

**PLANNING APPEAL DECISIONS RECEIVED BETWEEN 01/04/2018 AND 30/04/2018**

Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
16/06944/FUL	Refusal - Town Planning	524 To 532 Streatham High Road London SW16 3QF	Erection of single storey first floor rear extension to provide 1x 1 bedroom flat with rear terrace.	Delegated Decision	Refuse Permission	03.04.2018	Appeal Dismissed

The Inspector considered the main issues of this appeal to be the effect of the proposed development on the character and appearance of the existing building and the surrounding area.

The Inspector noted that the appeal building is a two storey building with a recent mansard roof extension, and immediately to the rear, there are two storey properties with complex roof forms and large prominent chimneys - creating a vibrant roofscape and skyline in the area. The Inspector considered that the proposed extension would result in an inelegant junction with the existing angular gable of the appeal building and, would be exacerbated by the cornices of the existing building and the extension not being, either uniform or, continuous at eaves level.

The Inspector concluded that the proposed development would appear as an incongruous addition to the building that would not sit comfortably alongside either the host building or the adjacent residential properties and went onto dismiss the appeal.

17/02808/FUL	Refusal - Town Planning	262 Rosendale Road London SE24 9DL	Redevelopment of the site involving demolition of the existing buildings and the erection of a two storey building plus roof-level accommodation fronting onto Rosendale Road comprising a ground floor retail unit with basement storage and 3 self-contained flats on the upper floors, and a terrace of 3 two storey dwellinghouses plus roof-level accommodation fronting onto Harwarden Grove together with provision of cycle and refuse storage.	Delegated Decision	Refuse Permission	09.04.2018	Appeal Dismissed
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The Inspector considered the main issues to be: the effect of the development on the surrounding area, whether the proposed development would provide suitable living conditions for future occupiers, levels of cycle storage provision and the impact of the development on the amenity of neighbouring properties.

The Inspector noted that the proposed dwellings failing to emulate their surroundings, resulting in noticeable disruption to the rhythm of the street. The proposed shop unit and flats would retain a similar form but would be built up on the boundary and project forward of the building line, failing to respect surroundings. In addition, the Inspector noted that the proposed houses on Hawarden Grove would lead to an awkward relationship with existing buildings and remove the existing gap between building groups.

The Inspector considered the proposed houses to have poor outlook and poor levels of direct sunlight attained. All proposed houses would have insufficient and poor quality external

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amenity spaces, particularly when their family-size is taken into account. He therefore concluded that, external amenity space in front gardens should not be counted as it is of poor quality.

The Inspector considered that cycle storage within basement areas, rear yard areas or front gardens would be contrived and potentially reduce amenity space. No evidence was provided showing cycles could be stored within buildings without compromising living space or circulation space. However, he did conclude that the proposed development would not impact on the living conditions of occupants in neighbouring properties.

The Inspector dismissed the appeal.

17/01761/FUL	Non-Determination - Conservation Area	90, 91, 92 And 93 Clapham Common South Side London SW4 9DL	Excavation of existing basement to create 2 floor levels for provision of 3 new duplex hotel rooms and conversion of 4 existing hotel rooms into 3 duplex accommodation, together with installation of 3 lightwells and 1 stairwell, plus landscaping and provision of 4 cycle parking racks. Amended description.	Delegated Decision	Minded to Refuse Permission	09.04.2018	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 Clapham Conservation Area, whether the proposed development makes suitable provision for access by disabled persons; and, the effect of the proposed development on the infrastructure of the London Underground.

The Inspector noted that the overall effect of the proposal would not significantly alter the visual relationship between the appeal building, the main road or the Common. He considered the new development maintains local distinctiveness; responds positively to the local context; preserves/enhances the character and appearance of conservation areas; and the proposed basement extensions would be in keeping with the style, design and integrity of the host building and wider area. The Inspector therefore concluded that the proposal would not harm the character and appearance of the Clapham Conservation Area.

The Inspector noted that the appellant had stated that the current internal layout of the hotel is such that, it would not be possible to provide full wheelchair access to all of the new rooms without substantially altering the structure of the building, which would not be visible. In addition, the Inspector noted that, although the proposed accommodation is not supported by any viability assessment, from the submitted drawings and from the site visit, he concluded that there was no reason not to accept this position. It was therefore concluded that within this context, as three of the six new rooms proposed would be wheelchair accessible, the proposed development would make suitable provision for access by disabled persons.

The Inspector further noted that, whilst no precise engineering, piling and foundation details had been provided, TfL raised no objections in principle to the proposed development and required that these matters be secured through the implementation of planning conditions.

The Inspector subsequently allowed the appeal subject to conditions.

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Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
17/01497/FUL	Refusal - Town Planning	20 Colmer Road London SW16 5JZ	Retention of the single storey ground floor rear extension and retention of the trellis above the boundary fence bordering Danbrook Road - Flat B (retrospective)	Delegated Decision	Refuse Permission	03.04.2018	Appeal Allowed

The Inspector considered the main issues of this appeal to be: the effect of the development upon the living conditions of the occupiers of the neighbouring property at 22 Colmer Road, with particular regard to light and outlook; and, the effect of the development on the character and appearance of the existing building and on the surrounding area.

The Inspector considered that the development does not cause harm to the living conditions of the occupiers of the neighbouring property at 22 Colmer Road, with particular regard to light and outlook, thusly complying with the relevant requirements of Policy Q2 of the Local Plan 2015 and consistent with the requirements of the NPPF.

The Inspector also concluded that the development has no significant detrimental harm upon the the character and appearance of the area, complying with the relevant requirements of Policies Q5, Q8 and Q11 of the Local Plan and the guidance in the SPD.

The Inspector went on to allow the appeal.

17/00939/FUL	Refusal - Town Planning	345 Wandsworth Road London SW8 2JH	Installation of new shopfront and alterations to the rear, together with conversion of upper flat to provide 3 self contained flats involving extension to the rear at 1st and 2nd floor level and erection of a mansard roof extension to create a third floor with front, side and rear dormers, along with other external alterations.	Delegated Decision	Refuse Permission	19.04.2018	Appeal Dismissed
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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 the character or appearance of the Wandsworth Road Conservation Area; whether the proposal makes adequate provision for cycle storage; the effect of the proposal on the setting of the Grade II listed buildings; and, the effect of the proposal on the outlook of neighbouring occupiers.

The Inspector noted that the proposed mansard roof extension would be clearly visible within the public domain and its incongruous appearance would be at odds with the surrounding roofscape. The Inspector also noted that the rear extensions would fail to respect the original form and proportions of the building. The Inspector then concluded that the proposed mansard roof extension would harm the original building form and design integrity of the host property, and would fail to preserve or enhance the character or appearance of the Conservation Area.

The Inspector noted that the existing property did not benefit from any dedicated cycle storage and no information had been provided to demonstrate that there were other viable alternatives, nor, had it been demonstrated that the removal of a car parking bay would be appropriate in this location. The Inspector concluded that the proposal failed to make adequate provision for cycle storage.

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The Inspector noted the proposed scheme would not extend significantly above the height of the adjacent listed buildings. Their strong architectural style of the castellated bays would prevail. He concluded that the proposal would thusly preserve the setting of the Grade II listed buildings.

The Inspector noted that following changes to the depth of the rear extension at the appeal stage, it would subsequently not harm the amenity of neighbouring properties. However, he concluded to dismiss the appeal.

17/01113/FUL	Refusal - Town Planning	48 Leigham Avenue London SW16 2PZ	Demolition of existing free-standing garage structure and the single storey rear extension to the existing property, plus removal of associated hard standing and part removal of existing boundary walls along Conifer Gardens. Erection of a single storey dwellinghouse with basement at the rear, including front and rear lightwells, along with provision of 1 car parking, refuse/recycling storage, cycle store, boundary treatment and relocation of the existing crossover with new entrance access via Conifer Gardens.	Delegated Decision	Refuse Permission	05.04.2018	Appeal Dismissed
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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 area; and, whether or not the proposal would provide an adequate standard of living accommodation for potential future occupiers, having particular regard to outlook.

The Inspector noted the proposal would introduce a single storey flat roof dwelling onto a prominent section of garden which provides an important visual break in the streetscene and contributes positively to the character of the area. The Inspector considered that the size and siting of the scheme would appear contrived and out of place, exacerbated by its flat roof design. It would sit uncomfortably in between the host property and the row of semi-detached houses and the important visual break in the streetscene would be lost. The Inspector concluded that by reason of its size and siting on a prominent garden plot the proposal would be harmful to the character and appearance of the area.

The Inspector noted that the location of the proposed bedroom, at basement level, would result in limited outlook for future occupants however due to large room sizes and large window sizes providing sky views, the standard of living within the bedrooms would be acceptable. However, the inspector concluded that the proposed scheme would be harmful to the character and appearance of the area.

The Inspector subsequently dismissed the appeal.

17/01207/FUL	Refusal - Town	16 Clapham Park	Conversion the existing storage facility to the	Delegated	Refuse Permission	05.04.2018	Appeal
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Council ref.	Appeal type	Address	Proposal	Decision type	Officer recommendation	Decision date	Appeal decision
	Planning	Road London SW4 7BB	rear of 16 Clapham Park Road, into a one bedroom self contained studio flat. The conversion will consist also of a roof alteration, going from the existing dual pitch to a flat roof and external alterations including removal and installation of windows and doors.	Decision			Dismissed

The Inspector considered the main issues of this appeal to be: the effect of the proposal on the availability of floorspace for business, industrial and storage uses; whether or not the proposal would provide an adequate standard of living accommodation for potential future occupiers: whether or not the proposal would provide a safe, suitable and inclusive pedestrian access; and, whether or not the proposal would make adequate provision of sustainable design and construction measures.

The Inspector noted during the site inspection that, the building was used for storage of materials and noted that no information has been submitted to demonstrate that the floorspace has been vacant and continuously marketed for a period of at least one year. The Inspector concluded that the proposal would reduce the availability of floorspace for business, industrial and storage uses contrary to Local Plan Policy ED2.

