



Appeal Decision

Site visit made on 1 September 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/N5660/W/25/3369075

55 Casewick Road, Lambeth, London SE27 0TB

- 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 Josef Lexx-Styles on behalf of LSG Homes against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 24/03914/FUL.
 - The development proposed is conversion of a single dwelling house into two self-contained flats, involving the erection of a single storey ground floor wrap around extension. Erection of a rear dormer roof extension. Installation of 3 rooflights. Provision of cycle and refuse storage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my visit, the configuration of the appeal property reflected neither the existing or proposed drawings. I am unsure as to the status of the property as it currently stands, and therefore, I have considered the proposal on the basis of the provided drawings.
3. Additionally, as part of their final comments, the appellant provided amended drawings indicating alterations to the internal layout of the appeal property, which would change the specification of the proposed flats, as well as the provision of a roof terrace. These changes would alter the nature of the proposal, the Council has not had opportunity to comment upon them, nor do they appear to have been subject to any form of public consultation.
4. As the proposed amendments would be substantive, and having regard to principles set out in *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin), if I were to determine the appeal on the basis of the amended drawings, it is likely that procedural unfairness would occur. Furthermore, I am also mindful that the "Procedural Guide: Planning appeals – England" states that the appeal process should not be used to evolve a scheme.
5. Accordingly, I have considered the appeal on the basis of the plans upon which the Council reached its decision, rather than the provided amendments.

Main Issues

6. The main issues are:
 - whether the proposal would provide an appropriate mix of housing;

- whether the proposal would provide adequate living conditions for future occupiers with particular regard to light, outlook and standard of accommodation, and;
- the effect of the proposal upon the character and appearance of the area.

Reasons

Housing mix

7. Policy H6 of the Lambeth Local Plan 2021 ('LLP') states that where a dwelling with a floor area of more than 130 square metres is to be converted to self-contained units, that the proposal would provide a mix of unit sizes including, where practicable, a family-sized home, at ground level with direct access to a rear garden. It is not a matter of dispute that the floor area of the appeal property originally exceeded the relevant threshold.
8. The provided drawings indicate that Flat A, at ground floor level, would be a two-bedroom flat with direct access to the rear garden. The supporting text to LLP Policy H6 states that for the purposes of the policy, that dwellings suitable for occupation for families means those which have three or more bedrooms. Although it is asserted that other London boroughs may use a different definition, this is the relevant definition for the purposes of this appeal.
9. Accordingly, Flat A would not fall within the definition of a family-sized home, and it has not been shown that it would not be practicable for a three-bedroomed flat of suitable specification to be provided at ground-floor level.
10. Therefore, the proposal would result in the loss of an existing family dwelling, to the detriment of the housing mix of the area. In doing so it would conflict with LLP Policy H6, the requirements of which I have set out above.

Living conditions

11. It is common ground that the ceiling height within the upper floor of Flat B would not meet the 2.5 metre ('m') ceiling height, and that the affected area would amount to 35% of the units Gross Internal Area ('GIA'). This would fail to meet the requirement set out in Policy D6 of the London Plan ('LP'), which requires that a minimum 2.5m ceiling height is achieved across 75% of the GIA. The result is that, even in applying some flexibility, the upper storey room of Flat B would feel cramped, with a large part of the room subject to the fall of the roofslope, and the fact that primary living areas would achieve the recommended height would not wholly mitigate this fact.
12. My attention has been drawn to an appeal decision¹ for a site in the London Borough of Barnet where a ceiling height of less than 2.5m was considered to be acceptable in a sleeping area, however in that case, the Inspector was clear in stating that the particular arrangement was acceptable, in part, due to the configuration of the sleeping area as an unenclosed mezzanine area. This would not be comparable with the scheme which is before me, and this decision does not, therefore, form a precedent to which I afford significant weight in this instance.

¹ APP/N5090/W/19/3220030

13. I have also been referred to a planning permission granted in the London Borough of Brent, however only very limited details of this are before me, and the policy context within which the relevant application would have been considered is unclear. It does not, therefore, carry significant weight in my considerations.
14. Bedroom 2 of Flat A is indicated on the provided drawings as being served by a side elevation obscure glazed window, facing the side elevation of the neighbouring property across an access to the rear garden of the appeal property. As a result, this window would have little outlook and although south-west facing, likely to receive only limited light given the presence of the substantial two-storey side elevation of the neighbouring dwelling at such close proximity.
15. The provided rear elevation drawing suggests an additional high-level window would also serve this bedroom, although this is not reflected on the proposed plan drawing. This would be a relatively small window, and while it would provide additional light, it's high level would offer little outlook. Combined with the low level of light and outlook that would be afforded by the side elevation window, Bedroom 2 would have an oppressive and gloomy atmosphere, to the detriment of the living conditions of any future occupier.
16. The Council has also raised concern in relation to the level of natural light which would be provided for the living room of Flat A. While this room would not be provided with side elevation windows and would be located some distance from the rear elevation, it would be served by two skylights. It is also likely that an element of borrowed light could be achieved from the kitchen. Overall, I consider that this room would be unlikely to feel unreasonably oppressive.
17. Nevertheless, in conclusion on this main issue, I find that the proposal would fail to provide adequate living conditions for future occupiers with particular regard to the standard of accommodation, outlook and light. It would conflict with LLP Policies H5, H6 and Q2, and LP Policy D6. Together, and among other factors, these policies state that new residential development should accord with the principles of good design, meet minimum internal space standards, provide high quality of accommodation and achieve adequate outlooks.

