



Appeal Decision

Site visits made on 8 October 2024 and 18 February 2025

by **N Thomas MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 March 2025

Appeal Ref: APP/N5660/W/24/3341879

6 Carpenter's Place, London SW4 7TD

- 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 Kash Ijaz against the decision of the Council of the London Borough of Lambeth.
 - The application reference is 23/03554/FUL.
 - The development proposed is erection of a roof extension with an inset dormer forming a front roof terrace, to accommodate a second floor and the installation of a roof light on the existing roof including fenestration alterations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development provided on the application form included an explanation and justification for the works but did not describe the development itself. I have therefore taken the description of the development from the Council's decision notice.
3. 6 Carpenter's Place is attached to the rear of 105 Clapham High Street. No 105 is a Grade II listed building known as "101,103,105 and 107 Clapham High Street SW4" (List Entry Number 1184271) (the LB). It was first listed in 1979.
4. Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (PLBCAA) sets out the following:

In this Act "listed building" means a building which is for the time being included on a list compiled or approved by the Secretary of State under this section; and for the purposes of this Act-

(a) any object or structure fixed to the building; [...]

shall, subject to section (5A)(a), be treated as part of the building.
5. This means that, under section 1(5)(a), an extension to a listed building, being a structure fixed to the building, shall be treated as part of the building. The list entry for the LB does not state that the structure is not to be treated as part of the listed building, or that it is not of special architectural or historic interest (s1(5A)(a) of the PLBCAA).
6. The appellant explained that the appeal building was built in the 1940s and attached to the LB, first as a warehouse, then used as an office. The appellant has

not provided any detailed analysis or assessment to support his contention that the appeal building is not part of the LB.

7. The appeal building was converted from an office to a self-contained maisonette, with planning permission and listed building consent having been granted in 2003¹. Following the conversion to a dwelling, planning permission² but not listed building consent was sought for an application to erect an additional storey. This was refused and dismissed on appeal, with further applications in 2016 for both listed building consent and planning permission. These were both also refused and in the appeal decisions in 2017³ the Inspector noted that the appeal site is attached to the rear of 105 Clapham High Street and that the development and works propose to alter that building (paragraph 5). The Inspector found that the works were harmful to the special interest of the LB as well as its setting. It is not therefore the case, as suggested by the appellant, that the Council has consistently advised that listed building consent is not required for the works.
8. The Council has consulted historic maps and states that it appears that Nos 6 and 7 Carpenter's Place were constructed within the rear gardens of the buildings fronting Clapham High Street. They state that it is unclear whether, when constructed, these were extensions to the listed buildings or standalone premises accessed from Carpenter's Place, but the Council has generally considered No 6 to be part of the LB. There is no evidence that the Council has confused the appeal building with 7 Carpenter's Place, which is partially above No 105. I have seen no indication of when the appeal building was given a separate address.
9. The evidence indicates that the building was originally built as an extension to No 105 and converted to a separate dwelling after it was first listed. This leads me to conclude that the 6 Carpenter's Place is part of the LB. Listed building consent is therefore required for the works but has not been applied for. This does not prevent me from determining this appeal.
10. The site lies within Clapham High Street Conservation Area (CA). As the development is in a conservation area and relates to a listed building I have had special regard to sections 66(1) and 72(1) of the PLBCAA.
11. Planning permission⁴ was granted for a roof extension with an inset dormer forming a front terrace, to accommodate a second floor and the installation of a roof light on the existing roof including fenestration alterations. A non-material amendment⁵ was subsequently approved for the inclusion of two rooflights on the second floor and the increase the size of glazed sliding doors at second floor level on the front elevation.
12. As built, the works differ from the approved drawings. In particular, the mansard roof is higher and the sides of the roof are steeper. One of the roof lights is in a different position and as a result it is visible from Clapham High Street. The application sought planning permission for the development that has been built and I have determined the appeal on that basis.

¹ Ref 02/02541/FUL and 02/02861/LB

² Ref 12/00010/FUL

³ APP/N5660/W/16/3152695 and APP/N5660/Y/16/3152697

⁴ Ref 20/01284/FUL

⁵ Ref 21/04614/NMC

Main Issues

13. The main issues are whether the development preserves the LB, its setting and any features of special architectural and historic interest that it possesses; and whether it preserves or enhances the character or appearance of the CA.

