

**PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/07/2017 AND 31/07/2017**

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
16/05092/FUL	Refusal - Town Planning	3 Bankton Road London SW2 1BP	Retention of a third floor roof terrace and the erection of associated privacy screening.	Delegated Decision	Refuse Permission	31.07.2017	Appeal Dismissed

See Enforcement summary

16/05665/FUL	Refusal - Town Planning	Astoria Mansions Streatham High Road London SW16 1PS	Replacement of existing windows and French doors with white PVCu framed double glazed windows and doors to flat 4.	Delegated Decision	Refuse Permission	03.07.2017	Appeal Allowed
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The Inspector considered the main issue of this appeal to be the effect of the development on the character and appearance of the surrounding Streatham High Road/Streatham Hill Conservation Area and the host building.

On this issue, the Inspector noted that application site includes a further storey constructed on the top storey which contains UPVC providing a contrast within the frontage of the host building. The Inspector further noted that the other flats within the building had changed their windows to UPVC which have effectively destroyed the buildings architectural integrity. The replication of the design of the windows and doors to match the design of the original window which was welcomed. The Inspector concluded that the proposal does not fail to preserve or enhance the Conservation Area and harm to its significance does not arise. The application was considered that in this particular building with its substantially altered roof form and fenestration does not have an unacceptable harmful effect on the character and appearance of the host building either.

The Inspector allowed the appeal subject to conditions.

16/06939/P30	Refusal - Town Planning	409 Kennington Road And 206 - 210 Kennington Park Road London SE11	Change of use from Class B1(a) offices to Class C3 residential use at 409 (inc. 206-210 Kennington Park Road) Kennington Road, London, to include 65 dwellings, comprising a mix of studio and one bedroom flats.	Delegated Decision	Prior Approval Refused	28.07.2017	Appeal Dismissed
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The proposal was considered whether it complied with the requirements of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) with regard to being permitted development for a change of use from a use falling within Class B1 (a) offices to a use falling within Class C3 (dwellinghouses), having particular regard to whether the appeal building is within a safety hazard area.

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Class O, Part 3 of Schedule 2 of the GPDO permits a change of use from Class B1 (a) (offices) to Class C3 (dwellinghouses), but development is not permitted for various reasons, including if the site is, or forms part of a Safety Hazard Area. The Local Planning Authority identified the site as being within a Safety Hazard Zone: 'H1725 - Southern Gas Networks Gas Holder Station'.

The appellant's main argument was that the Gas Holder Station ownership had changed and that it was no longer in use - therefore this justified a material change of use of the land under Section 17 of the Planning (hazardous Substances) Act 1990, and therefore a Hazardous Substances Consent (HSC) should be automatically revoked.

The Inspector dismissed the appeal stating that, in his opinion, the appeal building is within a Safety Hazard Zone and consequently cannot demonstrate that the proposed change of use constitutes permitted development within Class O.

16/05429/VOC	Conditions - Town Planning	Lidl Store 71-73 Acre Lane London SW2 5TN	Variation of condition 5 (Delivery Hours) of planning permission 97/00823/FUL (Demolition of existing building to facilitate the erection of a double height building with pitched roof to provide 1049m2of retail floor space (Class A1) with the provision of 26 car parking bays and a service yard at rear.), granted on 11.11.1997  Original condition: No deliveries shall be taken at or despatched from the site outside the hours of 8am to 6pm; nor at any time on Sundays, Bank or Public Holidays.  Proposed condition: No deliveries shall be taken at or despatched from the site outside the hours of 8am to 8pm Monday to Saturday and 10am to 5pm Sundays, Bank or Public Holidays.	Delegated Decision	Refuse Permission	06.07.2017	Appeal Dismissed
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The Inspector considered whether condition 5 of planning permission reference: 97/00823/FUL is reasonable and necessary having regard to the living conditions of the occupiers of neighbouring properties, with particular regard to noise and disturbance. The condition stated that: 'no deliveries shall be taken at or despatched from the site outside the hours of 8am to 6pm nor at any time on Sundays, Bank or Public Holidays.'

The Inspector identified that the main impact would be noise disturbance for occupiers of properties of Sudbourne Road that adjoin the appeal site. He considered that there needed to be a balance between safeguarding the living conditions of the neighbouring residents whilst enabling a local store to trade in a manner that can serve the wider community.

