
Appeal Decisions

Site visit made on 29 July 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 August 2025

Appeal A Ref: APP/N5660/W/24/3357446

3 Victoria Rise, Lambeth, London, SW4 0PB

- 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 & Mrs Wall against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/02070/FUL.
 - The development proposed is addition of two rear roof dormers and modest internal alterations to loft room.
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Appeal B Ref: APP/N5660/Y/24/3357449

3 Victoria Rise, Lambeth, London, SW4 0PB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Wall against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/02071/FUL.
 - The works proposed are addition of two rear roof dormers and modest internal alterations to loft room.
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Appeal A Decision

1. The Appeal is dismissed.

Appeal B Decision

2. The Appeal is dismissed.

Preliminary Matters

3. Both appeals relate to No 3 Victoria Rise, London, which is part of a Grade II listed building, 1 and 3 Victoria Rise¹, situated within the Clapham Conservation Area (CA). The description of development/works is the same for both proposals and the issues within the appeals are similar. As such I have dealt with them within the same Decision. I have, however, set out two separate formal Decisions in the interests of clarity.
4. As required by sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and paid special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

¹ National Heritage List for England Number: 1392895

5. The National Planning Policy Framework (the Framework) was updated in December 2024, during the consideration of these appeals. Insofar as is directly relevant to the appeals, there are no substantive changes, and no parties have been prejudiced as a result.

Main Issue

6. The main issue in these appeals is whether the proposal would preserve the building or any features of special architectural or historic interest which it possesses and, linked to that, whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

Special interest and significance

7. Nos 1 and 3 Victoria Rise, together, are a detached double-fronted brick property dating from the 1850s. The appeal property, No 3, is two storeys plus a basement and an attic which is partially concealed behind a balustraded parapet. The property has a central doorway with square columns and a moulded entablature which rises to meet the first-floor window above. The ground floor sash windows have pedimented lintels supported by console brackets. The upper floor sash windows have moulded surrounds.
8. No 1 Victoria Rise is a flat-roofed structure which has a garage on the ground floor and a flat above. The evidence before me indicates that the property at No 1 is a two-storey extension constructed shortly after the main house but prior to 1874.
9. The rear elevation of the building has been previously extended and a two-storey projection is located fairly centrally. Changes to the plan form of the building have also been made over time. The architectural detailing of this elevation is generally more simple. The well-proportioned features create a strong sense of cohesion, and the simple pitched roof form has clean lines and is bookended by prominent chimney stacks. In its simplicity, this elevation of the building has a reserved dignity which is visually appealing and contributes to the significance of the asset. That significance derives, in part, from the architectural interest of the building as an attractive, largely intact, house dating from circa 1853. It is important to note that the building is the remaining house from a road of detached villas dating from around the same time. The asset is also ascribed group value with Nos 43-47 and 48-52 Clapham Common North Side; two terraces of Grade II listed houses dating from around 1860.
10. The appeal site is situated within the Clapham Conservation Area (CA). The CA centres around Clapham Common and its character and appearance, and thus its special interest and significance, stem, in part, from the historic street patterns around the common, along with the architectural quality and variety of its historic buildings. The appeal property possesses positive qualities which contribute to the character and appearance of the CA as a whole and thus to its significance as a designated heritage asset.

Effects of the proposal

11. The proposal is for the construction of two code 5 lead dormer windows into the rear roof slope of the building. The proposed dormers would be sited either side of the roof slope and would reflect the pattern of fenestration and would align

vertically with the floors below. Though the dormers would be reasonably small they would nevertheless interrupt the simple, unadorned roof form and add a degree of visual clutter which would detract from the understated aesthetic of the roof slope. Furthermore, though they would be subservient, the introduction of the dormers would diminish the impact of the chimney stacks which are a key feature of the roofscape.

12. Additionally, the evidence before me indicates that the spaces within the attic level would have been modest spaces lit by the front dormer windows; the addition of more imposing windows to serve these spaces would therefore be inconsistent with the history, and the special interest, of the attic rooms.
13. The rear of the property is visible from surrounding areas. Due to their height and position on the building the proposed windows would be conspicuous. The side elevation of the building is clearly visible from Victoria Rise. In these views the chimney stacks are a striking feature and the proposed dormers would detract from the unassuming profile of the remaining roof slope thus eroding the ascendancy of the chimneys.
14. Furthermore, the Council indicate that the proposed glazing bars would not be integrated. As such, the resultant windows would fail to respect the traditional materials and construction of this element of the historic building and would not assimilate well within their context. I accept that the appellant has suggested that a condition could be attached in relation to the detailed design of the windows. However, such details go to the heart of the proposal, and I cannot be certain that a condition would be an effective mechanism for making the proposal acceptable and ensuring that it would not cause harm in this regard. As such, a condition would not be appropriate in this instance.
15. I recognise that the building has undergone previous changes over time and also note that permission was granted by the Council² for a number of internal and external alterations including, but not limited to, development/works to the roof, the erection of a single storey ground floor rear extension, formation of a porch deck with canopy and railings and alterations to the fenestration. Though changes at roof level have indeed been permitted, the roof, as altered, would retain its simple form and appearance. The permitted development/works are not such that they indicate that permission should be granted for further change as proposed in these appeals. Rather, conversely, in my view, were the permitted alterations to be carried out in addition to the proposal before me the visual clutter and change to the building would further erode its special interest and significance.
16. The area surrounding the appeal property has also undergone many changes over time. The appellant suggests that other properties in the area have had similar dormer windows approved. However, the existence of other examples is not sufficient reason to justify the grant of planning permission or listed building consent; each case must be determined on its own merits based on the specific circumstances at each site. These circumstances will rarely, if ever, be identical. The proposal before me relates to a listed building which has been recognised for its special architectural or historic interest. Despite the changes which have occurred elsewhere within the area the nature of the property as the last example of its type from a road which would have comprised many similar examples adds a

