

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
16/03675/FUL	Refusal - Town Planning	Workshop Rodmill Lane London	Demolition of existing site buildings and the erection of 3 storey building to provide a terrace of 7 dwellings (Use Class C3), with the provision of refuse and recycling storage and cycle parking.	Delegated Decision	Refuse Permission	17.11.2017	Appeal Allowed

The Inspector considered that the main issues for assessment was the suitability of the site for ongoing business use, the impact on highway safety and the impacts of the proposal on residential amenity and anti-social behaviour and parking stress.

The Inspector considered the large industrial building on site was in need of repair, although no marketing evidence was submitted with the planning application the Inspector accepted marketing evidence submitted with the appeal. The report identified reasons why the site was unsuitable for continuing commercial use and demonstrated that ongoing marketing since 2015 had not elicited any serious offers. The Inspector cited the NPPF in regard to it stating that applications for changing commercial builds to residential use should be approved where there is an identified need for housing in the area and noted Lambeth's ambition to maximise the supply of additional homes to meet and exceed the annual housing target. The Inspector observed that, due to the constraints of the site that the building is unsuitable for ongoing business use.

The Inspector stated that the proposal would benefit from the public realm works included in the proposal and accepted the appellants transport statement which, indicated that the proposal would result in a reduction of traffic movements of around 23 trips. The Inspector concluded that the benefits would outweigh any harm that non-compliance with some aspects of Lambeth Local Plan policy T7. However, the Inspector stated that occupiers of dwellings on Sulina Rd and on the south and east side of Rodmill Lane would be by affected by activities on the site, regardless of the use and leaving the site undeveloped creates the opportunity for anti-social behaviour.

The Inspector noted the window designs overcoming overlooking and loss of privacy issues with neighbouring occupiers and would provide lighting and natural surveillance along Rodmill Lane. The Inspector allowed the appeal

16/06381/FUL	Refusal - Town Planning	133 Stockwell Road London SW9 9TN	Part change of use of the existing restaurant and erection of a 3 storey extension to the rear of the existing building to provide 1 No. self contained two bedroom four person Flat, 2 No self contained one bedroom two person Flats and a roof top communal amenity space.	Delegated Decision	Refuse Permission	14.11.2017	Appeal Dismissed
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The main considerations of the appeal were: whether it would provide acceptable living conditions for future residents having regard to internal and outdoor space: - make adequate provision for waste and recycling facilities; - the effect of the proposal on the character and appearance of the host building and the surrounding roofscape; and - whether it would compromise the future development of the neighbouring site at 117-131 Stockwell Road.

The Inspector considered that due to the orientation of the windows to the main living area and bedroom 1 of flat A, it would receive a restricted amount of natural light and feel very

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gloomy. He also noted that the outdoor space would be significantly overshadowed and not provide a comfortable space which to sit out. The living conditions for the occupiers of Flat A would be unacceptable in terms of light and outlook. He noted that the proposed accommodation within flats B and C are acceptable, the overall amount of amenity space is adequate but, the poor quality of space for flat A and contrived arrangement of the communal amenity space indicates a general inadequacy of amenity space.

The Inspector considered that due to the lack of information submitted and the number of waste/recycling receptacles necessary to serve all of the flats proposed - a condition would not be suitable in this instance, as it is considered that the provision of sufficient waste/recycling facilities would materially alter the scheme. Notably, the Inspector considered that the proposed development would accord with the general character of other nearby flatted residential development and would not conflict with the objectives of policy Q11.

With regards to any future development at 117-131 Stockwell Road, the Inspector concluded that the proposal would not necessarily compromise any future development on this site and not conflict with policy Q2 or Q5. The appeal was dismissed.

16/04965/FUL	Refusal - Town Planning	5 - 6 Waterworks Road London SW2 1SE	Demolition of the existing buildings and redevelopment of site with the erection of a 6 storey building with a basement level to provide, office accommodation (use class B1 and flexible B1/D1) at basement, ground, and first floor levels together with 28 residential units above (Use Class C3). Provision of refuse and cycle parking.	Delegated Decision	Refuse Permission	20.11.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be (a) the effect on the character and appearance of the CA and adjacent buildings; (b) its effect on the long term viability of the adjacent KIBA and other commercial uses; (c) living conditions for the scheme's occupiers in terms of noise and single aspect units; and (d) whether the highway, parking and servicing arrangements provided off the site could be secured.

On issue (a), the Inspector noted that the proposal competed with the adjacent pump house and locally listed pub (both positive contributors), diminishing their imposing effect on this part of the CA. As a key feature of the CA's significance, the dominant visual effect of the proposal would create unacceptable harm to the CA, albeit less than substantial. On issue (b), the Inspector noted that noise mitigation could be secured by condition, as long as there is also a scheme of ventilation. The Inspector felt that inclusion of openable windows would not be likely to give rise to noise complaints (thereby threatening the viability of the KIBA), as people would be likely to just close their windows. On issue (c), the Inspector felt noise impact could be mitigated through a condition. Issues including site limitations (a linear site) and no north-facing single-aspect units were "exceptional circumstances" in the context of policy H5 and so the scheme accorded with policy. On issue (d) the Inspector noted that off-site works or actions that had some prospect of occurring could be secured by a condition prior to commencement.

The Inspector concluded that the public benefits did not outweigh the significant weight attached to the limited harm to heritage assets, and dismissed the appeal.