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The inspector concluded that varying the delivery hours would potentially cause unacceptable noise and disturbance for the adjoining occupiers at Sudbourne Road. Subsequently, the Inspector also stated that the operation of a delivery management plan - as suggested by the appellants would not address the potential source of noise disturbance and imposing a planning condition requiring the implementation of such measures would be ineffective. The Inspector dismissed the appeal and noted that there is currently no restriction on the total number of deliveries that can be made within the existing permitted hours.

16/05777/VOC	Conditions - Town Planning	64 Offley Road London SW9 0LS	Variation of condition 2 (Approved Plans) to Application Reference Number: 15/02355/FUL (Erection of a 4 storey building with roof terrace and lower basement level, to provide an office (Use Class B1) financial and professional/business use and 4no. residential units (Use Class C3), following the demolition of existing building.) granted on 13/11/2015  Variation sought: Reconfiguration of the third and fourth floors into a single unit.	Delegated Decision	Refuse Permission	04.07.2017	Appeal Dismissed
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The Inspector considered whether condition 2 of planning permission 15/02355/FUL, relating to the development being carried out in accordance with the approved plans is reasonable and necessary with regard to the provision of communal amenity space and the effect that, removing this space would have on the living conditions of future occupiers.

The appellant indicated that each approved flat would exceed the Local Plan flat size requirement for amenity space by 10% and states that there is a wide range of shops, social and community facilities in the area, as well as Kennington Park to the north of the appeal site.

However, the Inspector considers that the loss of the communal amenity space would result in a poor standard of living environment for future occupiers - particularly two out of the four flats proposed. Subsequently, the Inspector dismissed the appeal concluding that condition 2 is reasonable and necessary.

16/05457/FUL	Refusal - Town Planning	17 Lower Marsh London SE1 7RJ	Demolition of the existing building with retention of the existing front facade and the erection a three storey building with a mansard level and basement level fronting Lower Marsh together with the erection of a three storey side extension and a single storey rear extension to provide 6 self-contained flats and a commercial unit (A1/A3 Use) at ground floor and basement level.	Delegated Decision	Refuse Permission	19.07.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be; 1) The effect on the character and appearance of the host property and Lower Marsh Conservation Area; 2) Whether the

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proposed development would provide acceptable living conditions for future occupiers, having particular regard to outlook and external amenity space; and 3) Whether or not the proposal makes adequate provision for cycle storage.

On the 1st issue the Inspector noted, "the scale and bulk of the rear extension and overall extent of the mansard roof extension would not be subservient and would overwhelm the host building and dominate the neighbouring properties. It would diminish the conservation value of this historic group of properties and their contribution to the conservation area as a whole". The Inspector concluded that the proposed development would have a harmful effect on the character and appearance of the host property and cause less than substantial harm to the Conservation Area which would not be outweighed by the public benefits of the scheme.

On the 2nd issue the Inspector noted "that future occupiers of the flats would have an acceptable outlook with good access to daylight and sunlight, however stated the policy requirement that new housing development is of the highest quality internally/externally and provides external amenity space"; and concluded that the proposed development would not provide acceptable living conditions for future occupiers due to lack of provision of external amenity space.

On the 3rd Issue the Inspector noted the availability of public cycle spaces and TfL Cycle hire bays nearby, and stated that the London Plan standards are minimum standards and cycle spaces need to be secure. The Inspector concluded that the availability of cycle hire nearby does not compensate for the absence of the secure, covered on site cycle storage facilities which are required to meet the needs of future occupiers and the Inspector went onto dismiss the appeal.

16/06770/FUL	Refusal - Town Planning	117 - 119 South Lambeth Road London SW8 1XA	Erection of a hip to gable extension with a rear mansard and 3 x dormer windows and 4 x rooflights to the front roof slope to create a self contained studio flat. Creation of two roof terraces at third and fourth floor level with obscure glazed balustrades (amended description).	Delegated Decision	Refuse Permission	06.07.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be 1) the effect on the character and appearance of the host property and surrounding area, 2) living conditions of the neighbouring residents, and 3) living conditions for future residents.

On the 1st issue the Inspector noted the symmetry of the terrace row and the importance of the spatial and visual relationship between the host property and the neighbouring building. The Inspector concluded that the hip to gable extension would upset the symmetry of the terrace and the visual balance that exists between the two terraces thus having a harmful effect on this spatial character. The Inspector further noted that the glazed balustrade to the rear terrace would appear incongruous and would be particularly conspicuous when viewed from neighbouring properties.

