
Appeal Decision

Site visit made on 21 April 202

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 July 2026

Appeal Ref: APP/N5660/W/20/3253142

89-93 Clapham Common South Side, London SW4 9DJ

- 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 Euro Belvedere Hotel (Guernsey) Limited against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 19/03026/FUL.
 - The development proposed is a single storey rear extension comprising 2 hotel bedrooms and recladding of existing single storey rear extensions with brickwork including other alterations, together with the replacement of the existing timber and felt flat-roofed linking structure with a glazed roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. At the time of my site visit the single-storey rear extension had already been constructed, and I have proceeded on this basis. During the application, the scheme was amended to include a replacement to an existing flat roof. An amended description of development was agreed between the main parties, and I have therefore used this in the banner header above. I have removed the references to 'retention' and 'part-retrospective' from the description of development, as these are not terms of development.
3. Since the application was determined by the Council, the London Plan 2021 (LP) was adopted in March 2021 and the Lambeth Local Plan 2020-2035 (LLP) was adopted in September 2021. These now form the development plan, and as such this appeal will be determined in accordance with these plans. These have superseded the London Plan (March 2016), the London Plan (December 2019) and Lambeth Local Plan (September 2015), against which the original application was assessed. The National Planning Policy Framework (2019) (the Framework) has also been superseded, with the current version of the Framework published in 2024. The appellant, the Council and interested parties have had the opportunity to provide their comments on the relevant local and national policies.

Background and Main Issue

4. A planning Enforcement Notice was issued in 2017 following the unauthorised construction extensions and alterations at the appeal site. An appeal¹ upheld the Enforcement Notice with corrections. The Inspector concluded that a rear extension and the covered walkway have a harmful impact on the character and

¹ Appeal ref. APP/N5660/C/18/3194753

appearance of the appeal site and the Clapham Conservation Area. The appeal scheme seeks to address these issues.

5. During the enforcement appeal, the Council did not object on the grounds of the principle of additional hotel rooms at the appeal site. However, at the time of the application which is the subject of this appeal, the emerging London Plan (2019) and Draft Revised Lambeth Local Plan were at advanced stages and the relevant policies, which differed from those in the London Plan (2016) and Lambeth Local Plan (2015) with a greater emphasis on the sequential test for town centre uses, were afforded weight as a material consideration. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (the Act) states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Council was therefore entitled to re-assess the principle of the additional hotel rooms, which subsequently formed the only reason for refusal of the application.
6. As such, the main issue is the principle of the development, with particular regards to whether the additional hotel accommodation is appropriate to its location.

Reasons

7. LP Policy SD6 seeks to promote and enhance London's town centres, including by ensuring that town centres are the primary locations for commercial activity beyond the Central Activities Zone (CAZ). SD6 also states that tourist infrastructure, attractions and hotels should be enhanced and promoted in town centre locations.
8. LP Policy SD7 encourages a 'town centres first' approach and discourages out-of-centre development of main town centre uses. SD7(A)(1) states that Boroughs should apply a sequential test to applications for main town centre uses, requiring them to be located in town centres. It further states that out-of-centre sites should only be considered if it is demonstrated that no suitable sites are (or are expected to become) available within town centre or edge of centre locations, and that applications that fail the sequential test should be refused.
9. This accords with paragraph 91 of the Framework, which states that local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Paragraph 91 further states that main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
10. LP Policy SP7 and paragraph 94 of the Framework also state that an impact assessment is required for proposals for extensions to existing out-of-centre development for retail, leisure and office uses that are not in accordance with the development plan.
11. LP Policy E10(G) states that in outer London and those parts of inner London outside the CAZ, serviced accommodation should be promoted in town centres and within Opportunity Areas, in accordance with the sequential test set out in policy SD7, where they are well-connected by public transport, particularly to central London.