Character and appearance

18. In relation to this main issue, the Council has raised concern only with regard to the proposed mansard roof arrangement. I have no reason to conclude differently to the Council in relation to the remainder, and have therefore confined my considerations to this element of the scheme.
19. Part 4 of the Lambeth Design Guide Supplementary Planning Document ('the SPD') contains detailed and specific guidance in relation to mansard roof extensions, which it advocates as an option for optimising space and headroom without affecting the street-facing roof pitch. The SPD sets out the required angle of roof pitch for lower roof slopes, that the lower roof slope should not exceed 2.3m, that the upper roof slope must remain below the existing ridge height, that junctions between the lower and upper roof slopes must be lead flashed, that upstand walls should utilise brick coping, and that dormers must meet SPD guidance.
20. It has not been shown that the proposed rear roof arrangement would fulfil all of these requirements. Details of some elements, such as the provision of a brick-

built upstand and lead flashing junctions could be secured by means of planning condition. However, the provided drawings do not confirm that other fundamental elements of the guidance would be achieved, including in relation to the lower roof pitch.

21. There is no evidence before me which indicates that the specifications set out within the SPD could not be achieved, nor would there be any issues, in this case, with achieving compatibility with existing mansard roof arrangements on neighbouring properties; there are a limited number of other examples of mansard roof arrangements in the street, however none are immediately adjacent to the appeal property. Overall, despite not exceeding the existing ridgeline and demonstrating some, but not complete alignment in terms of fenestration, the proposal would appear as an unnecessarily boxlike addition to the roofslope, dominating the rear elevation and failing to represent a high standard of design.
22. The proposed roof extension would not be visible from the frontage of the property, however it would be visible from the rear gardens of other properties in the street, and from properties located in the street to the rear. Therefore, while not prominent, it would nevertheless be harmful to the character and appearance of the wider area.
23. I am aware that the Council granted planning permission² previously for an alternative roof arrangement, however there are clear differences between the two schemes, most obviously in relation to the pitch of the lower roof slope. As the approved scheme would appear to be more in accordance with the SPD guidance, it does not form a fallback position which would justify the harm of the scheme which is now before me.
24. In relation to this main issue, I therefore conclude that the proposal would harm the character and appearance of the area. It would conflict with LLP Policies Q5 and Q11 which together, and among other factors, state that the design of development should be a contextual response to the positive aspects of the locality in terms of the built form of roofscapes, and that a mansard roof should not harm the architectural integrity of the original building or its group.

Other Matters

25. The Council also raised concern that the proposal would not adequately promote sustainable means of travel and that it would seek the provision of a planning obligation in order to prevent eligibility for car parking permits in any future Controlled Parking Zone, and 3-year membership of cycle hire and car club schemes for all future residents, as required by LLP Policies H6, T3 and T6.
26. The appellant has indicated a willingness to enter into a unilateral undertaking in order to secure these provisions, however no planning obligation to this effect has been provided to me. As I am dismissing the appeal for other reasons, and this matter could not lead me to a different decision, I have not considered this issue further. I am satisfied that the Council's concern in relation to the specification of cycle parking facilities could be adequately addressed through the imposition of a suitable planning condition, had I been minded to allow the appeal.

² 24/00013/FUL

Planning Balance and Conclusion

27. The most recent Housing Delivery Test results indicate that housing delivery performance in Lambeth was 74%, and the Council has advised, and it has not been disputed, that its most recent position in relation to housing land supply is 4.21 years, amounting to a shortfall of around 1,273 units. I am therefore taken to paragraph 11(d)(ii) of the National Planning Policy Framework ('the Framework').
28. The proposal would represent a net increase of a single unit of housing. This would represent a valuable, but minor addition to the supply. It would also comprise the use of previously developed land in a location with good access to sustainable travel options, would represent a small development that could be delivered quickly, and would lead to a temporary boost to the economy during construction, and thereafter upon occupation. These are further benefits of the proposal, but taken together they would be no more than modest.
29. Weighing against this, the proposal would lead to harm to the housing mix of the area, would fail to provide suitable living conditions for future occupiers, and would harm the character and appearance of the area. It would conflict with the development plan when read as a whole.
30. Taken together, the harm that I have identified would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the Framework taken as a whole, and having particular regard to key policies for directing development to sustainable locations, making effective use of land and securing well-designed places.
31. I therefore conclude that there are no material considerations, including the Framework, that indicate that a decision should be made other than in accordance with the development plan, and the appeal is therefore dismissed.

C Harding

INSPECTOR