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## Appeal Decision

Site visit made on 3 July 2017

**by Caroline Mulloy BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 13 July 2017**

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**Appeal Ref: APP/N5660/W/17/3170033**  
**28 Burnbury Road, London SW12 0EJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Christopher Groves against the decision of the Council of the London Borough of Lambeth.
  - The application Ref 16/06638/FUL, dated 25 November 2016, was refused by notice dated 20 January 2017.
  - The development proposed is construction of a loft conversion using two rear dormer windows, plus two roof lights to the front slope, to provide additional residential accommodation.
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### Decision

1. The appeal is allowed and planning permission is granted for construction of a loft conversion using two rear dormer windows, plus two roof lights to the front slope, to provide additional residential accommodation at 28 Burnbury Road, London SW12 0EJ in accordance with the terms of the application, Ref 16/06638/FUL, dated 25 November 2016, and the plans submitted with it, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; 2016/103/1; 2016/103/2; 2016/103/3; 2016/103/4; 2016/103/5; 2016/103/6; 2016/103/7; 2016/103/8; 2016/103/9.
  - 3) All new external work and finishes and work of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance except where indicated otherwise on the drawings hereby approved.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property, the surrounding area and the Hyde Farm Conservation Area.

### Reasons

3. The appeal site is situated on the north side of Burnbury Road and comprises of a two-storey mid terraced traditional property within the Hyde Farm Conservation Area which is subject to an Article 4 Direction. The draft Conservation Area Statement for Hyde Farm Conservation Area (2014)
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- identifies that the architectural interest derives from the property types, the high quality of the construction and refinement/unity of architectural details. Design coherence is achieved through common property types, the use of a consistent palette of robust materials and repetitive architectural detailing. From observations on my site visit, I find that to be an accurate description.
4. The regular rhythm of the street is emphasised by properties set back from the road behind low boundary walls and the pattern of bay windows, fenestration, raised firewalls and chimneys. The appeal property remains relatively unaltered retaining the majority of its original features. Consequently, it contributes to the character and appearance of the Conservation Area.
  5. The Council does not raise concerns regarding the two rear dormers. From everything which I have seen in submissions and on my site visit, I have no reason to disagree.
  6. The Council considers that the proposed roof lights to the front would add visual clutter and harm the character and appearance of the Conservation Area. Criterion a of Policy Q11 of the Lambeth Local Plan (2015) requires alterations to be respectful of the character of the existing building. Criterion L of the same policy states that roof lights should generally be modest in size and be placed and aligned sensitively to respect the character of the host building. On locally distinct building types, including heritage assets, they will normally be resisted on prominent roof pitches; where considered appropriate they should be small in size and aligned with the windows on the elevation below.
  7. Paragraph 4.14 of the Building Alterations and Extensions Supplementary Planning Document (SPD) states that roof lights should be subordinate features and align with window or other features on the elevations below. In sensitive locations, including heritage assets, roof lights will be resisted on front and other prominent roof slopes. On heritage assets, roof lights should be small and set flush into the roof and of a traditional style.
  8. I noted on my site visit that roof lights are not uncommon features on properties along both sides of Burnbury Road, some benefitting from planning permission in recent times within the same development plan and supplementary planning document framework.
  9. Although the proposed roof lights would be visible in short range views, longer range views would be impeded by the curved two storey bays with pitched tile roofs above. Furthermore, Policy Q11 allows for roof lights where 'considered appropriate' and where they meet specific requirements. The plans indicate that the roof lights would be of a modest size and aligned with the windows below. They would be of a conservation style and flush fitting and would thus meet the requirements of Policy Q11 of the Local Plan and paragraph 4.14 of the SPD.
  10. Taking into account the presence of a significant number of roof lights in the street, limited longer range views by virtue of the physical features identified above and the sensitive design of the proposed roof lights I consider that, in the specific circumstances of this case, they would not cause harm to the character or appearance of the host property, street or Conservation Area and would, therefore, be appropriate.

11. For the reasons stated, I conclude that the proposal would not harm the character or appearance of the host property or surrounding area. Furthermore, the proposal would preserve the character and appearance of the Conservation Area. Consequently, there is no conflict with Policies Q2, Q11 and Q22 of the Local Plan and paragraph 4.14 of the SPD which collectively seek to ensure that alterations and extensions reflect the character of the host building and surrounding area and preserve and enhance the character or appearance of conservation areas.

*Other matters*

12. A representation, together with supporting evidence, has been received from the occupier of the adjacent property, number 30 Burnbury Road, which raises concerns relating to subsistence and cracks in the flat situated below the appeal property. Whilst I do not underestimate these concerns they would be matters which would be dealt with by way of other regulations or legislation.

**Conditions**

13. In addition to the standard time limit, I have imposed a condition requiring compliance with the plans in order to provide certainty. I have also imposed a condition requiring that all new external work and finishes shall match the existing in the interests of character and appearance.

**Conclusion**

14. For the reasons stated and taking all other considerations into account, the appeal should be allowed subject to the conditions set out in paragraph 1 above.

*Caroline Mulloy*

Inspector