



Appeal Decision

Site visit made on 11 March 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2025.

Appeal Ref: APP/N5660/W/24/3344137

18 and 20 Northlands Street, Lambeth, London SE5 9PL

- 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 Henry Hammond of Compass Developments Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 23/02358/FUL.
 - The development proposed is described as ‘the erection of a rear single-storey wrap-around extension and a rear return three-storey extension, together with internal and external alterations to the existing 6no. flats’.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form refers to the property address as 18 Northlands Street whereas the appeal form and decision notice detail 18 and 20 Northlands Street. Given the appeal relates to both properties, the site address in the banner heading above has been amended to correlate with these documents, as this best reflects the address of the appeal site.
3. On 12 December 2024, the Government published a revised National Planning Policy Framework (the Framework). Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Main Issues

4. The main issues are:
 - the suitability of the proposed flats, with particular reference to the spatial strategy in the development plan;
 - the effect of the proposed three storey rear extension on the character and appearance of the area;
 - the effect of the proposed development on the living conditions of future occupants, with particular reference to internal layout and private amenity space;
 - whether the proposed development provides acceptable cycle parking provision, with particular regard to local planning policies;

- the effect of the proposed development on the living conditions of the occupants of 16 Northlands Street with reference to outlook, and; the occupants of 14 and 16 Northlands Street in respect of daylight and sunlight; and;
- the effect of the proposed development on local parking conditions and the delivery of transport objectives set out in local planning policies.

Reasons

Spatial Strategy

5. Policy H4 of the Lambeth Local Plan 2020-2035¹ (LLP) advises that all residential developments are expected to provide a mix of dwelling sizes as specified within the policy. This mix reflects the preferred borough wide housing mix and is detailed as a split between one, two, and three-bedroom units. The aim of achieving a mix of residential units is reiterated in policy H10 of the London Plan.
6. The appeal scheme would provide a total of six two-bedroom units and would therefore fail to achieve the aim of delivering a range of units at different price points across London and maintaining mixed and balanced communities.
7. Whilst Lambeth's Strategic Housing Assessment (SHMA) identifies that there is a greater need for two bedroomed properties, there is still a significant requirement for one and three bedroom properties in the borough. As such there continues to be a need to provide a mix of dwelling sizes within proposals.
8. Reference is made to a refused application at 217 Victoria Rise² whereby a reason for refusal was the loss of a two-bedroom unit, due to the need for units of this size. This application is not comparable to the appeal scheme, as the proposal does not relate to the loss of existing units and given the vacant use of most of the site, it would be possible to propose a mix of units.
9. For the reasons above, the proposed flats are not considered suitable having regard to the Council's spatial strategy. The proposal would therefore be contrary to Policy H4 of the LLP and Policy H10 of the London Plan.

Character and Appearance

10. The appeal site comprises two dwellings that front Northlands Street which is a residential road, characterised by three storey terraced properties with outriggers to the rear. Despite some differences in fenestration and alterations to the roofs on the outriggers, there is a uniform rear building line and a consistency in the age, rhythm and materials of buildings along the terrace that positively contribute to its traditional character and cohesive appearance.
11. The proposal would extend the depth of the outriggers on each property by 3m and as a result would unacceptably erode the uniform rear building line across this part of the terrace. Whilst the extension would appear as a continuation of the existing rear projections and the proposed windows would be an improvement on the current fenestration, the additional depth would fail to appear subordinate to

¹ Adopted in September 2021

² 23/01357/FUL

the host properties and instead would result in an incongruous addition which would dominate the terrace. Whilst the rear boundary changes alignment from number 18 upwards to provide a deeper rear garden and therefore the projection would not unacceptably impede on the garden area of the appeal properties, the proposed extension would almost extend to the end of the shorter garden of No 16. As such this would emphasise the disproportionate nature of the proposed addition.

12. Whilst policies Q5 and Q11 of the LLP do not specifically refer to the protection of rear building lines and policy Q11 is supportive of extensions that deliver additional residential units, proposals are still required to be subordinate to the main dwelling, reinforce local distinctiveness and positively respond to locally distinct forms. The appeal scheme fails to achieve these aims by diluting the local distinctiveness and the group characteristic that arises from the uniform rear building line.
13. The terrace is visible from the parking area that serves Kings College Hospital Business Park. Whilst this may not be the public domain and the site is not within a conservation area, the need to positively respond to local distinctiveness is not dependant on areas being publicly accessible. The incongruous form of the rear extension would be experienced by the occupants of neighbouring properties, those accessing the business park, and the opposite end of Northlands Street and the end of Southwell Road. As such the impact on the character and appearance of the area would be notable.
14. For the reasons above, the three-storey rear extension would have an unacceptable impact on the character and appearance of the area. It would therefore be contrary to policies Q5 and Q11 of the LLP. Amongst other things these require extensions to be subordinate and the design of the development to be a creative and contextual response to positive aspects of the locality in terms of built form.

