



Appeal Decision

Site visit made on 16 September 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2024

Appeal Ref: APP/N5660/D/24/3344074

21 Lancaster Avenue, Lambeth, London, SE27 9EL

- 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 Mrs Shiura Rasheed against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 23/03785/FUL.
 - The development proposed is the erection of a lower ground extension to the rear and a two-storey extension to the side, reconfiguration of the front boundary wall, along with internal reconfiguration and refurbishment throughout.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a lower ground extension to the rear and a two-storey extension to the side, reconfiguration of the front boundary wall, along with internal reconfiguration and refurbishment throughout at 21 Lancaster Avenue, Lambeth, London, SE27 9EL in accordance with the terms of the application, Ref 23/03785/FUL, 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 approved plans: Drg Nos 348-LAN-PL-000, 348-LAN-PL-001 Rev P1, 348-LAN-PL-010 Rev P1, 348-LAN-PL-011 Rev P1, 348-LAN-PL-012 Rev P1, 348-LAN-PL-013 Rev P1, 348-LAN-PL-014 Rev P1, 348-LAN-PL-020 Rev P1, 348-LAN-PL-021 Rev P1, 348-LAN-PL-022 Rev P1, 348-LAN-PL-023 Rev P1, 348-LAN-PL-024 Rev P1, 348-LAN-PL-025 Rev P1, 348-LAN-PL-030 Rev P1, 348-LAN-PL-031 Rev P1, and 348-LAN-PL-032 Rev P1.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The development hereby permitted shall be carried out in accordance with the recommended mitigations for tree T5 as shown on the Impact Assessment Plan Drg No CCL 11674/IAP Rev 2 prepared by Crown Arboricultural Consultants.
 - 5) Prior to occupation of the development hereby permitted, details of the proposed boundary screens to the side elevations of the terrace over the lower ground floor rear extension shall be submitted to and approved by

the local planning authority. The approved screens shall be installed prior to first use of the terrace and thereafter maintained.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the host property and the wider Lancaster Avenue Conservation Area.

Reasons

3. The appeal property is a two-storey dwelling over a semi-basement and forms one half of an originally symmetrical semi-detached pair but which is now unbalanced by a full height side addition to No 23 and other alterations. It is part of a wider group of Italianate semi-detached villas to this side of the road which date from the mid 19th century. The appeal site sits within the Lancaster Avenue Conservation Area (CA); a wide and leafy suburban road of detached and semi-detached properties which are principally a reflection of the changing house styles from the period between around the 1840's up to the early 1900's. In common with other properties within the CA, No 21 is included on a local heritage list compiled by the Council. The appearance of No 21 within the street scene, together with its large rear garden and mature planting, contributes positively to the CA's architectural quality and spaciousness.
4. The appeal proposal comprises three distinct elements. I share the Council's view that the two-storey side extension in place of the existing attached garage would appear appropriately subordinate to the scale and bulk of the main dwelling and similar to other side extensions to neighbouring houses. I note also that the Council does not object to the raising of the posts either side of the entrance in the front boundary, or to the inclusion of a sliding gate within the opening. I am satisfied that these two elements would respond positively to the local context when viewed within the street scene along Lancaster Avenue.
5. The gardens to the properties along this side of Lancaster Avenue are large and leafy, contributing to the area's spacious qualities. However, due to the seclusion offered by the dense and mature vegetation around No 21's garden perimeter, which is typical for the area, the rear elevation of the building is largely out of site beyond the confines of the property's curtilage. Although the building retains its original flat elevation to the rear, I am unable to identify what contribution this makes to the overall character or appearance of the CA. The Council asserts that the unaltered rear elevation of No 21 is worthy of preservation but this is not supported by any reasoning or analysis and in my judgement, having regard to its setting and context, I do not consider it to be overly sensitive to change.
6. The lower ground floor of the side extension would house an indoor swimming pool. This would project beyond the rear elevation of the house by just over 4.3m adjacent to the plot's side boundary shared with No 19. The central part of the dwelling would be extended at the same lower ground floor level by a depth of just over 2m, with an again, deeper component adjacent to the boundary with the attached No 23. A new lightwell would be created adjacent to the central part of the dwelling with new feature steps leading up to the garden level. The extensions to the rear would be flat roofed and with a terrace over, which would be around 0.4m above the garden level, according to a figure given by the Council.