17/00636/FUL	Refusal - Town Planning	5 Floris Place London SW4 0HH	Construction of a loft conversion with the erection of a front and rear mansard roof extension,	Delegated Decision	Refuse Permission	23.11.2017	Appeal Allowed
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The main issue considered was the effect of the development on the character and appearance of the host building and the surrounding area, and on the setting of a listed building and the adjacent Clapham Conservation Area.

The Inspector acknowledges the SPD as a material consideration that proposals must comply with, however he notes that the proposed roof extension would unlikely be visible from the ground level within Floris Place, and only partially visible from the far side of North Street and from the entrance to Charlotte Row.

The Inspector notes that the criteria within the SPD is prescriptive with little scope for deviation and that the proposal design does not comply with the SPD's design guidance for mansard roofs. However, the Inspector notes that the examples shown within the SPD are not comparable to the appeal site and highlights paragraph 4.28 of the SPD which seeks to ensure that such extensions are well integrated with the main building and are clearly subordinate.

As such, the Inspector concludes that due to the very limited visibility of the proposed roof extension and being clearly subordinate to the host building - it would have no harmful impact on the character and appearance of the area. he concludes that the development would have no harmful effect on the setting of heritage assets and comply with paragraph 131 of the NPPF and policy Q22 of the Local Plan.

The Inspector allowed the appeal, subject to conditions.

16/06577/LDCP	Certificate 4 Lawful Development Appeal	138 Kings Avenue London SW12 0BB	Application for a Certificate of Lawful Development (Proposed) with respect to the replacement of an existing outbuilding at the rear garden for a self-contained gym.	Delegated Decision	Refuse Permission	30.11.2017	Appeal Dismissed
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The main issue considered was whether the decision to refuse the grant of the certificate was well founded and the proposed outbuilding in the rear garden would have amounted to permitted development at the time of the application.

The Inspector noted the varying planning history of the appeal site and stated that he found nothing 'unusual' about the size of the outbuilding relative to the size of the host property and garden. However, the Inspector agreed with the Council's concern with the term "self-contained gym" and that the use may not be ancillary to the main dwelling - given the inclusion of a changing room and fully fledged bathroom - with access from Parkthorne Road - and potentially used separately from the house.

The Inspector reinforced the Council's concerns with the lack of information provided about the use of the gym rooms or the bathroom and states that the appellant fails to justify a genuine and reasonable family need, with no information provided as to the type of equipment that would be installed, including the space that would be needed for such equipment.

The Inspector concludes that the replacement of existing structures with an elaborate scheme does not justify the proposal and states that the appellant has failed to discharge the burden of proof and that on the balance of probabilities the proposed replacement outbuilding would not benefit from permitted development rights within Class E of the GPDO.

The Inspector subsequently dismissed the appeal.

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16/06726/FUL	Refusal - Town Planning	Camel And Artichoke 121 Lower Marsh London SE1 7AE	Refurbishment of the property involving the retention of the existing pub at ground and basement level including replacement of flue extraction and conversion of upper floors to provide 3 self-contained flats, together with erection of rear extension at first floor level with roof terrace and provision of cycle and bin storage at the rear.	Delegated Decision	Refuse Permission	10.11.2017	Appeal Allowed
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The Inspector considered the main issues of these appeals to be whether the first floor seating area should be retained as part of the public house use and whether the proposed flats would provide acceptable living conditions for their occupiers in relation to noise and disturbance and outdoor amenity space. In addition, in relation to Appeal A only - the effect of the extension on the character and appearance of the locally listed building and the area generally, including the effect on the Lower Marsh Conservation Area and the effect of the extension on the living conditions of the occupiers of No 122 Lower Marsh in relation to outlook and daylight.

The Inspector noted that the loss of seating area would unduly restrict the future of the business and the optimum amount and layout of seating in a public house must primarily be a matter for the operator who in this case has opted for reduced floorspace. He noted that by implementing the measures set out in the acoustic design review and noise impact assessment, the appropriate noise standards within the flats would be met and given the constraints of the building in this case the lack of external amenity space for the flats is not a sufficient reason to withhold permission for either scheme.

Relating to Appeal A only, the Inspector noted that harm would be limited, much less than substantial, and outweighed by the public benefit of securing the optimum layout for the three flats. He considered the proposed extension would protect the visual amenity of adjoining sites and adequate outlooks, avoiding any undue sense of enclosure.

The Inspector subsequently allowed the appeal subject to conditions.

16/01120/FUL	Refusal - Town Planning	Twenty Lock Up Garages Charwood Leigham Court Road London	Retrospective application for the change of use of the garages for storage of building materials and tools to include the restriction on vehicles over 3.5 tonnes and use between 7:30am and 6:30pm.	Delegated Decision	Refuse Permission	10.11.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be the effect on the living conditions of nearby residents with regards to noise and disturbance, parking and highway safety.

The inspector noted the estimated vehicle movements from the lorries are between 4 -10 per day and they are over and above that domestic level of activity. Residential dwellings are

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located adjacent to the garages, along the access road and on neighbouring land next to the garages and they are vulnerable to the impact of the business use. The use results in frequent movements of commercial vehicles in the week causing increased noise and disturbance that has a significant adverse impact on the nearby residents.

The inspector considered the site has a poor transport rating and likely to be more reliant on private transport, but noted the current arrangement appeared to accommodate on-site demand for parking and is not exacerbating on street parking. He noted an apparent conflict between commercial lorries using the site and pedestrians and vehicles in the vicinity during the peak time school run and rush hours for work as the site is located opposite a school, next to a bus stop and off a main road. The Inspector concluded that the conditioning of a highway management plan would appropriately address concerns and no S106 agreement to secure safety measures was submitted.

However, the Inspector considered the matters in favour of the development did not outweigh the harm, in terms of the first and third issue and subsequently dismissed the appeal.

17/02342/FUL	Refusal - Town Planning	Camel And Artichoke 121 Lower Marsh London SE1 7AE	Retention of public house at basement and ground floor including replacement of flue extraction and conversion of the upper floors to provide 3 self contained flats, together with provision of refuse and bike storages at rear.(Re-submission).	Delegated Decision	Refuse Permission	10.11.2017	Appeal Allowed
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The Inspector considered the main issues of these appeals to be whether the first floor seating area should be retained as part of the public house use and whether the proposed flats would provide acceptable living conditions for their occupiers in relation to noise and disturbance and outdoor amenity space.

In addition, in relation to Appeal A only, the Inspector considered the effect of the extension on the character and appearance of the locally listed building and the area generally, including the effect on the Lower Marsh Conservation Area and the effect of the extension on the living conditions of the occupiers of No 122 Lower Marsh in relation to outlook and daylight, and noted that harm would be limited, much less than substantial, and outweighed by the public benefit of securing the optimum layout for the three flats. The Inspector noted that the loss of the seating would unduly restrict the future of the business and, the optimum amount and layout of seating in a public house must primarily be a matter for the operator who in this case has opted for reduced floorspace.

The Inspector noted that by implementing the measures set out in the acoustic design review and noise impact assessment, the appropriate noise standards within the flats would be met and given the constraints of the building in this case the lack of external amenity space for the flats is not a sufficient reason to withhold permission for either scheme. He considered that the proposed extension would protect the visual amenity of adjoining sites and adequate outlooks, avoiding any undue sense of enclosure.

The Inspector went on to allow the appeal subject to conditions.

16/02943/FUL	Refusal - Town Planning	Land Adjacent To 1 Auckland Hill London	The redevelopment of site involving the erection of part 2, part 3 storey building to provide 5 residential units (3 x 1 bed and 2 x 2 bed) with	Delegated Decision	Refuse Permission	30.11.2017	Appeal Dismissed
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associated landscaping, refuse and cycle stores and other alterations (revised plans) at land adjacent to 1 Auckland Hill.

The Inspector considered the main issues of this appeal to be whether: the development provides appropriate and balanced mix of unit sizes; have an acceptable visual appearance within the streetscene; create acceptable living conditions for its future occupiers; provide sufficient on-site landscaping and compensate for the five trees to be lost at the adjoining Site of Importance for Nature Conservation (SINC) and, if replacement tree planting could/should take place at the adjoining SINC without prejudicing the safe operation of the adjoining train line.

The Inspector was presented with evidence that the internal layout of the proposed building could be altered to provide family sized units. He considered that, given the location within a predominantly residential area with easy access to a district centre, the appeal site lends itself to supporting family living. He concluded that the proposed development would not provide an appropriate and balanced mix of unit sizes to help meet the Council's current and future housing needs.

The Inspector noted the projection of built development beyond the existing building line along the western side of Auckland Hill would, be out of keeping with the prevailing pattern of development in this area. The windows and balconies positioned directly onto the pavement would not reflect frontages of the existing development in the area. He shared officers' concern that an area of the existing site, though forming part of the appeal site area, had not been incorporated into the development of the site which would become poorly maintained and likely have a negative visual impact on the streetscene. He agreed that the proposed cycle store would appear cramped and concluded that the development would not have an acceptable visual appearance within the streetscene. Future occupiers may likely experience a sense of enclosure due to the lack of defensible space to the front, requiring privacy screens - restricting outlook. Planting at the adjoining SINC, along the south west boundary, would obstruct and reduce daylight to the ground floor flats. He considered the proposal contrary to Policies H5 and Q2. Without the mitigation measures requested by the council, there would be a loss to nature conservation interest at the SINC and, there would be significant harm to nature conservation or biodiversity value of an open space which is contrary to policy EN1. The Inspector also agreed that a legal agreement would be required to secure the safe removal of the trees on the adjoining SINC site.

The inspector went on to dismiss the appeal.

16/02853/FUL	Refusal - Town Planning	1 St Alphonsus Road London SW4 7BA	Demolition of existing community hall (Use Class D1) and erection of a four storey building with raised podium to provide a community centre with ancillary café (Use Class D1), gym (Use Class D2) at ground floor level and 14 new dwellings (Use Class C3) on the upper floors comprising 6 x 1-bed flats; 1 x 2-bed flat; 6 x 2-bed duplex and 1 x 3-bed duplex, together with associated landscaping, amenity spaces and cycle parking.	Delegated Decision	Refuse Permission	14.11.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be 1) effect of the proposal on the living conditions of the occupiers at 9 St Alphonsus Road & at 12, 14, 16, 18, 20 & 22 Clapham

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Park Road in respect of outlook, daylight & sunlight, & 2) whether an acceptable standard of living conditions would be provided to the new dwellings (amenity space). The Inspector noted that the reason for refusal with regard to affordable housing was rescinded by the Council at the hearing, due to additional information provided by the appellant with regard to the Existing Use Value of the site.

