
Appeal Decisions

Site visit made on 20 June 2025 by R Dickson BSc (Hons) MSc MRTPI

Decision by M Clowes BA(hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2025

Appeal Ref: APP/N5660/D/24/3357646

85 Bonnington Square, Lambeth, London SW8 1TG

- 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 CarneySweeney Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/02407/FUL.
 - The development proposed is for the creation of rear roof terrace of 1st floor together with installation of 90cm high railings, privacy screen and rear staircase enclosure.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council's refusal reasons include reference to paragraph 201 of the National Planning Policy Framework (the Framework) 2021. Following the publication of an updated version in 2024, I have referred to the updated paragraph numbers in my recommendation, which have retained the same wording.

Preliminary Matters

4. During my visit I observed railings above the permitted extension, together with a staircase enclosure to the rear. The appellant advises that these are unauthorised. The proposal before me differs from the development carried out and therefore, I have assessed the appeal based on the plans before me.
5. The appellant has submitted this appeal together with a separate appeal against the refusal to grant planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. The condition in question relates to the use of the roof as a balcony, terrace, sitting out or other amenity area¹. As the proposals relate to 2 different planning procedures, I have assessed and made my recommendation on the two appeals simultaneously but independently of one another.

¹ Appeal ref: APP/N5660/D/24/3357647

Main Issues

6. The main issues are the effect of the proposals on:
- the character and appearance of the locally listed building and wider area, with specific regard to Vauxhall Conservation Area (CA); and
 - the living conditions of the occupants of 82 Bonnington Square, with specific regard to privacy and outlook.

Reasons for the Recommendation

Character and Appearance

7. The appeal site is within the Vauxhall CA, the significance of which is derived from the historic leafy residential streets and open spaces. Bonnington Square is a verdant residential street, characterised by the narrow width of the road which is lined with highly uniform three storey terraced dwellings and ground level planting. Most of the front elevations of the townhouses sit at the back of the pavement, and this, combined with their height and uniformity give the square an enclosed feeling. While railings bound the nearby public square, they are a ground level feature.
8. No 85, a locally listed 19th century villa, is comparatively shorter and wider than the surrounding terraced dwellings which gives a lighter and more spacious feeling. The front elevation of the dwelling sits further back in the plot, enhancing its openness, and the difference between it and the rest of Bonnington Square. The original dwelling has been added to, with a more recent addition of a symmetrical two-storey flat-roofed extension which sits between the main bulk of the dwelling, and the neighbouring property, No 82. The flat roof and parapet walls sit below the eaves of the original house, giving it a visually subservient appearance.
9. No 85 is clearly a unique building in a prominent position on Bonnington Square. This, combined with the different relationship within the street scene because of its lower height, is an important feature, contributing positively to the significance of the CA. The lower height and prominent position of the host means that the building is viewed in its entirety, including the proportions of the flat-roofed extension against the original building.
10. Even if Policy H5 of the Local Plan does encourage the use of roofs for amenity purposes, it does not render them acceptable in all situations and would not override the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
11. The extension and roof are U shaped. The proposed railings would be set back from the front elevation on either wing, however around the inside of the U shape, the railings would be fixed to the top of the parapet and therefore near to the façade. The setting back of the railings from the front edge of the wings would lessen their visibility within the street scene, and the angle at which they would be viewed would only allow for the top part of the railings to be visible. Nonetheless, they would still be apparent as evidenced in the appellant's perspective drawings (1-3), albeit in localised views. Given the cut out formed by the U shaped footprint, the railings fixed to the parapet around the middle of the U would be highly visible when viewed from street level as well as in private views from the Langley Lane flats. Although the parapet mounted railings would be set further back into the plot, the viewing angle would still allow clear views of the full height of the railings.