² Application Ref 24/03859/FUL approved 17 February 2025.

further degree of magnitude to the need to conserve this designated heritage asset in a manner appropriate to its significance.

17. The proposal would also result in some limited alterations to the plan form within the building. A number of internal partitions within the loft space would be removed to create larger rooms. However, the evidence before me indicates that the partitions are not original, and their removal would return the plan form of the building to a layout which would be more closely related to that which would have been originally constructed. I am satisfied that these internal works would not harm the significance of the listed building considered as a whole. Indeed, a return to the previous plan form would represent a benefit of the scheme.
18. The proposal also indicates that the loft level bathroom would be enlarged and reconfigured. The specific details in this respect are not sufficient to enable a robust judgement to be reached regarding the potential effect of any plumbing or services on the heritage asset and, consequently, I cannot be certain that these works would preserve the listed building and not cause harm to its significance. I note that the appellant has suggested that a condition could be attached requiring further details to be approved. However, as set out in respect of the windows, without evidence to the contrary I must take a precautionary approach in the interests of preserving the listed building and ensuring that any conditions imposed would meet the tests set out by the Framework. Consequently, a condition would not be suitable.
19. The proposal would cause harm to an asset which adds positively to the significance of the CA. The proposal would be highly conspicuous from a number of viewpoints within the CA and would appear as an incongruous feature. It follows that it would cause harm to the character and appearance of the CA.
20. For the reasons set out above, the proposal would weaken the architectural interest of the listed building overall, thereby undermining an important contributor to the significance of this designated heritage asset. The proposal would therefore fail to preserve the special architectural and historic interest of the Grade II listed building. Furthermore, the proposal would fail to preserve or enhance the character or appearance of the CA. The proposal would, therefore, conflict with the statutory presumptions of s.16(2), s.66(1) and s.72(1) of the Act.
21. Consequently, the proposal would not comply with Policies Q5, Q8 and Q11 of the Lambeth Local Plan 2020 – 2035, adopted September 2021 (LP). Amongst other things, these policies promote high quality design which positively responds to its context and seek to retain the local distinctiveness of Lambeth.
22. The proposal would also fail to accord with LP Policies Q20 and Q22 which specifically relate to heritage assets and state, in turn, that development supporting listed buildings will be supported where it would conserve and not harm the significance/special interest and development proposals affecting conservation areas will be permitted where they preserve or enhance their character or appearance.
23. In finding harm to the significance of a designated heritage asset the Framework requires the category of harm to be identified, and the Planning Practice Guidance (PPG) expands upon this in requiring the extent of harm within that category to be clearly articulated. In this instance, given the limited extent and nature of the proposed development and works, the harm to the significance of the designated heritage assets would, individually and cumulatively, be at the lower end of less

than substantial. Nevertheless, this harm is of considerable importance and weight.

24. The approach in the Framework, at paragraph 215, is that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, as in this case, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. I will turn to this matter below.

Public benefits and heritage balance

25. It is reasonable to conclude that the proposal would generate economic, social and environmental benefits. These would stem from the manufacture and installation of the windows, engaging local professionals, trades and suppliers, improvement to the local housing stock and the enhanced energy efficiency of the building. I also acknowledge that the appellant desires the proposed windows in order to provide further light and ventilation to the attic rooms with the aim of enhancing the standard of accommodation and the resultant living conditions.
26. Additionally, I recognise that the removal of some non-original partitions and the return of the plan form of the building to a layout which would be more closely related to that which would have been originally constructed would be a heritage benefit of the scheme.
27. Though some of these benefits would be private to any occupier of the property, they would also be such that they could be considered to be of broader benefit to the public. These benefits are, however, limited by the small scale of the proposal and must be considered in that context.
28. Though I accept that the windows within the existing space are not as large as might be sought after for modern living, there is no substantive evidence before me which demonstrates that the proposal is necessary to secure the ongoing residential use of the property. Furthermore, internal alterations similar to those proposed could be carried out which would offer enhancements in this respect without causing the harm I have identified above.
29. On the other side of the balance, I have identified that the proposal would fail to preserve the special architectural and historic interest of the Grade II listed building and would not preserve or enhance the character or appearance of the CA. The Framework indicates that great weight should be given to the conservation of these heritage assets. Accordingly, the public benefits of the scheme do not outweigh the harm identified.

Conclusion

30. For the reasons set out above I conclude that the appeals should be dismissed.

L J O'Brien

INSPECTOR