12. LLP Policy ED7 states that proposals for town centre uses in edge of centre and out-of-centre locations will be assessed against the sequential test and impact assessment, and that applications that fail the sequential test and/or where the impact assessment (where required) demonstrates significant adverse impact will not be permitted.
13. LLP Policy ED14 requires proposals for new visitor accommodation outside of town centres to be assessed against the sequential test for main town centre uses. The policy further states that in all locations visitor accommodation should be of an appropriate scale for the proposed location and should not unacceptably harm the balance and mix of uses in the area. Part F of ED14 requires proposals for extended visitor accommodation to include an assessment of impact on neighbouring residential amenity, including cumulative impact taking into account of existing hotels nearby. Part G of ED14 requires proposals for extended visitor accommodation to include a visitor management plan that assesses the impact of additional visitor numbers on the local area, including on local transport, and sets out how these impacts will be managed.
14. The National Planning Practice Guidance for Town Centres and Retail states that it may not be possible to accommodate all forecast needs for main town centre uses in a town centre, and that in those circumstances regard should be had to the sequential and impact tests². It further states that it is for the applicant to demonstrate compliance with the sequential test and that failure to undertake a sequential assessment could in itself constitute a reason for refusing planning permission³.
15. The appeal building consists of a four-storey hotel with a basement which fronts onto Clapham Common South Side. The building, which has previously been extended, is on a corner plot on the junction with Lynette Avenue. The Dudley Hotel is a short distance to the north of the site. The area towards Clapham South Underground station to the south of the site is commercial in nature. However, the area immediately surrounding the appeal property is predominantly residential.
16. Although it is unclear whether the appeal site has a Public Transport Accessibility Level of 4 (good) or 5 (very good), both scores suggest that the site is well connected by public transport. Furthermore, there is a bus stop directly outside the hotel and the site is a short walk to the Clapham South Underground station for travel into central London.
17. The site is not within a town centre or an edge of centre location. Although the aforementioned policies do not preclude extensions to hotels in an out-of-centre location, a sequential test for main town centre uses would be required in line with LP policies SD7 and E10, LLP policies ED7 and ED14, and paragraph 91 of the Framework. No sequential test has been submitted, and I therefore have no evidence before me to demonstrate that there are no alternative suitable town centre or edge of centre sites.
18. Turning to the impact assessment as set out in LP Policy SP7, LLP policy ED7 and paragraph 94 of the Framework, hotels fall within a separate class to other leisure uses in the Town and Country Planning (Use Classes) Order 1987 (as amended). I

² National Planning Practice Guidance ref: 2b-005-20190722

³ National Planning Practice Guidance ref: 2b-011-20190722

am therefore not persuaded that an impact assessment would be required for the appeal proposal.

19. The hotel has in the region of one hundred rooms. The large scale of the hotel, including the two additional rooms, jars with the surrounding dwellings and harms the balance of the mix of uses and the predominant residential character of the area. I am mindful of the concerns of local residents regarding the effect of the hotel on their living conditions. In any event, even if the hotel does not cause any harm to the living conditions of neighbouring residents as asserted by the appellant, this would not alter the detrimental effect on the character of the area. Furthermore, although a visitor management plan has not been submitted, it has not been demonstrated that the addition of two bedrooms has had in a significant impact on the local area, including on local transport.
20. However, for the reasons given above the large scale of the hotel with the two additional bedrooms is not appropriate to its location and to the scale of the area. The scheme therefore does not represent an effective use of land. Furthermore, a sequential test has not been submitted. The addition of two bedrooms makes a limited contribution to the supply of hotel rooms in London and utilises brownfield land however, even if the additional rooms has not had a detrimental effect on the vitality or viability of the town centre, this does not outweigh the significant harm that has been identified.
21. My attention has been drawn to appeal decisions for extensions to the appeal property and the Dudley Hotel, however local and national planning policy that was in force at the time of those appeals has since been superseded. The policy context for these previous appeals therefore differs from the appeal before me, with a greater emphasis on the sequential test for town centre uses. As such I am not persuaded that the previous appeals are directly comparable to the appeal scheme, which has been determined on its own merits.
22. The development therefore conflicts with LP policies SD6, SD7, SP7 and ED10, LLP policies ED7 and ED14, and paragraph 91 of the Framework, the aims of which are described above.

Other Matters

23. The appeal site lies within the Clapham Conservation Area (CA). The CA has a mix of building types in its southern section. Most of the buildings are historic in nature and are largely retain their original architectural detailing and traditional appearance. Insofar as is relevant to this case, in my view the significance of the CA is founded on the historic nature and traditional appearance of the buildings. The proposed brickwork to the rear extension and replacement glazed roof would be in keeping with the design and materials of the original building. The scheme would therefore preserve the character and appearance of the CA.

Conclusion

24. I conclude that the proposal conflicts 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. The appeal is therefore dismissed.

D Ellis INSPECTOR