On the 2nd issue the Inspector noted that the proposed communal roof terrace would be directly adjacent to, and above a residential property. The Inspector considered that the terrace would allow for views into this property's private rear courtyard and other neighbouring gardens. The Inspector concluded that the terrace would have a detrimental effect on the privacy of the occupiers of these properties by overlooking. The Inspector noted that the appeal site is within a local centre and therefore there are associated background noises from traffic and late night activities. Nonetheless, the Inspector considered that the terrace would be materially detrimental to the living conditions of neighbouring residents by reason of noise and disturbance.

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On the 3rd issue, the Inspector considered that the dormer windows and rooflights would allow for the proposed unit to be well-lit and allow for a reasonable outlook. The Inspector noted that the unit would not achieve a minimum ceiling height of 2.3m for 75% of the floor area as required within the NDDS and that even a small shortfall is not acceptable. The Inspector went on to dismiss the appeal.

16/06771/FUL	Refusal - Town Planning	117 - 119 South Lambeth Road London SW8 1XA	Conversion of maisonette into two self contained flats	Delegated Decision	Refuse Permission	04.07.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be the living conditions of future residents, with particular regard to outlook, light and the provision of external amenity space.

The Inspector noted that the windows serving the kitchen/living areas would look directly towards a flank wall and the secondary window would be enclosed by adjoining walls with views directly toward the proposed bedroom. The Inspector further noted that the outlook from each flat's sole bedroom would be limited by obscure glazing to one window and to the second by the proximity of the adjoining walls. The Inspector concluded in this regard that the outlook would be overly restricted and future occupiers would find the space enclosed with limited access to daylight/sunlight.

With regard to amenity space, the Inspector noted that Policy H5 does allow for an excess of internal amenity space to compensate for a lack of external amenity space. The Inspector noted that Vauxhall Park was nearby, but also noted that the proposed flats only met, and did not exceed, the national floor space standard. The Inspector concluded that the lack of external amenity space would be unacceptable. The Inspector went on to dismiss the appeal.

16/06954/FUL	Refusal - Town Planning	103 Broxholm Road London SE27 0BJ	Excavation of basement with front light well. (Resubmission of 16/05586/FUL).	Delegated Decision	Refuse Permission	27.07.2017	Appeal Allowed
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The Inspector considered the main issues to be: the character and appearance of the property and the area and the living conditions of future occupiers of the development.

The Appellant provided photographic evidence and elevation plans of neighbouring properties where basement excavations and rear roof terraces had been completed. It was noted that the neighbouring property had completed an extension of a similar depth to that proposed. The Inspector concluded that the proposed extension would therefore not appear disproportionate in scale at the rear and would have no adverse impact on the character of the surrounding area. The Inspector did not agree that the proposed terraces would be uncharacteristic and would not have an unduly harmful impact. It was also noted that the extension would not be seen from the public realm and any views from neighbouring gardens would be considerably screened by the existing trees. The Inspector found no conflict with Policies Q5 and Q11 of the Lambeth Local Plan (2015) or the Building Alterations and Extensions SPD (2015).

The Inspector noted the significant changes in level between properties and the rear gardens which resulted in mutual overlooking of adjoining back gardens and therefore, the proposal

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would not result in an unacceptable loss of privacy. In addition, the amended plans incorporating a large roof light was considered to provide adequate levels of light. It was concluded by the Inspector that the proposal would not have a materially harmful effect on the living conditions of 101 Broxholm Road and there would be no conflict with Policy Q2 of the Lambeth Local Plan (2015), and the appeal was allowed subject to conditions.

16/05605/FUL	Refusal - Town Planning	167 Barcombe Avenue London SW2 3BH	Excavation of basement together with the erection of a rear extension at ground floor level. Installation of stairs at the rear and replacement of windows to the side elevation at ground floor level.	Delegated Decision	Refuse Permission	03.07.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be whether the proposal would provide satisfactory living conditions for the occupiers with respect to outlook, sense of enclosure and levels of daylight.

On this issue the Inspector noted that the previous appeal decision (Ref APP/N5660/W/16/3149453) the Inspector resolved that the appeal should be determined on the basis of the drawings before him and concluded that the proposed bedrooms would have restricted outlook, a strong sense of enclosure and would limit light received. The Inspector noted that the current appeal proposed the same layout, features and fenestration, however had labelled the rooms as a cinema and gym/dance room. It was noted that these rooms would have very poor outlook, a significant sense of enclosure and would receive limited daylight. The Inspector highlighted that the appeal referred to by the appellant (Ref APP/N5660/A/09/2101158) was not relevant to the application as it referred to a 4-storey house with less restrictive layout. The Inspector noted that whilst the basement would not impact the Conservation Area, the proposal would fail to accord with the amenity protection aims of policy Q2.

