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## Appeal Decision

Site visit made on 9 December 2025

**by Juliet Rogers BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 29 January 2026**

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**Appeal Ref: APP/N5660/D/25/3370817**

**12 Whittlesey Street, London SE1 8SZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Mr Matthew Solymar-Withers against the decision of the Council of the London Borough of Lambeth.
  - The application Ref is 25/01438/VOC.
  - The application sought planning permission for the erection of a single storey rear extension in place of the existing extension, together with the erection of 2 single storey outbuildings following the demolition of the existing outbuilding, and other associated alterations, without complying with a condition attached to planning permission Ref 23/03941/FUL, dated 19 April 2024.
  - The condition in dispute is No.3 which states that: *Prior to the commencement of the development hereby permitted, a schedule and details of the materials to be used in the construction of the proposed extension shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be thereafter built in accordance with the approved details.*
  - The reason given for the condition is: *To ensure that the significance and special interest of the Listed Building is protected, and it protects or enhances the character and appearance of the Roupell Street Conservation Area (Policies Q5, Q8, Q11, Q20 and Q22 of the London Borough of Lambeth Local Plan (2021)).*
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. As the site comprises part of a listed building, I have had regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). Given the site is located within a conservation area, I have also had regard to section 72(1) of the Act.

### Background and Main Issue

3. Planning permission has been granted for a single storey replacement rear extension and two outbuildings plus associated alterations on the appeal site, subject to conditions (the original permission). Subsequently, an application was made by the appellant under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with a condition subject to which a previous planning permission was granted.
4. In this case, the disputed condition of the original permission is No.3 which requires the details of the materials to be used in the construction of the extension to be submitted for the approval of the Council prior to development commencing,

and for the development to be implemented in accordance with the approved details. This application was refused by the Council.

5. Consequently, the main issue is whether condition No.3 is reasonable and necessary in the interests of (a) preserving the Grade II listed building comprising 2-18, Whittlesey Street SE1<sup>1</sup>, or its setting or any features of special architectural or historic interest which it possesses and (b) preserving or enhancing the character or appearance of the Roupell Street Conservation Area (RSCA).

## Reasons

6. The appeal site relates to a dwelling within a terrace of similar homes. Together they comprise a single listed building. Along with the strong, formal and uniform building line of the listed building's façade and the rhythm and proportions of its fenestration, the consistency in external materials, namely London stock brick and timber joinery, are features that contribute to the significance of this heritage asset. Despite the variety of single storey extensions and additions to the rear of the listed building, including at the appeal property, the use of stock brick and timber is commonplace. The formal built form to street relationship and the predominant use of stock brick and timber joinery features are also important elements of significance that underpin the character and appearance of the RSCA as a whole.
7. On this basis, the use of a condition attached to the original permission is clearly necessary in controlling the materials used in an extension to a listed building and within a conservation area. Given the statutory duty within the Act, such a condition is reasonable, irrespective of the ability to view the proposal from public land and the use of other materials within the surroundings to the site.
8. Furthermore, as the wording of the disputed condition does not specify the approved materials, it does not preclude the use of aluminium external doors, or indeed any other material. Rather, it requires the submission of details proposed to the Council for approval. If the Council refuse to approve the proposed materials, via the submission of details pursuant to condition No.3, there is a right of appeal against that decision. This is the correct mechanism for a consideration of whether the use of aluminium doors would be suitable in this historic context.
9. Therefore, I conclude that condition No.3 is reasonable and necessary in the interests of preserving the Grade II listed building, or its setting or any features of special architectural or historic interest which it possesses; and preserving or enhancing the character or appearance of the RSCA. The condition also complies with the National Planning Policy Framework's tests that conditions should be necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

## Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

*Juliet Rogers*

INSPECTOR

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<sup>1</sup> List Entry No: 1081063; date first listed: 27 August 1976