Reasons

The LB

14. The LB is formed of two Regency pairs, dating from the 1760s, facing onto Clapham High Street. Each 'house' has three storeys with one window on the front elevation at first and second floors. The roofs are low pitched and slated with a double span. To the front are ground floor shops from the mid to late 19th century, with dentil cornices, partially obscured by a later fascia sign in the case of No 105. The glazing has been altered with both 105 and 109 having modern replacement windows in the front elevations.
15. Prior to the development taking place, 6 Carpenter's Place was a boxlike structure on two storeys with a flat roof. The plans indicate that it had a raised glazed section in the roof with a sloping profile, giving light through to the ground floor. On the rear elevation were two large casement windows at first floor, with a further window opening at ground floor and a door. There is an attached lean-to structure to the rear of 107 Clapham High Street.
16. The LB is a surviving example of 'cottage' type buildings that contrast with the grand former terraced houses that were built along the High Street during the late 18th and early 19th century. The LB has a modest and understated form that contrasts with the taller and grander buildings that are evident on the north side of the High Street. The extension was a commercial addition and had a simple form reflecting its purpose.
17. Insofar as it relates to this appeal, the special interest of the LB is as a surviving historic building that forms part of the narrative of the development of this part of Clapham High Street. It also has special interest through the legibility of its surviving historic fabric, plan form, and the evidential value of its evolving uses. Prior to the development taking place, 6 Carpenter's Place contributed negatively to the special interest of the LB due to its failure to relate to the scale, design or architecture of the host building.
18. The development has resulted in the internal remodelling of No 6, including the removal of a spiral staircase and the installation of a new staircase, the subdivision of the first floor to create two bedrooms and a bathroom, and the expansion into a new second floor. Externally a large mansard roof has been added to create the second floor, with an internal balcony inset in the rear elevation facing Carpenter's Place. It has been covered in a slate roof. Rear windows have been altered to include multi paned timber framed sash windows in new vertically oriented openings. The flank elevations have been extended upwards, which is particularly apparent from Carpenter's Place, adding substantial height and bulk. The detailing of the roof terrace, the flashing and the additional rooflight visible from the High Street, all add to the clumsy, poorly proportioned appearance. The steep pitch of the mansard roof contrasts unfavourably with the low pitch of the double span roof of No 105 and results in a jarring and top-heavy appearance. The sliding sash

windows are more uniform but give the building an overtly domestic appearance. I therefore conclude that the development is harmful to the special interest of the LB.

19. I do not agree with the appellant that the site is comparable with the upward extension to 161-163 Clapham High Street. In that case the mansard is set back from the front elevation and has a simple form. The windows reflect the proportions and alignment of those on the main elevation. It does not justify the approach taken to the appeal building. I appreciate that there is more recent and commercial development on Carpenter's Place, but this is outside the CA.
20. Overall, although the upward extension is set away from host listed buildings, due to its height and bulk, the resulting development does not appear subordinate and it obfuscates the modest scale of the LB. It detracts from the aesthetic and historic value of the LB, thereby harming its special interest. It follows that the development fails to preserve the Grade II listed building and any features of special architectural or historic interest it possesses. This is a matter of considerable importance and weight.

