



Appeal Decision

Site visit made on 22 October 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 November 2024

Appeal Ref: APP/N5660/D/24/3340786

95 Clapham Manor Street, Lambeth, London, SW4 6DR

- 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 Toby Femiola against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 23/04120/FUL.
 - The development proposed is the erection of a rear extension on the lower ground floor and a mansard extension on the second floor and provision of bike storage to the front garden, plus other associated alterations in the property.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a rear extension on the lower ground floor and a mansard extension on the second floor and provision of bike storage to the front garden, plus other associated alterations in the property at 95 Clapham Manor Street, Lambeth, London, SW4 6DR in accordance with the terms of the application, Ref 23/04120/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 920.020A, 920.100, 920.101, 920.102, 920.103, 920.104, 920.105, 920.106, 920.107, 920.108, 920.109, 920.110, 920.111, 920.221A, 920.322C, 920.323B, 920.324A, CMS.110, CMS.111, CMS.112, CMS.113, CMS.114, CMS.120, CMS.121, CMS.122, and CMS.130.
 - 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 flat roof element of the ground floor rear extension hereby permitted shall not be used as a roof terrace, sitting out area or other amenity space.

Background and Main Issue

2. Planning permission was granted for 95 Clapham Manor Street in October 2023 (Ref 23/02648/FUL) for works described as *'Erection of a rear extension on the lower ground floor and a mansard extension on the second floor and provision of bike storage to the front garden, plus other associated alterations in the*

property'. At the time of my visit works to alter the property were well underway but far from complete.

3. The appeal proposal mimics the mansard roof extension, replacement windows, and bike store previously permitted. The proposed rear extension is a modification of the extension previously permitted. The Council has raised no objection to the mansard roof extension, replacement windows, and bike store. I have no reason to disagree in light of the extant planning permission. The main issue is therefore the effect of the proposed lower ground floor rear extension upon the character and appearance of the host dwelling and wider Rectory Grove Conservation Area.

Reasons

4. The appeal property is a two-storey terraced house over a semi-basement dating from the mid 19th century. It sits within the Rectory Grove Conservation Area (CA), an almost linear residential neighbourhood from the 19th century. Clapham Manor Street is long and straight, with regimented building lines and dwellings set behind shallow frontages. The architectural composition of the buildings and the tree lined pavements contribute positively to the character and appearance of the CA.
5. The rear elevation of the terrace to this side of Clapham Manor Street is screened from public view and the lower ground floor level of the appeal property is largely out of sight beyond the confines of the property's curtilage due to its tightly enclosed setting. As such, and as is further demonstrated by the extant planning permission, along with extensions to other properties within the terrace, as exemplified by the appellant, the rear elevation of No 95 is not sensitive to change.
6. The extant planning permission allows for a full width, lower ground floor extension with a stepped rear elevation measuring 3m deep adjacent to No 93 and 5m deep adjacent to the opposing side boundary with No 97. The appeal proposal seeks permission for an alternative arrangement with a lower ground floor rear extension across the full width of the plot to a consistent depth of 4.5m. Other aspects of this part of the proposed works would remain unaltered from the consented scheme, including its height, materials, fenestration pattern and flat roof.
7. The Council's officer's report refers to a basement/lower ground floor rear extension at 87 Clapham Manor Street. The appellant's evidence shows that this was granted planning permission in August 2015 (Ref 15/03431/FUL). The Council have used the consistent 3m depth of the approved extension as a benchmark, beyond which they argue that any similar extension on a similar property should not exceed. This assertion is unsupported by any reasoning or analysis, and to my mind is arbitrary and unjustified.
8. The proposed addition to No 95 would project to a depth that would be less than part of the consented rear extension. At single-storey height and at sub-basement level, the addition would appear obviously subordinate to the tall and vertical emphasis of the existing dwelling. I find nothing about its proportions that would be excessive or over-dominant within its enclosed setting. As such, I am satisfied that there would be no harm to the character or appearance of No 95. It follows that the character and appearance of the CA would be

preserved. Its significance as a designated heritage asset would therefore be unaffected.

9. Based on my findings, there would be no conflict with Policies Q5, Q8, Q11 or Q22 of the Lambeth Local Plan 2020–2035, 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. 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.

Conditions

10. 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. I agree with the Council that in order to safeguard the living conditions of neighbouring occupiers a further condition is required to restrict use of the flat roof over the rear extension.

Conclusion

11. 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 Rectory Grove 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