7. The Council accepts that the extension to the rear at lower ground floor level would not cause any visual harm. Due to its low level, I agree. The Council argues that a large lightwell to the rear of No 21 would not be characteristic of these houses. Although it may not be an original feature, the appellant has demonstrated with photographic evidence that lightwells to the rear of properties along this side of Lancaster Avenue are varied in size and character and I share their view that the proposal would establish an harmonious connection between the house and garden. Although the proposal would create an alternative arrangement to the rear of the property, the garden would retain its expansive and verdant form. Balustrading is proposed around the new lightwell at the upper ground floor level. Given the garden's seclusion, I am not persuaded that this particular element would be seen as incongruous. Despite the proposed works, I find the contribution the garden makes to the wider character and appearance of the CA would be unharmed.
8. The proposal includes changes to the existing ground floor fenestration pattern to the rear elevation of No 21 through the introduction of four uniformly spaced sets of double patio doors. These would be set in decorative surrounds to replicate original features on the house and would display an appropriate vertical emphasis to their proportions. I am also mindful again of the secluded nature of the building's rear setting, as well as the obvious absence of any symmetry between the fenestration pattern to the rear of this semi-detached pair, as has been demonstrated by the appellant with photographs and which was apparent to me during my visit when parts of the rear of No 23 were able to be glimpsed from the garden of the appeal property.
9. Overall, I am satisfied that the changes to the rear of No 21 would not detract from the character or appearance of the dwelling. As such, its significance as a non-designated heritage asset would be unaffected. In the absence of any harm to the character or appearance of No 21, it follows that the character and appearance of the CA would be preserved. As such, its significance as a designated heritage asset would be unaffected. There would therefore be no conflict with Policies Q5, Q11, Q22 or Q23 of the Lambeth Local Plan 2020–2035 (LLP), adopted in 2021, which between them seek to ensure that new development responds positively to and respects the area's local distinctiveness, including the positive characteristics of a conservation area and the architecture of the original building, and that non-designated heritage assets are protected. For the same reasons I find no conflict with the National Planning Policy Framework's objectives for achieving well-designed and beautiful places and for conserving and enhancing the historic environment.

Other Matters

10. I have carefully considered the concerns raised by a neighbouring occupier. The proposal shows screening to the sides of the terrace although the details of these from the plans are not clear. I am satisfied that such screening would not be visually intrusive but given the height of the proposed terrace above the garden level of the property, it would be necessary to prevent any unacceptable degree of overlooking towards neighbouring gardens. I share the view expressed in the planning officer's report that details of the proposed screens are necessary. This could be achieved by condition.
11. The application was accompanied by a Stage 1 (Screening) Basement Impact Assessment (BIA), which was based on the application drawings. The Council's

officer's report confirms that the BIA satisfies the requirements of LLP Policy Q27 which deals with basement development and its implications. I have been provided with no evidence to dispute this assertion. Neither have I been provided with any evidence relevant to the planning merits of the case to demonstrate that further details are required.

Conditions

12. In addition to the condition relating to screens, a condition specifying the relevant plans is necessary as this provides certainty. In order to safeguard the character and appearance of the area a condition is required to ensure that the development is finished in materials to match the existing dwelling, and that the development is carried out in accordance with the recommended mitigations for the protection of trees, as set out within the Arboricultural Report which accompanied the planning application.

Conclusion

13. For the reasons given, I have found that there would be no harm to the character or appearance of the host property or to the wider Lancaster Avenue Conservation Area. Accordingly, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

John D Allan

INSPECTOR