



Appeal Decision

Site visit made on 4 November 2025

by K Dryden BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2025

Appeal Ref: APP/N5660/W/25/3372466

71 Herne Hill Road, London SE24 0AY

- 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 Robert Wright against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/01371/FUL.
 - The development proposed is described on the application form as 'new single storey lateral extension to existing end of terrace dwelling'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises a single storey side extension to form a residential annexe. The Council dealt with the proposal on this basis and so shall I.
3. At the time of my site visit, I observed that a single storey side extension had been constructed at the site. However, there is a clear difference between the proposed plans and what appears to have been built. The single storey extension, as constructed, appears significantly higher than shown on the plans before me. Regardless of what has been constructed to date, and mindful of the site's extensive planning history, I have determined this appeal based on the plans before me. Any works carried out not in accordance with approved plans would be a matter between the Council and appellant.
4. I am aware that the Council has previously granted planning permission on the site for an alternative proposal, which includes a side extension, under planning application reference 20/01670/FUL. I have been provided with limited details of this case, including its features. The details set out within the Council's statement makes clear that the most significant differences between the two cases is the provision of a flat roof, whereas the previous permission included a pitched roof element towards the front elevation of the property, in addition to a higher parapet wall being proposed across the side elevation.

Main Issues

5. The main issues are:

- the effect of the proposed development on the character and appearance of the host property and the surrounding area; and
- whether the proposed development is tantamount to the creation of a self-contained dwelling.

Reasons

Character and appearance

6. The appeal property is an end of terrace dwelling located within a largely residential area characterised by Victorian and Edwardian properties. The building features decorative front and side elevations with characterful double height bay windows with crenelations above.
7. The property is prominently sited on a corner plot on the junction of Herne Hill Road and Finsen Road. St Saviour's Church is located at the adjoining corner of the junction, with Ruskin Park located to the rear. There is a general consistency to the pattern of residential development in the locality through similar building lines, scale, height, architectural detailing and plot sizes which makes a significant positive contribution to the character and appearance of the area.
8. The proposed development would extend the property by way of a single storey side extension continuous with the front façade and projecting beyond the existing rear elevation of the host property. The extension would be set at an unusual angle to the dwelling, utilising the angle of the side boundary with Finsen Road and splaying out towards the rear of the plot. The excessive scale and design of the side extension where development is extended to the angled plot boundary would fail to form a sympathetic addition to the property.
9. Additionally, the substantial height of the development, exacerbated by the flat roof and parapet wall finish along the side boundary, would not appear as a subservient extension or integrate successfully with the characterful side elevation of No 71.
10. The development would be clearly visible from a range of viewpoints along Herne Hill Road, Finsen Road and Deerdale Road. The substantial scale and incongruous design of the extension would appear out of place within this setting, harming the character and appearance of the host property, the symmetry with the adjoining terraced property and the wider area.
11. I therefore conclude that the proposal would be harmful to the character and appearance of the host property and the surrounding area. This is contrary to Policies Q2, Q5, Q8 and Q11 of the Lambeth Local Plan 2020-2035 (2021) (LLP). Collectively, these policies seek to ensure that new development does not compromise visual amenity from the public realm and should provide quality development with regard to built form (including bulk, scale, height and massing) in addition to architectural detailing (including fenestration and articulation) and seeks to ensure that building designs are visually attractive. Furthermore, Policy Q11 requires all extensions to be subordinate to the host property and have a design that positively responds to the original architecture and fenestration of the host building.

Residential annexe

12. Concerns have been raised that the proposal would form a self-contained residential unit, in particular that the proposed full height window would facilitate this as it could provide a dedicated access.
13. However, no dedicated access is proposed in the plans before me and the fenestration would instead serve a proposed bedroom, also forming a means of escape. Moreover, the submitted plans clearly show that there would be an internal opening connecting the existing kitchen area of the host property with the adjoining living/dining room of the proposed development. The internal facilities in the proposed annexe would be modest in size and garden space, parking, refuse storage and utilities would all be shared with No 71.
14. The creation of a separate self-contained dwelling here is based on a hypothetical eventuality and there is no evidence before me that indicates that this is proposed. The proposed development could reasonably function as an annexe, enabling future occupants to share living activity with the family in the main dwelling.
15. Overall, I conclude that the proposed development would not form a self-contained dwelling. The Council has referenced LLP Policies Q2 and H5. These policies relate to amenity and proposals for new residential development. I have found no conflict with these policies in relation to this main issue.

Other Matters

16. I note the appellant's reference to previously obtained pre-application advice, which the proposed development is argued to have responded to. I acknowledge the appellant's frustration in respect of communication with the Council more generally. However, pre-application advice is not determinative in my assessment of this appeal, which I have based on the plans before me. Concerns in respect of any unreasonable behaviour would be best dealt with via costs decision. Ultimately, these matters have not led me to an alternative conclusion on the main issues.

Conclusion

17. For the reasons given above, I find that the proposal would conflict with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Accordingly, I conclude that the appeal should be dismissed.

K Dryden

INSPECTOR