12. As discussed, the flat-roofed extension sits below the eaves of the original building. The top of the railings would have a consistent height across the roof terrace, however these would extend above the height of the eaves. Even though the railings on the wings would be only partially visible, together with the highly visible railings on the parapet, the existing proportions and subservient appearance of the extension would be eroded. Given that the locally listed host is an important feature that contributes to the significance of the CA, the impact of altering the proportions of the extension through the introduction of the railings would diminish its contribution to the CA.
13. Despite the limited view of the railings to the front of the wings owing to their height, it is likely that domestic paraphernalia would be introduced that is taller than the railings. Such paraphernalia would draw attention to the roof terrace, adding visual clutter. It is noted that part of the roof terrace would be for maintenance only, therefore any furniture, planting or sunshades would be concentrated on one side of the roof, unbalancing the symmetry of the extension.
14. The appellant has provided examples of other roof terraces around Bonnington Square. It is not clear from the evidence whether they have planning permission and if so, under what policy context they were permitted. The roof terrace at No 56 is positioned to the rear of the three-storey property, which coupled with its height, has little impact on the street scene. Similarly, other examples provided to me are for roof terraces at the rear of the properties on Bonnington Square. Where they are visible from surrounding roads, they are at a greater height and do not form part of the street scene. Therefore, they do not form a dominant feature, nor harm the significance of the CA in this regard. The examples viewed do not provide support for the proposal.
15. The proposed terrace would introduce activity onto the roof of the host. As discussed above, the host has a different relationship within the street scene than the taller terraced houses. Given its lower scale, the whole building is easily viewed from Bonnington Square. Activity in this highly visible location on the roof of the extension would be an incongruous addition. High level activity facing over the street would alter the character of Bonnington Square, and would have a harmful impact on the CA. There appears to have been a conscious decision to extend the dwelling to the size that it is, thereby limiting the amount of external space available to the occupants. It is not uncommon in built-up areas such as this to find large houses in small plots.
16. The proposal would be seen from the Academy, and when approaching the corner plot from Langley Lane. While these views contribute to the character and appearance of the CA, the introduction of the roof terrace would have less of an impact on Langley Lane and the Academy, owing to the more open and varied street scene.
17. Accordingly, the proposed roof terrace would disrupt the proportions of the locally listed host, and would introduce a harmful level of activity at roof height. I find the proposal would neither preserve nor enhance the character or appearance of the CA. Although the harm would be localised, such negative impacts can cumulatively erode the quality of a locally listed building and the CA as a whole. For these reasons the proposal would conflict with Policies Q5, Q11, Q22, and Q23 of the Lambeth Local Plan (2021). In combination and amongst other things, these policies require development to preserve or enhance the character or appearance

of CA's, sustain or enhance the significance of local listed buildings and sustain and reinforce local distinctiveness.

18. In the language of the Framework, the harm to the significance of the CA would be less than substantial, but nevertheless important given the negative effect on the character and appearance of the area. The Framework does not make any provision for a sliding scale of harm within the less than substantial test. Paragraph 215 however, directs me to weigh the identified harm against the public benefits of the proposal.
19. The appellant contends that the proposal delivers public benefits, in the form of the roof terrace being a positive contribution to the CA and providing a space where plants could grow. As I have found that the proposal would not be a positive contribution to the CA, this does not form a public benefit. While I acknowledge that plants could grow on the roof terrace, this would be an entirely private benefit. In any case, plants could grow at street level in the area in front of the original building which would be more consistent with planting within the CA which generally occurs at ground level.
20. Consequently, when giving considerable importance and weight to the special regard I must have to the desirability of preserving or enhancing the character or appearance of the CA, I find that there are no public benefits that would outweigh the harm I have identified. Conflict would occur with paragraph 213 of the Framework, as harm to the significance of the designated heritage asset would not have clear and convincing justification.

Living Conditions

21. The proposed railings would be placed around the perimeter of the roof, to the boundary with No 82. The area nearest to the neighbouring property would be separated from the rest of the roof terrace by the installation of railings, with the plans indicating that this would be used for maintenance only. The proposal would include a decorative metal privacy screen fixed to the railings facing No 82.
22. A condition has been suggested by the appellant which seeks to ensure that the area nearest to the neighbouring property would be used for maintenance only. Although this condition would limit the extent of the terrace, it would be difficult to control or prevent activity on this part of the roof. I find that the condition would not be sufficient to control the extent of the roof terrace and would fail to meet the test of enforceability.
23. If the maintenance area were to be used as part of the roof terrace, activity would be brought closer to the proposed privacy screen. The evidence before me is not entirely clear on the form and appearance of the privacy screen which is described as being made of decorative metal. Although understanding the desire to allow light to pass through, a decorative screen is likely to have gaps through. This would not address the perception of being overlooked from height which would be generated for the occupants of No 82.
24. Moreover, the privacy screen would also only be attached on one aspect of the railings, parallel to the side of the neighbouring dwelling. The rear facing railings would not have a privacy screen, therefore there would be an opportunity for overlooking into the courtyard of No 82 from this angle.

25. The screen would also extend the overall height of the approved extension by 1.5m which is not insignificant and would add to the sense of enclosure experienced within the rear courtyard and to the lower ground floor window.
26. The part in use as a roof terrace would be set back from the edge of the roof, therefore the amount of overlooking experienced by the occupants of No 82 through the windows and courtyard would be limited.
27. Accordingly, whilst the proposed terrace area would not harm the privacy of the occupants of No 82, it has not been demonstrated that the maintenance area could be adequately controlled or mitigated to prevent harm arising to the living conditions of the neighbouring occupants. For these reasons, the proposal would adversely affect the living conditions of the neighbouring occupiers, with specific regard to privacy and outlook. As such, the proposal would be contrary to Policy Q2 of the Local Plan as set out above.

Conclusion and Recommendation

28. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

29. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Clowes

INSPECTOR