Living Conditions of future occupants

Internal layout and private amenity space

15. Policy H5 of the LLP requires new dwellings to meet the minimum private internal space standards set out in London Plan D6. It is alleged that the second-floor units of both properties fail to comply with the required Gross Internal Area (GIA) and bedroom width for the proposed single bedrooms. This assessment has been made on the basis that the proposed storage space would not contribute to the GIA and width of rooms. However, the supporting text to Policy D6 advises that the GIA is defined as the total floor space measured between the internal faces of perimeter walls that enclose a dwelling. Additionally, it is set out that built in storage areas should be included within the overall GIA.
16. On this basis the GIA of the proposed single bedrooms would be compliant with policy D6. However, as confirmed by the appellant the proposed width of these rooms would be slightly under the required standard. Whilst the shortfall is small, the space standards are minimums that applicants are encouraged to exceed. These standards apply to individual rooms and therefore it is inappropriate to justify a shortfall in one room by proposing an increase in another.
17. Policy H5 of the LLP requires proposals to provide 10m² external amenity space per flat as a balcony, terrace, private garden or consolidated communal amenity

space. The proposed first and second floor units fail to comply with this aspect of the policy as they would not provide any private amenity space.

18. Reference is made to the need to balance the lack of outdoor amenity space against the overall standard of accommodation. However, whilst some rooms exceed the required GIA, as detailed above, this is not the case for all rooms. In any event the proposed units are not considered spacious enough to justify the failure to provide private amenity space.
19. Whilst reference is made to public amenity areas, the proximity and accessibility of these sites has not been sufficiently demonstrated. In addition, whilst these areas could provide opportunities for informal recreation, they would not be suitable for basic activities such as sitting out or drying laundry.

Cycle Parking Provision

20. Collectively, Policy T5 of the London Plan and Policies Q13 and T3 of the LLP seek to facilitate and encourage cycling and reduce car dependency and the health problems it creates. To encourage the increased use of cycling for sustainable transport, health and wellbeing, the Council requires all development to provide safe, covered and secure cycle storage of the highest quality that is accessible to all users.
21. Policy Q13 of the LLP requires proposed cycle storage to be compliant with the minimum standards set out in the London Plan. These standards require a total of 12 spaces. The two proposed bike stores would accommodate 4 bikes, resulting in a shortfall of 8 spaces which would fall well below the required standard.
22. The failure to meet the required cycle parking provision would not provide the facilities to encourage cycle use amongst future residents and would therefore limit the travel choices of future residents. The significant shortfall in spaces would undermine the sustainable transport objectives and vision set out in the development plan.
23. It is acknowledged that the provision of cycle storage in period properties such as the appeal site can be a challenge. In this case, the appellant has provided what can be located to the front of the properties, there is then further suggestion of additional bike stores being provided to the rear and the storage areas in the second-floor flat accommodating 2 foldable bikes. This remaining provision would be contrary to Policy T5 of the London Plan which considers that space for folding bicycles would generally not be an acceptable alternative to conventional cycle parking.
24. Reference has been made to examples whereby the Council has permitted cycle parking in the rear garden³, integrated cycle parking in the layout of upper floor flats⁴ and cycle parking to be conditioned⁵. The specific planning, and policy considerations behind these applications is unknown. However, these examples relate to schemes with far less units than that proposed, as such they are not wholly comparable to the development before me and do not justify a planning permission.

³ 22/00037/FUL

⁴ 22/02890/FUL and 22/04552/FUL

⁵ 22/00193/FUL and 21/01823/FUL

25. Whilst the appellant has explored an option to provide the required cycle storage, it has not been demonstrated that alternative policy compliant ways of achieving the provision would not achieve the same goal. For example, a cycle hangar as suggested by the Council, or the options outlined in Policy Q13 of the LLP.
26. For the reasons above, the proposed development would fail to provide acceptable cycle parking provision, with particular regard to local planning policies. It would therefore be contrary to policies T3, and Q13 of the LLP and policy T5 of the London Plan.