The Inspector noted that the appellant had applied the concept of mirror massing as an attempt to identify an alternative standard which would be more befitting of an urban location (to 9 St Alphonsus Road scheme). As the adjacent development is in close proximity to the boundary of the appeal site, the appellant argued that the 9 St Alphonsus Road scheme was taking more than its fair share of light. The Inspector gave little weight to this argument concluding that the site characteristics differ & that it would be a reasonable pre-requisite that the presence of a mirrored building would at least need to be a conceivable prospect for a mirror massing assessment to be accepted & in this case it was not a conceivable prospect.

Given the number of impacts the Inspector upheld the appeal on this reason for refusal, noting impacts on 9 St Alphonsus Road (Units 2, 3, 4 and 5-daylight & outlook), 18 Clapham Park Road (outlook), 20 & 22 Clapham Park Road (daylight, sunlight & outlook). In addition, the Inspector concluded that the decked landscaped areas couldn't be defined as communal amenity space for the purposes of policy H5. He noted that the Council hadn't demonstrated what the local conditions were to require the greater amount of amenity space when compared to London Plan policy noting the nearby Clapham Common.

16/07062/FUL	Refusal - Town Planning	49 St Luke's Avenue London SW4 7LG	Erection of a single storey ground floor rear extension, together with the installation of a side door to flat 1.	Delegated Decision	Refuse Permission	28.11.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be 1) the character and appearance of the host building and the area, 2) the living conditions of the occupants of the neighbouring properties with particular regard to outlook and enclosure.

The inspector noted whilst not a large extension, it would occupy the bulk of the existing garden area at the rear of the property leaving only around a 0.5m gap between the extension and the rear wall of the garden - though there would be some amenity space remaining at the side of the property. The extension would appear bulky, cramped and it would not complement or be subordinate to the host building. It was concluded that the proposed development would be harmful to the character and appearance of the host building and the area.

The Inspector considered the development would lead to poor outlook and create a sense of enclosure for the occupants of the immediately adjoining property, from within their garden and would therefore be harmful to the living conditions of the occupants of the immediately adjacent property.

The Inspector went on to dismiss the appeal.

16/06342/FUL	Refusal - Town Planning	110 Greyhound Lane London SW16 5RN	Subdivision of existing commercial unit on the ground floor to provide a studio flat involving alterations to the front, rear and side elevations.	Delegated Decision	Refuse Permission	09.11.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be 1) the living conditions of future occupiers with respect to light, outlook and layout of the proposed unit and 2) the effect of the proposal upon carbon emissions

The Inspector noted that the unit would exceed the minimum size standard for a studio flat and the external space would meet the size required by Policy H5. Rooflights would allow for natural light within the unit and external structures would be removed. He considered that the external space would be tightly enclosed by surrounding buildings which would restrict daylight and sunlight, as well as, significantly affecting the outlook. The Inspector considered that occupiers would feel "hemmed in" by surrounding structures. He considered the sense of enclosure to be detrimental to the enjoyment of both the internal and external spaces and that this would not be improved through the use of planting. The nearby activity and noisy ventilation systems would reduce the enjoyment of the rear external space and concluded these issues would not be offset by exceeding minimum internal space standards.

The Inspector considered that, owing to the small size of the development within a very restricted position, it would be unlikely to cause any significant impact upon carbon emissions or undermine the aims of relevant sustainability policies. He stated that the lack of compliance with procedural requirements of the policies does not significantly weight against the proposal.

The Inspector dismissed the appeal.

16/05885/FUL	Refusal - Town Planning	16 Ferndale Road London SW4 7SF	Erection of a two storey lower ground floor rear extension including Juliette balcony along with external terrace and the installation of external steps.	Delegated Decision	Refuse Permission	09.11.2017	Appeal Allowed
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The main issue is whether the proposed extensions would preserve or enhance the character or appearance of the Ferndale Road Conservation Area.

The Inspector noted that many of the fronts of buildings along the street are embellished with elaborate ornamentations and are unified - significant to the conservation area, but notes that the rear elevations of the appeal site and many others are plain and varied and have been substantially altered. Therefore, they are not significant to the overall character and appearance of this group of buildings of the wider conservation area.

The Inspector considered that the proposed development would be subordinate to the host building and its distinctive features and wider terrace with the conservation area would be unaffected. As such, the proposal would preserve the character and appearance of the conservation area, complying with Local Plan policies Q5, Q8, Q11 and Q22, in addition to section 12 of the National Planning Policy Framework, requiring the conservation and enhancement of the historic environment.

The Inspector allowed the appeal, subject to conditions.

16/06288/FUL	Refusal - Town Planning	21 Garrad's Road London SW16 1JY	Alterations to front boundary walls and gates.	Delegated Decision	Refuse Permission	06.11.2017	Appeal Allowed
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The Inspector considered the main issue of this appeal to be whether the development preserves or enhances the character or appearance of the Streatham Park and Garrads Road Conservation Area (CA).

The Inspector noted that the development is set within an eclectic mix of boundary treatments in the Conservation Area. He considered that the front boundary structure preserves the character and appearance of the Conservation Area, and it would comply with policies Q2, Q11, Q15 and Q22 of the Lambeth Local Plan 2015.

The Inspector allowed the appeal.

17/01021/G24	Refusal - Town Planning	Telephone Kiosk On Pavement Outside 91 Waterloo Road London	Application for prior approval for the installation of 1 public call box.	Delegated Decision	Prior Approval Refused	20.11.2017	Appeal Dismissed
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The Inspector considered the main issues to be: the character and appearance of the surrounding area including the setting of the Grade II listed building and on the nearby Lower March Conservation Area, and, highway and pedestrian safety.

The Inspector considered that the siting and appearance of the development would have a harmful effect on the character or appearance of the surrounding area creating a visual clutter of street furniture in this part of Waterloo Road. As a result, the proposal would be contrary to policies T10 and Q6 of the Lambeth Local Plan 2015. Combined, these policies seek to ensure that telecommunication proposals do not cause unacceptable harm to the character or appearance of the area or create unacceptable clutter and provide an attractive and uncluttered and coordinated public realm.

However, the Inspector considered that the proposal would have no adverse impact upon the setting of the listed building nor upon the Lower Marsh Conservation Area. In addition, he states that the proposal would have no harmful effect on highway or pedestrian safety, thus complying with policies Ti, T2, T6 and T10 of the Local Plan.

The Inspector dismissed the appeal as he considered that the harm identified in relation to the character and appearance of the surrounding area, would not be outweighed.

17/01107/FUL	Refusal - Town Planning	Crozier House 17 Wilkinson Street London SW8 1DQ	Replacement of existing white timber framed single glazed windows and doors with new white UPVC double glazed windows and doors to match the existing design.	Delegated Decision	Refuse Permission	22.11.2017	Appeal Dismissed
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The Inspector considered the main issue of this appeal to be whether the proposal preserves or enhances the character or appearance of the Albert Square Conservation Area (ASCA).

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The Inspector considered that, although the appeal building is comparatively modern in design and considered as a negative contributor to the Albert Square Conservation Area, its use of timber doors and windows complement the slender timber framed counterparts at the surrounding Victorian terraces. This would result in non-traditional material doors and windows in close proximity to adjoining Victorian terraced properties. Whilst it is noted that the Inspector considered that the harm to the conservation area would be less than substantial, it was considered that it would not outweigh the public benefits (e.g. the proposal would improve the energy efficiency, sound insulation, occupant life quality and replace openings in need of repair with recyclable windows and doors that would be durable and maintenance free in the long term).

The Inspector concluded that the proposal would not preserve nor enhance the character or appearance of the conservation area and would be contrary to paragraphs 131 - 134 of the NPPF and the Policies Q5 and Q22 of the Lambeth Local Plan 2015, and subsequently dismissed the appeal.

17/01540/FUL	Refusal - Town Planning	9 Killyon Terrace Killyon Road London SW8 2XR	Erection of a rear mansard roof extension with dormer windows and installation of 2 x rooflights to the front roofslope (second floor flat)	Delegated Decision	Refuse Permission	27.11.2017	Appeal Dismissed
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The main considerations were the effect of the proposed development on the character and appearance of the area and, the living conditions of future occupants with particular regard to potential noise and odours from the existing flue on the rear of the property.

The Inspector noted examples of mansard roofs on similar blocks nearby and stated that the proposed development does not comply with the set criteria of the SPD for mansard roof extensions. He also noted that the design of the proposed dormer windows do not match the sash design of the windows on lower floors and concludes that the proposed development would be harmful to the character and appearance of the area, contrary to policies Q5, Q11 and Q8 of the Local Plan, as well as the guidance on mansard roof designs set out in the SPD.

In terms of the impact of the existing flue upon future occupants, the Inspector concluded that the proposal would be harmful to their living conditions in terms of noise and odours, contrary to policy Q2 of the Local Plan. As a result, the Inspector dismissed the appeal.

17/01310/G24	Refusal - Town Planning	Telephone Kiosk Outside Clapham Common Underground Entrance Clapham Common South Side London	Application for prior approval for the installation of a solar powered telephone kiosk.	Delegated Decision	Prior Approval Refused	07.11.2017	Appeal Dismissed
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The Inspector considered that main issues of this appeal to be 1) on the character and appearance of the area, including would the proposal preserve or enhance the character and appearance of the Conservation Area and its effects on the setting of a listed structure, and 2) on pedestrian safety.

The Inspector considered that the kiosk would add to existing street clutter, contrary to policy T10 of the Local Plan, having an adverse effect on its character and appearance. He noted that the appeal site is within the Clapham Conservation Area and within close proximity of the boundary of the Clapham High Street Conservation Area - highlighting the Grade II listed clock tower and underground station building being close to the appeal site. He concludes that the proposal would be overly dominant and incongruous, having an adverse impact upon the character and appearance of the area, failing to preserve or enhance the character or appearance of the conservation area and, harmful to the setting of the listed structure.

The Inspector considered that the proposal, being located in an area of high pedestrian footfall would have a notable impact on pedestrian flows which in turn would be harmful to pedestrian safety - contrary to policies T10 and T2 of the adopted Local Plan.

The Inspector dismissed the appeal.

17/01311/G24	Refusal - Town Planning	Telephone Kiosk Opposite 8 The Pavement London	Application for prior approval for the installation of an solar powered telephone kiosk.	Delegated Decision	Prior Approval Refused	07.11.2017	Appeal Dismissed
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The Inspector considered that main issues of this appeal to be the impact of the proposal on the character and appearance of the area, including would the proposal preserve or enhance the character and appearance of the Conservation Area and its effects on the setting of a listed structure, and, on pedestrian and highway safety.

The Inspector considered that the development would result in creating a cluttered public realm and overly dominant contrary to policies T10 and Q6 of the Local Plan, failing to preserve or enhance the character and appearance of the conservation area, thereby interrupting the open views across the green space and would be harmful to the setting of the listed structure.