The Inspector went on to dismiss the appeal, and further refused the appellants application for costs.

16/05815/FUL	Refusal - Town Planning	39 Tunstall Road London SW9 8BZ	Erection of a rear extension over existing roof terrace, along with a new openable section to front rooflights to flat 6.	Delegated Decision	Refuse Permission	03.07.2017	Appeal Allowed
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The Inspector considered the main issues in this case to be (i) the effect of the proposal on the character and appearance of the host building and surrounding area and (ii) whether the proposal would have a detrimental effect on the living conditions of the occupiers of the adjoining property (No. 37 Tunstall Road) with particular reference to overlooking.

On the first issue the Inspector noted the existing pattern of development along the adjacent roof terrace areas and considered views from a number of vantage points. The Inspector noted that the proposed extension would be sited below the windows of the existing full width dormers, but above the glass balustrade enclosing the existing rear roof terrace. The Inspector considered that the glazed form and simple roof of the extension would create a light structure which would appear subordinate to the current roof whilst ensuring the basic form of the outrigger would remain visible. The materials were not considered to be discordant to the previous additions to the property. The Inspector concluded that the proposal would not have a detrimental effect on the character and appearance of either the host building or surrounding area.

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On the second issue the Inspector noted the proximity of the existing roof terrace to rear bedroom windows in the adjoining property at No. 37 Tunstall Road. However, it was also observed that the proposed extension would be centrally located within the existing roof terrace, and that the separation gap would ensure that the area of most intense use would be away from the boundary with No. 37, thereby reducing the likelihood that there would be any substantive increase in the opportunity for, or likelihood of, overlooking of rear windows.

In considering potential impacts on sunlight levels, the Inspector concluded that any harm would not be significant due to the south facing aspect and the light-weight glazed nature of the extension.

The Inspector concluded that the proposal was policy compliant and allowed the appeal.

16/06750/FUL	Refusal - Town Planning	143 Denmark Road London SE5 9LB	Roof extension over the existing rear return	Delegated Decision	Refuse Permission	07.07.2017	Appeal Allowed
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The Inspector considered the main issue of the appeal to be whether the proposal would preserve or enhance the character or appearance of the appeal site or the wider Minet Estate Conservation Area. The Inspector considered the proposal to be a modest extension to the roof in terms of size and design, and would not appear noticeably incongruous or out of place.

The Inspector considered the effect of the proposal upon the Conservation Area to be neutral and would have no adverse harm upon the character and appearance of the application site or the Conservation Area. Therefore the appeal was allowed and the Inspector stated that the proposal did not conflict with adopted policies Q2, Q11 or Q22 of the Local Plan or the guidance of the SPD.

16/06265/FUL	Refusal - Town Planning	26 Morval Road London SW2 1DQ	Conversion of a single dwelling house to provide 3 self-contained flats, including alterations to rear door and windows at ground floor level. (Re-submission)	Delegated Decision	Refuse Permission	07.07.2017	Appeal Dismissed
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The Inspector considered the main issues as being, the effect of the proposal on the provision of family sized housing in the Borough and whether future occupiers would experience acceptable living conditions in terms of internal space.

The Inspector found that, though the appellant suggested that shortfall of the required 150sqm by 2sqm was insignificant, it would conflict with current policy and the principle of retaining units of this size for individual use as family accommodation. The Inspector also stated that though the ground floor of the proposal incorporated a three-bedroom unit, with access to a small rear garden area - it still did not fully comply with the Local Authority's policies.

The Inspector acknowledged that the appellant stated that, should the appeal be dismissed - the property will be adapted from a dwelling house (C3) to create a small house in multiple occupation (C4). He states that this would be permissible without the need for planning permission with the maximum occupancy of 6 persons - owing to the recent changes of the Use Classes Order. The Appeal was subsequently dismissed.

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16/05968/FUL	Refusal - Town Planning	12 Tremadoc Road London SW4 7NE	Erection of a rear mansard roof extension with 2 rear dormer windows, erection of roof terrace and installation of 3 roof lights to the front roofslope (to 2nd Floor Flat).	Delegated Decision	Refuse Permission	03.07.2017	Appeal Dismissed

The Inspector considered the main issue of this appeal to be the effect of the proposed development upon the character and appearance of the appeal property and surrounding area.

