



Appeal Decision

Site visit made on 26 July 2024

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2024

Appeal Ref: APP/N5660/D/24/3339188

80 Gipsy Hill, London SE19 1PD

- 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 A Court against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 23/03577/FUL.
 - The development proposed is demolition of single storey lean-to and erection of single storey ground floor rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site, 80 Gipsy Hill (No 80), is a residential property located in the Gipsy Hill Conservation Area (CA). In considering whether to grant planning permission, I have been mindful of my statutory duties under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Gipsy Hill Conservation Area.

Reasons

4. The CA designation encapsulates the linear north-south area of suburban development on Gypsy Hill itself and parts of some side streets. From what I have seen and read, the special interest of the CA is in part derived from the elegant terraced and detached villas of a variety of sizes and styles. Significance is also derived from the rising gradient views up and down Gypsy Hill including towards the tower of Christ Church and distant views towards central London being a distinctive feature.
5. Whilst there is a mix of design and materials, individual terraces tend to be uniform in terms of similar architectural detailing and fenestration including timber sash windows and use of traditional materials which include slate roofs and a mixture of brickwork, stone and render. Consequently, the pattern of development, cohesive terrace types and materials are important components that add to the significance and special interest of the CA as a whole.
6. No 80 is a 19th Century, two-storey, mid-terrace dwelling with a slate roof and brick frontage and a rendered rear elevation. The dwelling is set behind a small front garden area located midway along Gipsy Hill. Its modest scale contrasts

with the grander three-storey terraced dwellings located on the opposite side of Gipsy Hill. Even so, No 80 has distinctive features including a stepped roofline which corresponds with the gradient of the hill, chimney, parapet gable, sliding sashes and a decorative porch, the canopy of which straddles the boundary with the adjoining neighbour at 78 Gipsy Hill (No 78). As such, No 80 shares characteristics with other dwellings located in the wider CA and therefore contributes positively to the area's cohesive character and appearance.

7. The proposed extension would replace an existing lean-to extension. The eaves height, scale and form of the existing lean-to ensures a degree of subordination which makes a neutral contribution to the character and appearance of the CA. In contrast, the parapet around the roof of the proposed extension, would be higher and the extension would project further into the already small rear garden than the lean-to it would replace. It would also be higher and deeper than the single storey rear projection to No 78.
8. The Council's Lambeth Design Guide Part 4 Building Alterations, Extensions and Retrofitting Supplementary Planning Document (2023) (SPD) advises that wrap-around extensions will be resisted in conservation areas when the horizontal emphasis and dominance of glazing results in an unsympathetic response. Despite the vertical bars in the proposed bi-fold doors, the mass of the glazing within these doors in combination with the high eaves would dominate the dwelling resulting in a boxy horizontal effect on the built form. This would result in an unsympathetic response and detract from the shape of the original house. While the visual effects of the proposal would be localised given the position to the rear of No 80, the proposal would also be appreciated from neighbouring gardens and windows and would fail to preserve or enhance to the character or appearance of the CA as a whole.
9. It follows that the proposal would fail to accord with the statutory presumption under s72(1) of the Act and there would be some harm to the significance of the CA as a designated heritage asset. Given the scale and nature of the proposal, the degree of harm to the significance of the CA would be less than substantial. Paragraph 208 of the of the National Planning Policy Framework (the Framework) this harm should be weighed against the public benefits of the proposal.
10. Public benefits would derive from the enlargement and refurbishment of the building which may assist in bringing the vacant dwelling back into use. However, given the modest scale of the proposal, the public benefits would be limited. There is also no evidence to suggest that refurbishment would not be possible without the proposed extension. The Framework indicates great weight should be given to the conservation of a designated heritage asset. I therefore find that the public benefits of the proposal would not outweigh the less than substantial harm identified, leading to conflict with the historic environment protection policies of the Framework.
11. The appellant has drawn my attention to other rear extensions within the same terrace at numbers 76, 86 and 88 Gipsy Hill. I have no substantive evidence before me of the planning circumstances of those examples given, including whether they were approved under the same planning policy context. Therefore, even if larger rear extensions have been built elsewhere, they do not appear to be directly comparable. Further, I have considered the development on its own merits and site-specific circumstances and there is no

precedent set by those examples that justifies the harm identified in the reasons above.

12. Overall, the proposal would fail to preserve or enhance the character or appearance of the Gipsy Hill CA. In that regard it would fail to accord with Policies Q5, Q8, Q11 and Q22 of the Lambeth Local Plan 2020-2035 (2021) (LP) insofar as they seek to ensure the design of development is a response to positive aspects of the local context and historic character, expects subordination and requires development to preserve or enhance the character or appearance of conservation areas. The proposed development would also fail to accord with the guidance contained within the SPD in relation to the design of extensions in conservation areas.

Other Matter

13. The appellant suggests that the Council introduced reference to the SPD subsequent to the Council's refusal of a similar planning application at the site (Council ref: 23/02644/FUL) and that LP policy makes no specific mention of wraparound extensions. Regardless, for the reasons described. I find that the proposal would conflict with the design and conservation requirements of the identified policies of the LP and the Framework. Even if the Council had not referred to the SPD in its decisions notice, this would not alter the harm I have concluded.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR