

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/10/2017 AND 31/10/2017

| Council ref. | Appeal type | Address | Proposal | Decision type | Officer recommendation | Decision date | Appeal decision |
|--------------|-------------------------|---------------------------------------|---|--------------------|------------------------|---------------|-----------------|
| 16/05627/FUL | Refusal - Town Planning | 79 Braxted Park London SW16 3AU | Conversion of the property to provide 4 self-contained flats, involving the erection of a single storey ground floor rear extension and side infill extension and the installation of 3 rear rooflights to the main rear roofslope, together with new entrance access via Strathbrook Road and the provision of cycle/refuse stores, communal garden and associated landscaping works. (Re-submission). | Committee Decision | Refuse Permission | 03.10.2017 | Appeal Allowed |

The Inspector considered the main issue of this appeal to be the effect of the proposal on No 79 Braxted Park and the Streatham Lodge Conservation Area, having special regard to the desirability of preserving its character or appearance.

The Inspector considered that the principle of a pedestrian access off Strathbrook Road is not in itself out of character, and that, No. 79 already has a pedestrian access off Strathbrook Road, albeit not as formal as that proposed. He noted that the proposed boundary wall and gate to Strathbrook Road would have a similar appearance to the existing boundary treatment to Braxted Park and, as such, would appear appropriate.

The Inspector noted that in comparison to the scale of the overall dwelling, the alterations to the rear of the property as a whole, would be relatively small in scale and subservient. Whilst the areas of glazing forming part of these additions, including the proposed roof lights, would be significant relative to the additions, they would also remain subservient to the main dwelling. In addition, the Inspector noted that although the change to the rear building line would be apparent when viewed from Strathbrook Road, this would not appear out of character in the context of No 79's already different appearance to the mid-row dwellings of Braxted Park.

The Inspector allowed the appeal stating that the proposal would preserve the character and appearance of No79 and the Streatham Lodge Conservation Area, according with policies Q5, Q11 and Q12 of the Lambeth Local Plan 2015.

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|--------------|-------------------------|-------------------------------------|--|--------------------|-------------------|------------|------------------|
| 17/01242/FUL | Refusal - Town Planning | 271 Lyham Road London SW2 5NS | Roof extension over the existing rear return | Delegated Decision | Refuse Permission | 12.10.2017 | Appeal Dismissed |
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The Inspector considered the main issue of this appeal to be the effect of the proposed development on the character and appearance of the host building and area.

The Inspector considered that the proposed location of the rear roof extension, extending as it would over approximately half of the length of the rear return between the main rear roof and chimney stack, would result in an irregular form of development. In addition, due to its scale and proportions would not appear subordinate in design to the roof of the existing building, partly as a consequence of its width. He considered proposed extension would sit uncomfortably and would appear as an uncharacteristic and incongruous form of development, despite the position of the existing chimney acting as a partial screen of the end elevation. The Inspector also noted that the use of a glazed roof is not a characteristic incorporation of

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materials on this scale or form of development.

The Inspector dismissed the appeal.

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|--------------|-------------------------|---|---|--------------------|-------------------|------------|------------------|
| 17/00961/FUL | Refusal - Town Planning | 310 South Lambeth Road London SW8 1UQ | Erection of a rear dormer roof extension to second floor flat | Delegated Decision | Refuse Permission | 12.10.2017 | Appeal Dismissed |
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The main issue considered was whether the proposal would preserve or enhance the character or appearance of the host building and the South Lambeth Conservation Area.

The Inspector acknowledged that the principle of a dormer window was the most appropriate way to provide additional accommodation in conservation areas. However, he considered in this case, that the proposal did not comply with the guidance of the SPD which informs Policy Q11 of the adopted Local Plan.

He concluded that the proposal would cause substantial harm to a designated asset, appearing as an obtrusive and incongruous addition to the rear of the appeal property. Subsequently, he considered that the proposed development would fail to preserve or enhance the character of the South Lambeth Conservation Area, conflicting with policies of the Local Plan.

The Inspector thusly dismissed the appeal.

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|--------------|-------------------------|--|--|--------------------|-------------------|------------|------------------|
| 17/00822/FUL | Refusal - Town Planning | Land Rear Of 23 Becmead Avenue London | Erection of a 2 storey dwelling house, with front entrance via Steep Hill and provision of 1 car parking space, 2 cycle stands and refuse storage. | Delegated Decision | Refuse Permission | 19.10.2017 | Appeal Dismissed |
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The Inspector considered that the proposed dwelling would be set significantly forward of the existing well-established building line, resulting in an overly prominent presence within the streetscene, which would contrast adversely with the harmonious setting and character of existing streetscenes. He also considered the inclusion of dormer windows on the front elevation would be an obtrusive and uncharacteristic design feature. The Inspector noted that the proposal would not accord with policy Q14 - not allowing 70% of the existing open land to be retained with the original host building, being two-storey and sitting immediately adjacent to existing boundaries with No. 2 Steep Hill and No. 21 Becmead Avenue. He concludes that the proposal would not accord with policies Q5, Q7, Q9, Q10 and Q14 of the Local Plan, having an adverse effect on the character and appearance of the area, including on protected trees.

The Inspector considered that any external amenity space to the front of the property would not be considered private and the remaining space to the side of the proposed dwelling is insufficient and therefore conflicting with policy H5 of the Local Plan. The Inspector noted that the position of the proposed dwelling would relate poorly with No. 2 Steep Hill and Nos. 21 and 19 Becmead Avenue - resulting in an adverse impact on the outlook, daylight and sunlight and, direct overlooking to neighbouring occupiers. He therefore concludes that the proposal

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would not safeguard the living conditions of neighbouring occupiers contrary to policies H5, Q2 and Q14 of the Local Plan.

The Inspector subsequently dismissed the appeal.

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|--------------|-------------------------|-----------------------------------|--|--------------------|-------------------|------------|------------------|
| 17/00454/FUL | Refusal - Town Planning | 69 Acre Lane London SW2 5TN | Temporary change of use from dwellinghouse to short term let | Delegated Decision | Refuse Permission | 16.10.2017 | Appeal Dismissed |
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The Inspector considered the main issues of this appeal to be the effect of the proposed change of use:

- a) on the provision of housing in the Borough
- b) on the living conditions of neighbouring occupiers with regard to noise and disturbance
- c) on the provision of refuse and recycling and cycle facilities at the site

The Inspector noted that the aim of permitting the temporary use for short term lets during the owner's absence would be incompatible with the aims and objectives of the Local Plan. Policy H3 states that permanent housing should not be used for temporary accommodation, even if the change of use itself is temporary. The development would not fall into any of the exceptions provided in the policy. It would be considered a material change of use.

The Inspector noted that the frequency of activities resulting from the 5 year permission was unclear from the evidence provided. Visitor turnover of up to four guests and the activities associated with such intensification of the premises (comings and goings, luggage, deliveries, management visits, servicing visits and everyday activities) would lead to increased noise and disturbance and a consequent adverse impact on the living conditions of neighbouring occupiers.

The Inspector noted that the provision of refuse, recycling and cycle parking facilities was required as the proposal would constitute development. The likely high turnover of visitors would raise the demand for such facilities. The lack of information provided in the submission meant that the Inspector was unable to determine whether appropriate provision of site facilities could be made.

The Inspector went on to dismiss the appeal as the proposal was in clear contravention of the Local Plan (Policies Q2, Q12, Q13 and H3)

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|--------------|-------------------------|--|--|--------------------|-------------------|------------|------------------|
| 17/00330/FUL | Refusal - Town Planning | 3 Glenfield Road London SW12 0HQ | Replacement of existing windows with white uPVC framed windows (Flat 3A) | Delegated Decision | Refuse Permission | 10.10.2017 | Appeal Dismissed |
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The Inspector considered the main issues of the appeal to be whether the proposed development would preserve or enhance the character or appearance of the surrounding Hyde Farm

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Conservation Area and its effect on the character and appearance of the appeal property.