The Inspector noted accepted the recent appeal at 12 Atherfold Road (Ref: APP/N5660/W/16/3154338) which both related to similar mansards and roof terrace with door; and whilst there were no objections from neighbours he based his decision on its planning merits. The inspector concluded that the scheme would result in the creation of a dominant and discordant feature which would fail to respect the scale, architectural rhythm and materials of the appeal property and host terrace. Therefore concurred that it would have a harmful effect upon the character and appearance of the appeal property and the surrounding area.

The inspector noted there was no fallback position as the property had been subdivided into flats therefore no permitted development rights.

The inspector dismissed the appeal and the award of costs application.

16/05405/FUL	Refusal - Town Planning	77 Alexandra Drive London SE19 1AN	Erection of a 2-storey single dwelling house to the rear garden of 77 Alexandra Drive. Associated landscaping and provision of refuse and cycle storage.	Delegated Decision	Refuse Permission	11.07.2017	Appeal Dismissed
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The Inspector considered that the main issues of the development were: the character and appearance of the area, the living conditions of the occupants of neighbouring properties and transport capacity and infrastructure.

The Inspector considered that the proposed development would result in the significant loss of the existing garden to the rear of no. 77 Alexandra Road and its siting, would erode the characterically generous gap between buildings and intrude into views across the site. The Inspector also noted that the loss of a number of established trees, which make a positive contribution to the leafy appearance of the site and surrounding area, would not adequately mitigate this loss and the proposal would significantly detract from the visual amenity and spatial quality of the locality.

The Inspector also noted that the proposed two storey dwelling would be sited in very close proximity to the rear gardens of nos. 75 and 77 Alexandra Road and states that, the proposed 'largely blank brick elevations rising well above the boundary fences', would give rise to a sense of enclosure within the gardens of nos. 75 and 77 Alexandra Road, having a harmful effect upon their occupants.

The Inspector notes that the proposed dwelling would not have off-street parking but, acknowledges that there is ample on-street parking in the area and that the proposal would not

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have a harmful effect upon transport capacity and infrastructure.

The Inspector dismissed the appeal as being contrary to policies Q2, Q5, Q6, Q7, Q9, Q10, Q14 and Q15 of the Lambeth Local Plan (2015).

16/03832/FUL	Refusal - Town Planning	37 And 39 Shrubbery Road London SW16 2AS	Demolition of rear extension; basement excavation including formation of front light wells and side and rear basement courtyards; erection of part one and part two storey rear extension with roof level accommodation; erection of three storey front extension; roof level alterations including 2 rear dormers, enlarged front gables, removal of chimneys, and insertion of 2 new front roof lights in side roof slopes; all in association with conversion of property from 5 to 8 self-contained flats. (Amended scheme to provide one additional unit following planning approval 15/07376/FUL)	Delegated Decision	Refuse Permission	11.07.2017	Appeal Allowed
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The Inspector considered the main issues of this appeal to be the 1) the effect of the appeal proposal upon:

a) The living conditions of future occupants of the rear facing duplex units with particular regard to sense of enclosure and outlook; and

b) Trees

On the first issues, the proposed gardens would be around 3m in depth and would be of a useable size and layout and so, although enclosed by fairly high boundary walls, they would not suffer from an undue sense of enclosure and would provide valuable amenity space for future occupants. This was against our opinion and concluded that the appeal proposal would not have a harmful effect upon the living conditions of future occupants of the rear facing duplex units with particular regard to sense of enclosure and outlook

On the second issue, the inspector felt that the tree would not be unduly affected. The inspector allowed the appeal.

16/06916/P30	Refusal - Town Planning	27 Paxton Place London SE27 9SS	Change of use from office (B1) to residential (C3)	Delegated Decision	Prior Approval Refused	20.07.2017	Appeal Allowed
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The Inspector considered the main issue to be whether the proposed development would accord with the provisions of Class O of Schedule 2, Part 3 of the GPDO.

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The Inspector notes that the appeal site benefits from prior approval for conversion to residential use and that the area is a clear mix of residential and commercial properties and uses. He highlights that the Council had not submitted any evidence to show that the proposal would fall foul of any of the provisions of the criteria of paragraph O of the GPDO. Furthermore, the Inspector stated that the parking provision proposed may have potential impacts on the accessibility to the appeal site and matters relating to refuse and recycling if the parking space were to be relied upon.