Neighbouring Living conditions

Outlook

27. No 16 Northlands Street shares a boundary with No 18, but has a significantly shorter rear garden, due to the change in alignment of the rear boundary line at this point.
28. The proposed three-storey addition would extend beyond half the depth of the garden at no 16. Whilst the extension would be set in from the boundary by 1.5m, this would not negate the sense of enclosure that would result from an imposing three storey flank wall running parallel to the side boundary. As a result of the proposed development the outlook from the rear garden of No 16 would be unacceptably affected.
29. The outlook from the rear bedroom windows of No 16 are already impacted by the existing outrigger. Given the separation distances and sloping roof at ground level, in my view, the increase in the depth of the outrigger would unlikely worsen the outlook from these rooms.

Daylight and sunlight

30. Given the depth and height of the proposed extension and it running parallel to a significant proportion of the rear gardens of no 14 and 16 Northlands Street, it is likely that the addition will unacceptably impede the levels of daylight and sunlight enjoyed in the rear garden of these properties. Whilst the appellant has advised that the extension complies with the BRE 45-degree test, the BRE methodology addresses the obstruction of light to main rooms such as living and dining rooms, kitchens and bedrooms. As such it would not address the impact on the private garden area of the neighbouring properties.

Findings on the main issue

31. For the reasons above, the proposed development would have an unacceptable impact on the living conditions of the occupants of 16 Northlands Street with reference to outlook, and the occupants of 14 and 16 Northlands Street in respect of daylight and sunlight. It would therefore be contrary to policy Q2 of the LLP insofar as it seeks to maintain adequate outlook and an acceptable impact on daylight and sunlight to gardens.

Parking conditions and the delivery of transport objectives

32. Northlands Street is located in a Controlled Parking Zone (CPZ) with designated parking bays either side of the road. Double yellow lines are located at either end of the street on both sides of the road to prevent parking close to the junctions with

Southwell Road and Coldharbour Lane. During my visit I noted that there was limited parking in Northlands Street.

33. Policy T1 of the LLP seeks to reduce dependency on private cars in accordance with the Lambeth Transport Strategy and Implementation Plan. As a result, policy D4 advises that S106 agreements will be sought in respect of car clubs and parking restrictions. This is required to reduce car dependency in an area where public transport is good and to maximise trips made by sustainable modes of transport.
34. The appellant has advised that a unilateral undertaking (UU) would support the appeal, but one has not been submitted. In the absence of this UU, there is no mechanism to prevent future occupants from applying for parking permits within the CPZ. As a result, this would unacceptably increase congestion in the area and parking stress in an already heavily parked road.
35. The absence of a UU would also conflict with the objectives of policy T1 and undermine the wider objective of reducing car dependency in the Borough in favour of more sustainable forms of transport.
36. For the reasons above, the proposed development would have an unacceptable impact on parking conditions and the delivery of transport objectives set out in local planning policies. Therefore, the scheme would be contrary to policies D4 and T1 of the LLP and Policy T6 of the London Plan. These policies seek to maximise trips made by sustainable travel and reduce car dependency.

Other Matters

37. Reference is made to national and regional policy shifting to make the best use of land since the pre application advice was sought six years ago. Whilst the Framework supports development that makes efficient use of land, it must also take into account the identified need for different types of housing and the desirability to maintain an areas character. The appeal scheme fails to achieve these aims.

Planning Balance and Conclusion

38. The proposal would fail to provide a mix of dwelling sizes, harm the character and appearance of the area, negatively affect the living conditions of future occupants, the occupants of 14 and 16 Northlands Street, fail to provide acceptable cycle parking provision and have an unacceptable impact on parking conditions and the delivery of transport objectives. The harm identified brings the scheme into conflict with the development plan taken as a whole. Substantial weight is afforded to this conflict.
39. The proposal would bring these buildings back into use and tidy the site. Whilst this would be a benefit of the scheme it has not been demonstrated that the same benefit could not be achieved in a less harmful way. This benefit therefore attracts limited weight.
40. The appellant alleges that the site benefits from a lawful use as six flats. Accordingly, there would be no net increase in dwellings. The Council, however, indicate that the majority of residential flats in the building have been abandoned, except for a single flat. Taking the Council's position, the additional units created would make a small but useful contribution to housing delivery. But given the

Council have an identified five-year housing land supply (5.49 years) and the additional units would be modest in number I have only given this benefit limited weight.

41. Taking all of the above into account, 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.
42. For the reasons given above the appeal should be dismissed.

V Goldberg

INSPECTOR