On this issue, the Inspector noted that the appeal property comprises an Edwardian era development which still retains its coherent overall composition, and its style contributes to the significance of the Hyde Farm Conservation Area. The Inspector addressed the fact that the appellant submitted conflicting plans and it was difficult to allude to whether the proposed windows would properly reflect a style appropriate to the original sliding sashes. The benefits of insulation from using uPVC would not outweigh the harm arising from the development. Overall, the Inspector concluded that the proposal would not preserve or enhance the character and appearance of the Hyde Farm Conservation Area and would have an adverse effect on the character and appearance of the host building.

The Inspector went on to dismiss the appeal.

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|--------------|------------------|---------------------------------------|--|--------------------|-------------------|------------|----------------|
| 17/01642/ADV | Refusal - Advert | 467 Brixton Road London SW9 8HH | Display of 1 externally illuminated decorative scaffold shroud screen advertisement comprising a 1:1 image of the building facade with an inset advertising area measuring 14m wide x 5m high, for a temporary period from 4th April 2017 to 4th September 2018. | Delegated Decision | Refuse Permission | 06.10.2017 | Appeal Allowed |
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The Inspector considered the main issue of this appeal to be the effect of the proposed advertisement on the amenity of the area, having regard to local heritage assets.

The Inspector noted that the Council takes no issue with proposed shroud image but object to the inset advertising area on the most prominent part of the building façade. They agree with the appellant that without the advertisement area, there would be little financial incentive for the shroud which would cover the proposed scaffolding and related sheeting and/or netting for the duration of the works.

During the site visit the Inspector noted a nearby building that was undergoing building works and clad in plastic sheeting and commented that the obscuration of the appeal building by scaffolding and related sheeting would significantly harm the amenity of the area. Therefore, they believe the shroud would give visual benefit as it would hide the proposed works and would offset the visual impact of the advertisement display, especially as it would be for a temporary period. The Inspector notes other advertisements mounted above street level in the locality and therefore does not consider that the advert would appear out of place.

With regard to the swan neck lighting above the advertisement panel, the Inspector considered that with a discreet number of fittings relative to the width of the proposed advertisement, they would not impart a cluttered appearance especially due to the broader scale of the host building. The fittings would unlikely deteriorate and the bird droppings would not be an issue due to the contemporary consent sought.

The Inspector subsequently allowed the appeal subject to conditions.

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| 17/00960/FUL | Refusal - Town Planning | 40 Park Hall Road London SE21 8DW | Loft conversion involving the erection of a rear dormer roof extension and a rear roof terrace and installation of a front rooflight. | Delegated Decision | Refuse Permission | 10.10.2017 | Appeal Dismissed |

The Inspector considered the main issues of this appeal to be 1) the effect of the proposed development on the character and appearance of the host building, streetscene, and area, and 2) whether the proposals would safeguard the living conditions of neighbouring occupiers, having regard to privacy.

The Inspector noted that 'neither the incorporation of a roof extension on the rear return nor the provision of an inset rear dormer facilitating the provision of the terrace, would accord with the design principles set out within the SPD'. With regards the proposed front rooflights, the Inspector noted that 'whilst I accept the Council's criticism of the size and positioning of the rooflights in relation to the windows below, I am not persuaded that these specific factors would detract from the appearance of the host dwelling or area to a sufficient degree so as to be visually harmful.'

The Inspector also considered that the proposed terrace would be set in place of the rear main roof slope of the dwelling, with the effect that the three-storey rear return would screen the potential for direct overlooking towards the habitable room windows of neighbouring properties on Clive Road, and was satisfied that the presence of a proposed 1.7 metre high screen wall as indicated on the submitted plans would provide sufficient mitigation to prevent any unacceptable opportunities for overlooking. The Inspector also observed on site that, the rear first and second floor bedroom windows within the rear return already provide the opportunity for direct overlooking of neighbouring gardens at a far closer proximity.

The Inspector went on to dismiss the appeal.