As a result, the Inspector concluded that the proposal accords with the requirements of Class O of Schedule 2, Part 3 of the GPDO and allowed the appeal, imposing two conditions relating to the removal of the parking space proposed from the submitted plans and, the provision of cycle parking and refuse and recycling storage to be submitted to and approved in writing, prior to the occupation of the property, to the Local Planning Authority.

16/06638/FUL	Refusal - Town Planning	28 Burnbury Road London SW12 0EJ	Erection of 2 rear dormers and installation of 2 roof lights to the front slope. (Resubmission of 16/04650/FUL).	Delegated Decision	Refuse Permission	13.07.2017	Appeal Allowed
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The Inspector considered 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.

The Inspector noted the Councils consideration that the proposed roof lights installed to the front roof slope would add visual clutter and harm the character and appearance of the Conservation Area and referenced the relevant parts of Local Plan Policy Q11 (part L) and paragraph 4.14 of the Councils design SPD. However, the inspector noted that there were existing rooflights installed on properties on both sides of Burnbury Road of which some benefit from planning permission under the same above mentioned Local Plan policy and SPD guidance. The Inspector noted that although the rooflights would be visible in short range views they would be compliant with the requirements of the above policy and SPD and took into account the existing rooflights in the street considered that there would be no harm to the character or appearance of the host property, street or Conservation Area and went on to allow the appeal.

17/00249/FUL	Refusal - Town Planning	1 Lowndes Mews London SW16 1NP	Erection of a roof extension with dormers to create a second floor level, together with alteration to elevation including replacement of existing dormers with 3 white PVC sash windows to the front elevation.	Delegated Decision	Refuse Permission	03.07.2017	Appeal Allowed
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The Inspector considered the main issue to be the effect of the proposed development upon the living conditions of the occupants of the neighbouring residential properties at 52 - 54 Streatham High Road with particular regard to outlook and sense of enclosure.

The Inspector concluded that "Overall, due to the recessive form of the proposed development and the existing highly restricted outlook from and enclosed nature of adjacent rear facing windows, I conclude that the proposed development would not have a harmful upon the living conditions of the occupants of the neighbouring residential properties at Nos 52 - 54 with particular regard to outlook and sense of enclosure. As such, the appeal proposal accords with the amenity protection aims of Policy Q2 of the Lambeth Local Plan (the Local Plan) and the Lambeth Building Alterations and Extensions Supplementary Planning Document.

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16/06264/FUL	Refusal - Town Planning	409 Wandsworth Road London SW8 2JP	Erection of a ground floor single storey rear extension.	Delegated Decision	Refuse Permission	31.07.2017	Appeal Allowed

The Inspector considered the main issues of this appeal to be the main issue is the effect of the development upon the character and appearance of the Wandsworth Road Conservation Area. It was the Inspectors view that the heritage significance of the Conservation Area derives largely from the contribution of the architectural and historic quality, character and coherence of the historic buildings that line Wandsworth Road.

The Inspector noted that the rear yard at the appeal property was filled with a single storey extension. A colleague Inspector recently dismissed an appeal in relation to that development (APP/N5660/W/16/3142341). An enforcement notice in relation to the same was also upheld by another Inspector (APP/N5660/C/16/3155563). The scheme the subject of the appeal before me comprises, in essence, a reduction in the depth of the existing unlawful extension, together with the erection of a new rear boundary wall.

Furthermore, the Inspector also noted that although the previous Inspector found that the existing extension, which covers the entirety of the rear yard area is not subordinate, the scheme before me is of reduced depth, with windows that are shown as having a vertical emphasis. Having regard to the proportions of the host building and remaining traditional design features, the Inspector was satisfied that the extension the subject of this appeal can be considered as subordinate to the host building and found no harm in this regard, to the character and appearance, or the heritage significance of the Conservation Area.

The Inspector went onto allow the appeal.

16/06498/FUL	Refusal - Town Planning	1 Newby Street London SW8 3BQ	Erection of a mansard roof extension incorporating a rear dormer and installation of 2 front rooflights.	Delegated Decision	Refuse Permission	12.07.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be whether the proposed development would preserve or enhance the character or appearance of the Wandsworth Road Conservation Area (WRCA).

On the first issue the Inspector noted that the proposal would result in the unacceptable loss of a traditional London roof and introduce an uncharacteristic roof form close to the front and rear of the building. Whether or not the proposed rear dormer accords with the guidance in the SPD, the loss of the butterfly roof to the rear would destroy an important element of the character and appearance of these dwellings. Together with its height, the proposal would result in a bulky and dominant addition to the dwelling at odds with the prevailing roof design within the locality.

