the on the character and appearance of the host building, the terrace of which it forms part and that of the local area; with reference to the Rush Common and Brixton Hill Conservation Area (the CA).

Reasons

6. The appeal dwelling is a second floor flat that occupies the upper part of a three storey property that forms part of a terraced group of similar properties,

located to the in a residential street made up of a variety of 2 and 3 storey terraced properties dating from the late 19th and 20th centuries.

7. Ostade Road sits within a part of the CA made up of densely developed terraced residential properties. The significance of the CA is recognised by its adoption, which, in the part of the CA within which the appeal property is located, is noted in the Rush Common & Brixton Hill Conservation Area Appraisal (1997) as being in the development of its late Victorian terraced housing.
8. In line with the duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given considerable importance and weight to the desirability of preserving or enhancing the character or appearance of the CA.
9. The appeal relates to the refusal of an application that is a variation to a previously approved application¹ for 3 dormer windows to the rear roof slope and roof lights to the front roof slope. In the revised application, which is the subject of this appeal, the only evident change is that the central dormer is wider than previously approved. The appellant has set out that this is to accommodate a staircase between the second floor and roof level in accordance with Building Control requirements.
10. The dormer windows as constructed are timber framed and sit well below the roof ridge of the appeal dwelling. Whilst it would appear that there are no dormer windows installed on other properties in the short terrace of which the appeal property forms part, from my site visit, it is evident that some of the other surrounding residential properties that back on to the appeal property have dormer windows in a variety of designs and sizes.
11. Within this context, the dormer windows on the appeal dwelling appear as being positioned low down on the roof and symmetrically balanced with the rear elevation of the appeal property. As a group, the scale of the dormer windows appear to reflect the scale of the of the appeal property and to appear as subservient and secondary additions, which also reflect the dormer extensions evident in the immediate local area.
12. The only views from the public realm of the rear roof slope of the appeal property are from Archbishops Place. In these views the roof of the appeal dwelling and the terrace of which it forms part are visible above the semidetached cottage style houses that encloses the dead end of this street. In these views, the dormers windows in the rear roof slope of the appeal dwelling appear as recessive elements that are set low down in the roof and reflect the roofscape of the local area, within which many timber dormer windows are evident.
13. For the reasons given above, I find that the development does not result in any significant harm to the character and appearance of the appeal property, the terrace of which it forms part and preserves the character and appearance of the CA, resulting in no harm to its significance. For these reasons, the development accords with Policies Q2, Q5, Q11 and Q22 of the Lambeth Local Plan (2021), Policies D3 and HC1 of the London Plan (2021) and sections 12 and 16 of the Framework. These collectively seek development that is of high

¹ Planning Ref: 20/04172/FUL

design quality, sympathetic to the age and character of the host building, respects local distinctiveness, does not compromise visual amenity from adjoining sites and the public realm and preserves or enhances the appearance or character of conservation areas.

Conditions

14. As the development that is the subject of this appeal has been completed, I find that no conditions are necessary and have granted planning permission in accordance with the terms of the application and the plans submitted with it.

Conclusion

15. The appeal is allowed.

Victor Callister

INSPECTOR