



Appeal Decision

Site visit made on 13 August 2024

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2024

Appeal Ref: APP/N5660/W/24/3340324

3 St. Michael's Road, Lambeth, London SW9 0SL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Angus Brayne against the decision of the Council of the London Borough of Lambeth.
- The application Ref is 23/03864/FUL.
- The development proposed is described as 'alterations to rear main pitched roof above top floor flat to form external roof terrace.'

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in relation to this appeal is whether the proposal would preserve or enhance the character or appearance of the Stockwell Park Conservation Area (CA).

Reasons

3. Special attention is to be paid to the desirability of preserving or enhancing the character or appearance of the CA¹. The CA is characterised as an architecturally coherent area of late 18th and early 19th century suburbia, with detached, semi-detached and terraced buildings of regency, classical and Italianate styles. Public and private spaces are strongly defined, often including soft landscaping that adds a pleasant sylvan quality to the area. It is this spatial and historical composition that shapes the significance of the CA.
4. The appeal site consists of a 3-storey Italianate mid-terrace with raised basement, of London stock brick and stucco. Due to its height in comparison to its narrow frontage and the proportions of the fenestration, it has a clear vertical emphasis. A strong sense of uniformity is shared with other properties within the terrace due to their largely unaltered condition. Even though it is not a listed building, the appeal site makes a positive contribution to the CA².
5. Policy Q11 of the Lambeth Local Plan (LLP) 2021 advises that proposals to alter or extend a building will be expected to have a design which amongst other things, positively responds to the original architecture, roof form and fenestration (criteria a,i). For roof alterations, it states that roof terraces, balconies and other similar development will normally be resisted on locally distinct building types, where they are not characteristic of the host building/group (criteria O).

¹ As set out within section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the Act).

² As recognised within the Stockwell Park CA Statement, Page 24.

6. The Lambeth Design Guide Part 4; Building Alterations, Extensions and Retrofit (Design Guide) 2023 and the Stockwell Park CA Statement (SPCAS) 2009, both suggest that dormer windows may be supported at the rear of buildings. However, that does not mean that any rear dormer would automatically be acceptable. The Design Guide qualifies that on buildings in CA's where dormers are deemed appropriate, the number, style, size and materials should be based on traditional local precedents and be appropriate to the period of the building³. It also advises that inset dormers are an inappropriate approach for buildings in CA's. The SPCAS identifies that neither rooflights, nor dormer windows are particular features of the CA.
7. A section of the existing roof would be cut away to enable the insertion of full height glazing panels leading onto an external balcony within the roof structure. As an inset dormer, it would be entirely different in form and design to a rooflight or a traditional projecting dormer window.
8. The proposal is said to comply with the specific guidance within the Design Guide with regard to inset dormers, including the retention of roof to either side and across the front⁴. However, the Design Guide is clear that inset dormers are an inappropriate approach for buildings within CA's. It is accepted that the Design Guide is guidance and that it does not specifically qualify why inset dormers are inappropriate in CA's. Nonetheless, Policy Q11 is clear that development must respond to the original architecture of the building.
9. Even if there would be no projection above the plane or ridge, the proposal would create a sizeable horizontal feature within the roof slope that would clash with the elegant, balanced and vertical proportions and fenestration of the rear elevation.
10. The absence of views from St Michael's Road to the north-west, does not indicate a lack of harm. The proposed cut-out and upper section of the glazed panels would be widely visible within the roof, particularly in private views from the upper floors of nearby properties that back onto the appeal site⁵. This is despite the relatively shallow pitch of the roof and mature planting within adjacent rear gardens. The proposal would be more visible in such views when the trees are not in leaf and/or when internal lights would be on. In such views it would appear as an inharmonious form of development that would not respond positively to the original architecture and roof form, diminishing the ability to appreciate the special interest of the historic environment.
11. I observed that whilst the rear elevations of the terrace have experienced some alterations and extensions, they generally retain an overall consistent and uniform appearance. Although dormers do exist within the rear roof slope of the terrace⁶, they are modest and of the traditional projecting style, reflecting the windows in the host buildings below. Where rooflights are present they are generally small incursions into the roof. The Council has confirmed that these existing alterations comply with the Design Guide and I have no reason to take a different view.
12. No substantive evidence has been presented to indicate that inset dormers and/or roof level balconies are appropriate to the period of the host building.

³ Paragraph 4.93 of the Council's Design Guide.

⁴ Paragraph 4.95 of the Council's Design Guide.

⁵ In this regard my approach is consistent with that taken in appeal decision APP/N5660/D/22/3298719 as referenced in the Council's statement of case.

⁶ No's 6, 8 and 9 St Michael's Road.

Even so, they are not a feature of this terrace or other properties within the perimeter block. The proposal would disrupt the considered design of the host building, irreversibly harming its architectural and historical composition. Being wholly different in appearance to any other roof alteration within the terrace, it would further undermine the visual relationship with neighbouring properties. The replacement of concrete roof tiles with slates would not mitigate this impact.

13. For these reasons, the proposed development would not preserve or enhance the character or appearance of the CA. It would therefore conflict with Policies Q5, Q11 and Q22 of the LLP. In combination and amongst other things, these policies require development to be responsive to positive aspects of the local context and preserve or enhance the character or appearance of the CA. It would also conflict with the Design Guide and SPCAS as set out above.
14. I am satisfied that the proposal, amounts to new development to an existing building, such that policy Q5 of the LP is applicable.
15. In the language of the National Planning Policy Framework (the Framework), the harm to the significance of the CA would be less than substantial, but nevertheless important, given the negative effect on the character and appearance of the CA. Paragraph 208 of the Framework therefore directs me to weigh the identified harm against the public benefits of the proposal.

Heritage Balance

16. The proposal would result in the improvement of a residential flat including the provision of an area of private outdoor space. I do not underestimate the value of such space to the residents, particularly in urban locations such as this. However, it would primarily be a private benefit for the existing and future occupiers. Any public benefit accruing from improving a dwelling within the housing stock would be of limited weight, given the small size of the proposed development. No further tangible public benefits have been advanced.
17. Consequently, when giving considerable importance and weight to the special regard I must have to the desirability of preserving or enhancing the character and appearance of the CA, I find that the harm arising would not be outweighed by public benefits.

Other Matters

18. The Brixton Society has offered support for the proposal. However, I have reached a different view regarding the impact on the original roof design and in particular, how it would be viewed as part of the host building and wider terrace within the CA. There are also objections to the proposal.
19. The absence of harm with regard to the impact of the proposal on the living conditions of neighbouring occupiers is to be expected of new development. This is a neutral matter weighing neither for, nor against, the proposal.

Conclusion

20. For the reasons given, the proposed development would conflict with the aims of the Act, the development plan and the Framework. This is not outweighed by other considerations. Accordingly, the appeal is dismissed.

M Clowes

INSPECTOR