

Appeal Decision

Site visit made on 4 June 2024

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th June 2024

Appeal Ref: APP/N5660/D/24/3338709

14 Acland Crescent, London SE5 8EQ

- 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 Mrs Shini D'Costa against the decision of the Council of the London Borough of Lambeth.
 - The application, Ref. 23/03215/FUL, dated 11 October 2023 was refused by notice dated 21 December 2023.
 - The development proposed is the erection of a two storey side extension and the replacement of existing windows and doors.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the semi-detached pair of Nos. 14 & 16 Acland Crescent and the street scene of the road.

Reasons

3. The appeal dwelling is on the north side of Acland Crescent which is a residential road mostly comprised of semi-detached pairs but interspersed with half a dozen or so detached dwellings. No. 14 itself is one half of a pair together with No. 16 but on its north east flank there a gap to No. 12 of just sufficient width to drive a car to the rearward garage, albeit no longer possible because of gates.
 4. The appeal proposal involves the infilling of the space at the side of the dwelling with the new side wall of the extension built tight to the boundary with No. 12. There would be a slight set back of the extension's front wall and the roof ridge would be noticeably lower than that of the existing dwelling.
 5. However, whilst these aspects of the proposal achieve an element of subordination to the existing house as required by Section B of Policy Q11 of the Lambeth Local Plan 2020-2035 ('the Local Plan'), I consider that the proposal fails to meet the requirements of Section H. In suburban locations (which is the case here) this requires at least 1m of side space to be generally retained between the extension and the property *boundary* (my emphasis).
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6. The grounds of appeal correctly suggest that the term 'generally' permits a discretionary approach depending on the proposal and site circumstances. However, in this instance the flank wall of the two-storey No. 12 is already positioned on the boundary and has roughly the same front building line. I consider that both these factors are reasons why the proposed extension is the opposite of a situation where there can reasonably be a departure from the Policy's requirement for at least a 1m gap to the boundary.
7. A third reason is that No. 12 is one of the aforementioned detached houses that separate the semi-detached pairs and as such it has a noticeably different form and design. When taken together, these three considerations would mean that the effectively single built form of Nos. 12-16 would be a jarring feature in the street scene, whilst the relatively modest amount of space at roof level between Nos. 14 and 12 would not be sufficient to reduce the perception of terracing. I also agree with the Council's view that there would be an awkward junction of the extension's roof with that of the host dwelling. However, in the overall scheme of things this is not in itself of enough harm to refuse permission.
8. An additional drawback to the appeal scheme would be the proposed extension's unbalancing of the pair with No. 16. This loss of symmetry is in direct conflict with Section H ii of Local Plan Policy Q11 for side extensions and with the guidance in the Lambeth Design Guide SPD 2023 ('the SPD').
9. In this context I saw on my visit that many of the semi-detached pairs in Acland Crescent, including 14 & 16, are of the same original design and external materials. These are pleasing examples of London's suburban dwellings of the first half of the C20th. And whilst I acknowledge that it would not be reasonable to resist alterations and additions that comply with the Council's policies and guidance, it is nonetheless my judgement that there is an inverse relationship between the amount of extensions on the one hand and the quality of the character and appearance of the street scene on the other. This is in clear conflict with Local Plan Policy Q5 which has the objective of preserving the local distinctiveness of Lambeth.
10. Because of this, although I have had regard to the other examples of development in and near the Crescent cited as precedents for the proposal at No. 14, I am minded to view them as contributing to the Council's reasons for refusal rather than supporting the appellant's arguments for allowing the appeal. As regards the specific examples given in the grounds of appeal, in the case of Nos. 18 & 20 Deepdene Road this is as good an example of any as to how the side extensions to both dwellings have infilled the gap to their respective neighbours and as a result have caused significant detriment to the development pattern and the character and appearance of the street scene.
11. The other example given, of Nos. 20 & 22 Acland Crescent, is more acceptable because there is a good sized gap remaining between the side-extended No. 22 & No. 24, whilst the side-extended No. 20 is positioned slightly to the rear of, and at an angle to, the detached No.18, as the latter follows the bend in the road. Despite this partial remediation, I do not consider that the contrast of design and materials between Nos. 20 & 18 reads comfortably in the street scene. In any event, the appeal dwelling and its other half do not have those redeeming features of a gap with, or set back from, their respective neighbours.

12. I am sympathetic to the appellant's need to extend the dwelling, but having assessed the appeal dwelling and its surroundings and having had regard to the policies of the Local Plan (which are supported by Government policy in Section 12: 'Achieving Well-Designed and Beautiful Places' of the National Planning Policy Framework December 2023), I conclude that I should dismiss the appeal.

Martin Andrews

INSPECTOR