The Inspector noted that the proposal would occupy a sizable area of pavement and with its prominent position, would limit the area for pedestrians to walk. Therefore, he concluded that the lack of harm found to highway safety does not outweigh the harm to pedestrian safety as result of the kiosk being an obstruction to pedestrians because of its siting.

The Inspector dismissed the appeal.

17/01313/G24	Refusal - Town Planning	Telephone Kiosk Outside Boots 172 Clapham High Street London	Application for prior approval for installation of an electronic communications apparatus.	Delegated Decision	Refuse Permission	07.11.2017	Appeal Dismissed
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PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

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 1) the character and appearance of the area, including whether or not it would preserve or enhance the character and appearance of the Clapham High Street Conservation Area and 2) highway and pedestrian safety.

The Inspector considered that "being an item of street furniture, the proposed kiosk would not be out-of keeping with the commercial character of the area at street level. Together with the limited contribution the appeal site makes to the character and appearance of the conservation area, the development would have a neutral effect on the character and appearance of the conservation area, that is to say one of preservation." He concluded that the proposal would preserve the setting and the character and appearance of the conservation area.

However, the Inspector noted that the submitted plans show an unobstructed pavement width less than 2 metres, as per TFL recommendation. He noted that the pavement is well used by pedestrians, and considered that the development would further interfere with and therefore adversely affect pedestrian flows. But, he noted that the kiosk would be a sufficient distance from the kerb and would not interfere with the movement of vehicles.

The Inspector dismissed the appeal.

17/01316/G24	Refusal - Town Planning	Telephone Kiosk Outside Sainsburys 33 Clapham High Street London	Application for prior approval for installation of an electronic communications apparatus.	Delegated Decision	Refuse Permission	15.11.2017	Appeal Dismissed
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The main considerations of the proposal were the effects upon: (a) the character and appearance of the area, including whether it would preserve or enhance the character and appearance of the Clapham High Street Conservation Area, and (b) highway safety.

The Inspector noted that the appeal site is an important part of the setting to no. 35 Clapham High Street and therefore contributes positively to the character and appearance of the conservation area as a whole. The Inspector considered the proposal as an overly dominant and incongruous development that would detract from the sense of spaciousness to the front of No. 35 and thusly, be harmful to the character and appearance of the conservation area overall.

Given the proximity of the proposal to the junction of Cato Road and its prominent position near the highway, the Inspector considered that the proposal would obstruct a driver's visibility of oncoming vehicles when exiting onto the High Street - creating a risk of collision. as such, the Inspector determined the proposal as harmful to highway safety and dismissed the appeal.

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
17/01503/FUL	Refusal - Town Planning	6A Christchurch Road London SW2 3EX	Erection of front, rear and side dormer roof extensions to first floor flat.	Delegated Decision	Refuse Permission	27.11.2017	Appeal Dismissed

The Inspector considered the main issues of this appeal to be (a) the effect of the proposal on the character and appearance of the host building and the wider area.

In the first instance, the Inspector noted that the appeal property does not have any particular architectural merit but contributes to the character of the street scene by its symmetry and the way it relates to the detached properties either side. The Inspector noted that the proposed front dormer extension would match the design, size and location within the roof of the proposed rear dormer extension. However, the front dormer would be extremely prominent in the street scene and would interrupt the existing clean roofline of the semi-detached pair and unbalance the appearance of the properties unduly, thusly harm the symmetry of the building which is currently part of its overall character. The proposed side dormer extension would be narrower than those proposed on the front and the rear, and, given the slope of the roof, would extend out a considerable distance.

The Inspector considered that the combination of the proposed side and front dormer extensions would not appear subordinate to the property as a whole. They would dominate and jar with, the unaltered, parts of the building. He noted that the appeal property is on a busy road which is also a bus and pedestrian route and the development would be very visible and be harmful to the character and appearance of the street scene.

The appeal scheme was considered to be contrary to Policies Q5 and Q11 of the Local Plan and with the guidance as set out within the SPD.

The Inspector subsequently dismissed the appeal.

17/01312/G24	Refusal - Town Planning	Telephone Kiosk Outside 22 The Pavement London	Application for prior approval for the installation of a solar powered telephone kiosk.	Delegated Decision	Prior Approval Refused	07.11.2017	Appeal Dismissed
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The main issues considered were the effect of the proposal on: (a) the character and appearance of the area, including whether it would preserve or enhance the character of the Clapham Conservation Area, and (b) pedestrian safety.

The Inspector noted that the appeal site and its surrounding area is open in character and enjoys a sense of spaciousness. He subsequently considered that the proposal would appear overly dominant and incongruous within its prominent position. Furthermore, the Inspector considered that the development would result in visual clutter and consequently failing to preserve or enhance the appearance of the conservation area.

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
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The Inspector also noted that the proposal would occupy a sizable area of the pavement - impeding pedestrian movement and restricting access to premises nearby. Notably, the Inspector highlighted No. 22 The Pavement who, have a licence to place tables and chairs in front of the premises - which, would further limit the space available to pedestrians.

The Inspector dismissed the appeal, accordingly.

16/07045/FUL	Refusal - Town Planning	54 Clapham Common South Side London SW4 9BX	Erection of rear extension at first floor level. (Town Planning and Listed Building Consent 16/07046/LB)	Delegated Decision	Refuse Permission	27.11.2017	Appeal Allowed
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The Inspector considered the main issue for both appeals is effect of the proposal on the special interest of Lynton House which is listed grade II, and on the character and appearance of the building and Clapham Conservation Area.