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| 17/00936/ADV | Refusal - Advert | 84 - 100 Streatham High Road London SW16 1BS | Display of 4 non-illuminated hanging banners to front elevation and 1 backlit advertisement board to side elevation. | Delegated Decision | Refuse Permission | 03.10.2017 | Appeal Dismissed |
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The Inspector considered the main issues of this appeal to be 1) the effect of the proposal on the character and appearance of the Conservation Area and 2) the effect of the proposal on the impact of amenity on the character of the Conservation Area.

The Inspector noted that, by virtue of the cumulative visual effect of the projecting banner signs, and the size, location, and means of illumination of the additional advertisement on the side elevation, the proposed signage would not reflect the positive qualities and appearance of other advertisements within the conservation area, and would not neither preserve nor enhance the character and appearance of the conservation area.

The Inspector also considered that due to the number signs proposed on site - this has the potential to be distracting both amenity and safety grounds, and ultimately counter-productive in delivering a message or the purpose of the advertisements. Furthermore, the proposed advertisements would result in amenity concerns and would also not therefore accord with the Framework, which seeks to prevent the negative impact of poor advertisements. Therefore, the proposed development is contrary to Policy Q17 and Q22 of the Local Plan (2015) and Advertisement and Signage Guidance (2016). As such, the appeal was dismissed.

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| 17/01505/ADV | Refusal - Advert | 79 - 81 Clapham Common South Side London SW4 9DQ | Display of hotel name board signs hanging in traditional metal frame fixed onto a single post. | Delegated Decision | Refuse Permission | 16.10.2017 | Appeal Dismissed |

The Inspector considered the main issues of this appeal to be the effect of the advertisement on the character and appearance of the area and its visual amenity with particular regard to the Clapham Conservation Area.

It was noted, in the first instance that, the site already has advertising in the form of a large blue sign at the railings, wording on blue coloured window canopies and a painted advert on the frontage. The appellant referred to the existing signage being removed if this one was permitted at appeal, but this appears to refer to the sign board at the railings only.

Due to being situated on top of a pole, the size and 4.5m overall height of the advertisement would be prominent along the frontage of this part of Clapham Common Southside, and the Inspector did not find any similar advertisements along this stretch and side of the road. The Inspector concluded that a further large different sign at the appeal site will add to that clutter and detract from the otherwise residential area where it is located, and the signage would detrimentally affect the visual amenity of the area.

The Inspector considered that the advertisement would clearly be contrary to the aims of protecting local character and heritage assets as set out in Policies Q17 and Q22 of the Local Plan (2015) and the guidance set out within the SPD Advertisement and Signage Guidance.

The Inspector dismissed the planning appeal.

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| 17/01405/FUL | Refusal - Town Planning | 121 Clapham Manor Street London SW4 6DR | Refurbishment of existing property, including demolition of existing rear extension and outbuilding, together with extension at lower and upper ground floor levels plus replacement of windows and new front door, along with other associated alterations. | Delegated Decision | Refuse Permission | 30.10.2017 | Appeal Allowed |
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The Inspector considered the main issues of this appeal to be the effect of the proposal on the character and appearance of the host property and whether it would preserve or enhance the character and appearance of the Rectory Grove Conservation Area.

The Inspector noted that the proposed extension would have a projection of around 14.3m beyond the original rear elevation, tripling the original ground floor footprint. The stepped form of the extension would ensure its height appears modest. The reducing height of the extension as it extends towards the rear and where the eaves height would be similar to the height of the existing fence, and would ensure that it would not appear excessively long. The extension, being partially sunken into the garden, would ensure it appeared subordinate.

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The inspector considered that the proposal would have an unusual roof form. From site observations, extensions along the rear were visible, including one of the adjoining properties which comprised of a pitched roof but, with the rear extension having differing heights and roof pitches. The main roof on the appeal dwelling also has an asymmetrical form. From the rear garden, the roof of the extension would reflect the angles of the roof on the main building, and the Inspector considered that this would not appear incongruous and the green roof design would assimilate well with the garden.

The Inspector went on to allow the appeal.

| | Allowed | Dismissed | Mixed |
|------------------------|---------|-----------|-------|
| Month total | 3 | 8 | 0 |
| Financial year to date | 38 | 69 | 1 |