For these reasons, it would compromise the architectural integrity of the building and the roofscape of the terrace and its contribution to the Wandsworth Road Conservation Area and the Inspector went on to dismiss the appeal.

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Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
16/06500/FUL	Refusal - Town Planning	3 Newby Street London SW8 3BQ	Erection of a roof extension converting a London roof to a mansard roof with a rear dormer and 2 front rooflights.	Delegated Decision	Refuse Permission	12.07.2017	Appeal Dismissed

The Inspector considered the main issue of this appeal to be whether the proposed development would preserve or enhance the character or appearance of the Wandsworth Road Conservation Area.

On this issue the Inspector noted "the proposal would result in the unacceptable loss of a traditional London roof and introduce an uncharacteristic roof form close to the front and rear of the building." Furthermore the Inspector considered that "Together with its height, the proposal would result in a bulky and dominant addition to the dwelling at odds with the prevailing roof design within the locality. For these reasons, it would compromise the architectural integrity of the building and the roofscape of the terrace and its contribution to the Wandsworth Road Conservation Area."

The Inspector dismissed the appeal.

16/06014/FUL	Refusal - Town Planning	2 Bodiam Road London SW16 5DZ	Erection of a double storey side extension and a single storey rear extension including, and removal of existing chimney.	Delegated Decision	Refuse Permission	13.07.2017	Appeal Allowed
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The Inspector considered the main issues of this appeal to be the main issue is the impact of the proposed appeal development upon the living conditions of the neighbouring residential property.

The Planning Inspector noted that although the Council contested that the 45 degree rule is failed on both plan and elevation in relation to the glazed opening within the neighbouring residential property, the Inspector was unable to ascertain from the information before me whether this is the case or not. Nonetheless, the Inspector considered that the proposed single storey extension would be sufficiently separated from this opening and of a depth and height that would not be overbearing in relation to the neighbouring property. For these reasons and by virtue of the orientation of the appeal property relative to No 4, the proposal would not have an unduly harmful impact on levels of daylight or sunlight.

The Inspector concluded that the proposal would not cause unacceptable harm to the living conditions of the occupants of the neighbouring property and would not conflict with Policy Q2 of the Lambeth Local Plan (2015). The Inspector went onto allow the appeal.

16/06629/FUL	Refusal - Town Planning	5 Newby Street London SW8 3BQ	Erection of a roof extension with 2 rear dormer windows and 2 front rooflights	Delegated Decision	Refuse Permission	12.07.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be whether the proposed development would preserve or enhance the character or appearance of the Wandsworth Road Conservation Area.

On the first issue the Inspector noted 'The proposal would result in the unacceptable loss of a traditional London roof and introduce an uncharacteristic roof form close to the front and

**PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/07/2017 AND 31/07/2017**

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
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rear of the building. Whether or not the proposed rear dormer accords with the guidance in the SPD, the loss of the 'butterfly' roof to the rear would destroy an important element of the character and appearance of these dwellings. Together with its height, the proposal would result in a bulky and dominant addition to the dwelling at odds with the prevailing roof design within the locality. The misalignment of the rooflights and the window below would exacerbate the proposals incongruity.'

For these reasons, it would compromise the architectural integrity of the building and the roofscape of the terrace and its contribution to the Wandsworth Road Conservation Area and the Inspector went on to dismiss the appeal.

16/07158/FUL	Refusal - Town Planning	58 Larkhall Lane London SW4 6SP	Erection of a single storey rear extension at upper ground level	Delegated Decision	Refuse Permission	24.07.2017	Appeal Dismissed
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The Inspector considered the main issue was the effect of the development upon the character and appearance of the host building and the Larkhall Conservation Area.

The Inspector concluded that the proposal would harm the significance of LCA, leading to less than substantial harm as set out in the National Planning Policy Framework. There are no identified public benefits that would outweigh the harm. The appeal was dismissed

16/06751/ADV	Refusal - Advert	245 Brixton Road London SW9 6LJ	Display of 2 x non-illuminated fascia signs, 1x fascia only logo illuminated, 2x non-illuminated wall mounted aluminium panels and 1x non-illuminated totem. (Re-submission). (Retrospective)	Delegated Decision	Refuse Permission	14.07.2017	Appeal Allowed
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The main issue is the effect of the proposed signs on visual amenity with particular regard to whether they would preserve or enhance the character or appearance of the Brixton Road and Angell Town Conservation Area.