The CA

21. The CA is linear and runs along the busy historic and commercial route of Clapham High Street. It includes the appeal site which forms the southern extent of this part of the CA. It is characterised by late 18th century residential buildings, and 19th century commercial buildings.
22. Clapham was originally a village. It grew with improved communications and access between Clapham and London in the late 17th century, becoming a rural retreat for city dwellers at the time of the construction of the LB. Grand private residences were then built as well as high-class housing along the High Street, although it remained rural. It became increasingly accessible from London as the omnibus replaced stagecoaches, followed by the introduction of the railway and then the tube in 1900. With the growth in the workforce the commercial core began to expand, replacing residential uses and in many cases adding single storey projecting shop fronts, such as those on the LB, as well as the later commercial addition to the rear at 6 Carpenter's Place.
23. Insofar as it is relevant to the appeal, the significance of the CA lies in its rapid and piecemeal development from a rural village to a large commercial and residential settlement, with some surviving historic buildings which are indicative of its evolution. The extension was not aesthetically pleasing but it was a low-profile addition that clearly expressed its original function and illustrated the changing uses of the building. It was nonetheless a detractor from the CA.
24. The substantial upward addition has resulted in an overly large and bulky element in this rear location. This is particularly apparent in views towards the CA from Carpenter's Place, where the resulting building dwarfs the LBs fronting onto the High Street. Despite the physical separation of the roof extension from No 105 and the slate roof covering, it is out of scale with the low-profile form of development either side of it. Due to its scale and design it is not subordinate to the host building and makes a negative contribution to the CA.
25. The rest of Carpenter's Place outside the CA is characterised by a mix of older two and three storey commercial buildings and more recent taller residential developments. 1b Carpenter's Place has a varied roof form with a metal box like

roof extension. This is set well back from the front of property and there are only glimpsed views from the street. It is not comparable with the appeal development which has resulted in a substantial and top-heavy new roof. The more recent development is also reflective of the older commercial buildings in Carpenter's Place in its form with flat roofs and angular balcony projections. I do not therefore agree that it justifies the appeal development.

26. It therefore erodes the character and appearance of the CA and harms its significance, which is a matter to which I attach considerable importance and weight.

Public benefits

27. Paragraph 212 of the National Planning Policy Framework (NPPF) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed by or lost through the alteration or destruction of the asset or from development in its setting and that any such harm should have a clear and convincing justification.
28. Taking into account the scale and nature of the development, I find the harm to be less than substantial, but nevertheless of considerable importance and weight in the planning balance of these appeals. Where a proposal leads to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the NPPF advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.
29. The appellant states that the original building at No 6 was in a poor state of repair and needed an upgrade to its fabric. Although details of the repairs or fabric upgrade have not been provided, I have no reason to disagree that they were needed. The extension has allowed the property to expand into a family sized dwelling through the provision of additional habitable space. There are public benefits in ensuring that listed buildings are maintained in a usable condition. Given that it was already in residential use, it has not been demonstrated that there were no other means of continuing the residential use that would have been less harmful to its special interest or the significance of the CA.
30. The previously approved scheme extended and altered the property in a similar way, achieving the same benefits as set out above. However, if constructed in its approved form, the extension would have had a shallower roof pitch and a less bulky roof form, that would have been less harmful to the significance of the designated heritage assets. Although the change to the roof slope is relatively minor it has resulted in an appreciably bulkier roof form. The Council suggested a mansard roof in a sketch at pre-application stage but this showed a simpler and less bulky mansard roof without a dual angled roof slope.
31. I appreciate that the amendment from the previously approved scheme was to accommodate Building Regulation requirements, in particular to provide minimum head height for the stairs. It has not been shown that there were no alternative means of providing an acceptable internal layout to meet Building Regulation requirements without necessitating the additional bulk to the roof.

32. I also note that there are letters of support from neighbouring owners or occupiers who have no objection in terms of the bulk, scale or detailing. This does not override the harm that I have identified.
33. Taking all this into account, I do not find that the public benefits are sufficient to outweigh the harm I have identified. I also note that the continued viable use of the appeal property as a dwelling is not dependent on the development as the building has an ongoing residential use that would not cease in its absence.
34. Given the above and in the absence of public benefits that outweigh the harm that has been caused, I conclude that, on balance, the development fails to preserve the special interest of the Grade II listed building and that the character or appearance of the CA is neither preserved nor enhanced. This fails to satisfy the requirements of the Act. The development is in conflict with paragraphs 212 and 215 of the NPPF, and conflicts with Lambeth Local Plan 2021 (LP) policies Q5, Q8, Q11, Q20 and Q22 insofar as they seek to ensure that development reinforces local distinctiveness, is well-detailed, while extensions should positively respond to the host building and appear subordinate, and should not harm the significance or special interest of listed buildings and should preserve or enhance the character or appearance of conservation areas. The development also conflicts with the Lambeth Design Guide Part 4 2023.

Conclusion

35. For the reasons give above the appeal should be dismissed.

N Thomas

INSPECTOR