On this issue, The Inspector considered that in the case of Lynton House, the rear elevation has been greatly added to and altered, making it harder to appreciate the earlier building in rear views across from Shaftesbury Mews or Elms Road. In comparison to the existing extensions, the The Inspector considered that the proposal would be modest in scale and design and that it would utilise sympathetic materials and have a lightweight and subordinate appearance. As such, it would be an acceptable addition to the listed building. In addition, given that the principal front elevation of the building would remain unaffected, as a consequence, the special interest of the listed building would be preserved and there would be no harm to its significance. The Inspector considered that the character and appearance of the building would equally be safeguarded.

In terms of the conservation area, The Inspector stated that given the existing extensions and their effect on the rear elevation of the building, the extension would not be disproportionate or incongruous for similar reasons. The architectural quality of the building alongside its neighbours, and the visual relationship with Clapham Common would be sustained.

The Inspector concluded and allowed the appeal, stating that the proposal would have an acceptable effect on both the special interest of the listed building and the character and appearance of the building and Clapham Conservation Area. The proposal would sustain the significance of the listed building and the conservation area and ensure their conservation as required by paragraphs 131 and 132 of the NPPF and would accord with Policies Q11, Q20 and Q22 of the Lambeth Local Plan 2015.

16/07046/LB	Refusal - Listed Building	54 Clapham Common South Side London SW4 9BX	Erection of rear extension at first floor level.	Delegated Decision	Refuse Permission	27.11.2017	Appeal Allowed
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The Inspector considered the main issue for both appeals is effect of the proposal on the special interest of Lynton House which is listed grade II, and on the character and appearance of the building and Clapham Conservation Area.

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
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On this issue, the Inspector considered that in the case of Lynton House, the rear elevation has been greatly added to and altered, making it harder to appreciate the earlier building in rear views across from Shaftesbury Mews or Elms Road. In comparison to the existing extensions, the Inspector considered that the proposal would be modest in scale and design and that it would utilise sympathetic materials and have a lightweight and subordinate appearance. As such, it would be an acceptable addition to the listed building. In addition, given that the principal front elevation of the building would remain unaffected, as a consequence, the special interest of the listed building would be preserved and there would be no harm to its significance. The Inspector considered that the character and appearance of the building would equally be safeguarded.

In terms of the conservation area, the Inspector stated that given the existing extensions and their effect on the rear elevation of the building, the extension would not be disproportionate or incongruous for similar reasons. The architectural quality of the building alongside its neighbours, and the visual relationship with Clapham Common would be sustained.

The Inspector allowed the appeal, concluding that, the proposal would have an acceptable effect on both the special interest of the listed building and the character and appearance of the building and Clapham Conservation Area. The proposal would sustain the significance of the listed building and the conservation area and ensure their conservation as required by paragraphs 131 and 132 of the NPPF and would accord with Policies Q11, Q20 and Q22 of the Lambeth Local Plan 2015.

17/01150/FUL	Refusal - Town Planning	16 Electric Avenue London SW9 8JX	Extension of the existing rear closet return, creation of roof terrace and the installation of 1 conservation grade rooflight to the rear roof slope (Flat 16B).	Delegated Decision	Refuse Permission	14.11.2017	Appeal Allowed
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The Inspector considered the main issues of this appeal to be 1) the character and appearance of the Brixton Conservation Area and the locally listed building; and 2) the living conditions of the occupiers of neighbouring properties with particular regard to overlooking.

The Inspector considered the proposal to be of modest scale which would be seen in context with the varied architectural styles at the rear of the host building and would therefore have a limited impact on the streetscene. He considered that the materials would not be excessive or out of place against an industrial landscape at the rear of the property, allowing for an appropriate degree of subordination to the host building. Thereby, the Inspector concluded that the development would not adversely affect the character and appearance of the conservation area and locally listed building.

The Inspector noted that the proposal would be set back from the nearest windows to the habitable rooms at the side of No. 14 and would be separated by the solid wall of the proposed extension and the 1.4m high obscured glass balustrade side panel of the proposed terrace. Some overlooking is acknowledged, but concludes that the development will not harm the living conditions of the occupiers of the neighbouring properties.

The Inspector allows the appeal subject to conditions.

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
16/07031/FUL	Refusal - Town Planning	12B Gubyon Avenue London SE24 0DX	Erection of two rear dormer extensions to provide a self-contained unit including installation of 4 front rooflights	Delegated Decision	Refuse Permission	14.11.2017	Appeal Dismissed

The Inspector considered the main issue of this appeal to be the effect of the proposal on the character and appearance of the host property and the area.

The Inspector noted that the roof extension would be contrary to the criteria set out in the SPD and therefore would result in a material alteration to the property's roof which, when viewed from the rear of the building, currently makes a positive contribution to the roofscape of the semi-detached properties and the character and appearance of the area. The rear mansard extension, when combined with the proposed dormer rear windows, would result in substantial bulk being added to the roof plane and would overlap the rear return of the property.

As such, the Inspector considered that the proposed development, by virtue of its scale, form and design, would result in an incongruous and out of keeping addition that would adversely harm the character and appearance of the host property and the area. The Inspector did not consider the other matters necessary to look at, given that the design of the proposed is unacceptable.

As such, the Inspector dismissed the appeal.