The Inspector noted that the retrospective proposal is modest and proportionate, with the illuminated element confined to a small area, given its setback from the road and would not appear unduly eye-catching or out of place. Similarly, the Inspector noted that the projecting signs were of modest size and discreet in appearance in relation to this frontage, and the proposed totem structure, though not characteristic of this area, would be no more intrusive in the street scene than a typical shop frontage.

Overall, the Inspector concluded that the appeal proposal, on balance, would not harm amenity nor conflict with policies of the Local Plan and have a neutral impact and preserve the character of the Conservation Area. Thusly, the Inspector allowed the appeal subject to the imposition of conditions.

17/00640/ADV	Refusal - Advert	24-28 Clapham High Street London SW4 7UR	Display of 2 internally illuminated fascia signs and 1 externally illuminated hanging sign - Resubmission (Advertisement consent and Town Planning application 17/00639/FUL)	Delegated Decision	Refuse Permission	31.07.2017	Appeal Dismissed
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**PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/07/2017 AND 31/07/2017**

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
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The Inspector considered the main issue of this appeal to be the effect of the proposal on the character and appearance of the area.

The Inspector noted that both the size of the fascias and the amount of lettering on them seems to be less than on the previous shopfront. In this particular respect, the Inspector considered that the proposal would preserve the character and appearance of the conservation area. However the Inspector considered that the proposed illumination would detract from the appearance of the conservation area. The inspector concluded that that the internally illuminated fascia would give rise to significant harm to the character and appearance of the area and would be detrimental to the general interests of amenity. The Inspector dismissed this part of the proposal.

The Inspector noted that the projecting sign would replace a larger square sign with one that is wider but of less height. The Inspector considered that these dimensions would better relate to the retained corbel to which it would be attached. The Inspector noted that the shape and size of this sign would not match exactly dimensions given in Policy Q17 of the Lambeth Local Plan (2017). However, the Inspector considered that it would be an improvement on the former sign. The Inspector concluded that the proposed bracket signage would be acceptable on amenity grounds. The Inspector allowed this part of the proposal.

The Inspector dismissed that part of the appeal concerning the fascia, and allowed that part of the appeal concerning the bracket signage.

17/01025/ADV	Refusal - Advert	15 Lett Road London SW9 0AF	Display of 3 internally illuminated fascia signs, 1 internally illuminated projecting sign, 1 externally-illuminated hanging sign, and 3 non-illuminated vinyl window signs.	Delegated Decision	Refuse Permission	31.07.2017	Mixed Appeal Result
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The Inspector noted that the proposal was largely retrospective, in the first instance and part-allowed the appeal and part-dismissed the appeal.

Those parts of the appeal relating to the banner sign (no.8) and the pole-mounted sign (no.9) were dismissed. Those parts of the appeal relating to the wall-mounted signs (no.s 1, 2 & 3), the projecting sign (no.4) and the frontage signs (no.s 5, 6 & 7) were allowed and express consent for the display of the signage as applied for was granted. The consent given is for five years subject to the five standard conditions set out in the Regulations.

The Inspector summarises that signs 1 - 7 are acceptable in terms of scale and visual amenity, being reasonable and appropriate to the premises they advertise.

However, the Inspector notes that banner sign, no. 8 and pole-mounted sign, no. 9 give rise to significant harm to the character and appearance of the Conservation Area, being unduly large and discordant features that detracts from amenity, failing to preserve its character and appearance.

16/06921/ADV	Refusal - Advert	Advertising Right Fronting 169 Clapham High Street London	Display of a single portrait advertisement with a display screen of 4m x 6m. The advertisement will be illuminated and feature the sequential display of static images.	Delegated Decision	Refuse Permission	21.07.2017	Appeal Dismissed
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**PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/07/2017 AND 31/07/2017**

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
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The Inspector considered the main issues of this appeal to be the effect of the advertisement on the visual amenity of the area with particular regard to various heritage assets, including the Clapham High Street Conservation Area (CA) and various listed buildings.

On the first issue the Inspector noted that the proposed advertisement would constitute a large and imposing structure in this prominent corner location however noted that the variation and lack of consistency in signage along Clapham High Street undermines the visual amenity of the streetscene. The Inspector considered that the supporting structure in matching brickwork would soften the visual impact to a degree. However, the Inspector considered that the sign would result in a dominant, disproportionate and incongruous addition to the streetscene which would harm visual amenity and went on to dismiss the appeal.

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	Allowed	Dismissed	Mixed
Month total	11	17	1
Financial year to date	28	48	1