17/01422/FUL	Refusal - Town Planning	30 Dulwich Road London SE24 0PA	Erection of a closet rear extension at Upper Ground Floor level. Erection of a single storey rear extension at lower ground floor and installation of a rear rooflight, along with other associated works - as approved under ref 16/06635/FUL	Delegated Decision	Refuse Permission	16.11.2017	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be the effect the proposed development on the character and appearance of the host property, adjacent properties and the Brockwell Park Conservation Area.

The Inspector noted, whilst there have been some alterations, the main vertical, flat body and design of the rear elevations, including that of the appeal property, remain substantively intact and largely as originally built. There are no obvious extensions or significant projections certainly at upper ground floor level or above. The rear elevations exhibit an attractive uniformity of structure and design which makes a positive contribution to the character and appearance of BPCA. Given that context, although modest in size, a box-like closet extension at upper ground floor level protruding from the original flat vertical rear elevation would introduce an alien feature, uncharacteristic of the appeal property and neighbouring properties along the road.

The Inspector therefore concluded that the proposed development would harm the character and appearance of the host property, adjacent properties and the BPCA and subsequently dismissed the appeal.

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
17/01232/ADV	Refusal - Advert	513-515 Wandsworth Road London SW8 4NY	Internally Illuminated Advertising Display Measuring 3.2 x 4.8m x 0.30m	Delegated Decision	Refuse Permission	07.11.2017	Appeal Dismissed

The Inspector considered the main issue of this appeal to be effect of the advertisement on the visual amenity of the area, including its effect on the adjacent Wandsworth Road Conservation Area.

The Inspector noted the residential character of Killyon Road which is distinct from the commercial character of retail uses along this section of Wandsworth Road. He considered that the proposed advertisement would have a harmful prominence in contrast to the confined commercial character of the at Wandsworth Road, as well as, harm the residential character prevalent along Killyon Road and the upper storeys of Wandsworth Road.

The Inspector concludes that the advertisement would have a harmful effect on the visual amenity of the area and upon the adjacent Wandsworth Road Conservation Area. The appeal is subsequently dismissed.

17/01309/G24	Refusal - Town Planning	Telephone Kiosk Outside 98 Clapham High Street London	Application for prior approval for the installation of a solar powered telephone kiosk	Delegated Decision	Prior Approval Refused	09.11.2017	Appeal Dismissed
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The Inspector considered that main issues of this appeal to be 1) on the character and appearance of the area, including would the proposal preserve or enhance the character and appearance of the Conservation Area, and 2) on pedestrian and highway safety.

The Inspector noted that, whilst the development would not be out-of-keeping with the commercial character of the conservation area at street level, its overly dominant presence would draw the eye away from the architectural merits of buildings at first floor level which in turn would be harmful to the appearance of the conservation area and its significance. He concludes that the public benefit of the proposal does not outweigh the harm that would be caused to the character and appearance of the conservation area, and that, the proposal would fail to preserve and enhance the character and appearance of the conservation area.

The Inspector notes that The kiosk would be within the line of existing street furniture does not interfere with the movement of pedestrians along the high street and therefore nor would the kiosk and concludes that the appeal proposal would not cause harm to highway or pedestrian safety.

However, the Inspector concludes that the harm caused by the proposal, to the character and appearance of the development are outweighed and dismisses the appeal.

PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/11/2017 AND 30/11/2017

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
17/01521/FUL	Refusal - Town Planning	150 Clapham Manor Street London SW4 6BX	Erection of a mansard roof extension with 2 front and 2 rear dormers together with the erection of a first floor rear extension, alteration to existing basement and associated works	Delegated Decision	Refuse Permission	15.11.2017	Appeal Dismissed

The main issues were the effect of the proposal on the character and appearance of the Rectory Grove Conservation Area and local area, with particular regard to the mansard roof and lightwell proposed and, the effect of the proposed on the living conditions of neighbouring and future occupiers with particular regard to outlook, light and ventilation.

The Inspector considered that the appeal site contributes positively to the character and appearance of the conservation area and the existing parapet wall and London roof are characteristics of the conservation area. He concludes that the proposed mansard roof would result in the loss of a 'London' roof which would be harmful to the architectural and historical quality of the host building and character of the Rectory Grove Conservation Area, contrary to policy Q11 of the Local Plan and the SPD.

However, the Inspector disagreed with the council in that, the roof would be partially screened from local views by the parapet wall and would be subservient in form and scale to the host building. Though, the Inspector notes that irrespective of whether the roof is visible or not - it does not mean that it is not important. he concludes that the proposed lightwell would not be an uncharacteristic feature of the streetscene and therefore acceptable, but does not overcome the harm found as a result of the mansard roof proposal and contrary to paragraph 132 of the NPPF, Q5, Q11 and Q22 of the Local Plan and SPD.

The Inspector notes the existing basement at the appeal site, but considers the absence of windows would create a poor quality living environment, contrary to policies H5 and Q2 of the Local Plan and the SPG and SPD. The Inspector dismissed the appeal.

17/00068/LDCP	Certificate 4 Lawful Development Appeal	8 Silk Mews London SE11 4BA	Application for a Certificate of Lawful Development (Proposed) to change of use of lower ground floor level from office (Use Class B1) to a residential unit (Use class C3)	Delegated Decision	Refuse Permission	29.11.2017	Appeal Withdrawn
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Appeal withdrawn.

	Allowed	Dismissed	Mixed
Month total	9	22	0
Financial year to date	47	91	1