The Inspector noted that Policy H5 refers to all residential units and does not exclude residential conversions. The Inspector noted the scheme would only be 3.6sqm larger than the minimum recommended size for a one person flat. The Inspector then concluded that the scheme could not provide additional internal living space to offset the lack of provision of private outdoor space and would fail to provide an adequate standard of living accommodation.

He also considered that there would be sufficient room for vehicle and pedestrian access, and, noted that any potential vehicles parking here would be travelling at low speeds and therefore would not compromise pedestrian safety. The Inspector concluded that, subject to appropriate lighting, the proposal would provide a safe, suitable and inclusive pedestrian access.

The Inspector also considered that planning conditions could secure sustainable design and construction methods during the construction phase, however, he concluded to dismiss the appeal.

17/01988/FUL	Refusal - Town Planning	60 Woodleigh Gardens London SW16 2SY	Hip to gable roof extension and erection of rear dormer together with the installation of 3 rooflights to the front elevation, along with the creation of 1 x 1 bed flat at second floor level	Delegated Decision	Refuse Permission	05.04.2018	Appeal Dismissed
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The Inspector considered the main issues to be: the effect of the proposal on the character and appearance of the host property and the surrounding area; whether or not the proposal would provide an adequate standard of living accommodation for potential future occupiers, having particular regard to private outdoor space, ceiling heights and storage; and, the effect of the proposal on the living conditions of neighbouring residents, having particular regard to noise and disturbance.

The Inspector noted that by reason of its size, scale and design the proposal would unacceptably dominate and overwhelm the host property and would detract from the character and appearance of the area. He considered that the proposal would unacceptably dominate or overwhelm the host building, the host building and not reinforce or sustain local

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distinctiveness.

The Inspector noted that the proposal would fail to provide an adequate standard of living accommodation for potential future occupiers by reason of its insufficient private outdoor space, conflicting with Lambeth Local Plan Policy Q2. He considered that the proposal would not harm the living conditions of neighbouring residents, as a result of noise and disturbance.

The Inspector subsequently dismissed the appeal.

17/02484/FUL	Refusal - Town Planning	1A Kay Road London SW9 9DF	Removal of a first floor front balcony for the erection of a first floor front extension with the installation of one rooflight, along with the formation of a roof terrace involving the installation of front timber and rear glazed balustrades	Delegated Decision	Refuse Permission	05.04.2018	Appeal Dismissed
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The Inspector considered the main issues of this appeal to be the effect of the proposed development on the living conditions of the occupiers of the neighbouring property at 143 Landor Road, with particular regard to sunlight and daylight and outlook; and character and appearance of the area.

The Inspector noted that the proposed 1.8 metre opaque glazed screen would be positioned directly opposite the third floor windows to the rear addition of number 143, at a distance of approximately 2.5 metres. He considered that the height would prevent the majority of direct overlooking from the proposed roof terrace to these windows and to those on the lower floors. However, the third floor window on the main rear wall is at a higher level and, there would be views to this window over the top of the glazed balustrade of this window and a similar window to the rear of number 145.

Although the opaque glazed balustrade would prevent direct overlooking, due to its height and proximity, it would severely restrict the outlook from these windows which currently look over the flat roof of the appeal building. As a result of the proximity of the glazed balustrade, the Inspector considered that this would appear unduly oppressive to the occupiers of the room these windows serve, which although not the principal living room is, nonetheless, a room in which people would spend significant periods of time. The combination of overlooking and loss of outlook would therefore, be harmful to the living conditions of the occupiers of number 143 Landor Road. He noted that the opaque glazing may reduce the amount of daylight received by the windows at number 145, however, due to the translucent nature of the material, the Inspector considered that this is unlikely to amount to a significant reduction.

The Inspector noted that the proposal would result in an existing first floor balcony on the front elevation of the building which has an overhanging canopy being enclosed and incorporated into the first floor living area. He noted that the roof terrace would occupy a large part of the existing flat roof of the property and project forward of the building line. He noted that there are similar features to other properties in the area and concluded that this would not cause harm to the appearance of the street or the appeal building, even though the site is located near the Stockwell Green Conservation Area.

However, the Inspector dismissed the appeal as the proposed development would cause harm to the living conditions of the occupiers of no. 143 Landor Road.

17/04404/FUL	Refusal - Town Planning	18 Larkhall Lane London	Erection of a single storey side infill extension.	Delegated Decision	Refuse Permission	11.04.2018	Appeal Dismissed
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SW4 6SP

The Inspector considered the main issues of this appeal are: the effect of the proposal on the character and appearance of the host property, and upon the designated heritage asset of the Larkhall Conservation Area.

The Inspector noted that the proposal would create an almost continuous building line at the rear at ground floor level, with a very small set back from the extended rear return. He considered that this would be excessive and result in a number of competing lines and forms at the rear of the building, thusly detracting from the traditional form of the building, in particular detracting from the proportions and scale of the two storey and mono pitch rear return.

The Inspector concludes that the proposal would harm the character and appearance of the host property and not preserve the character and appearance of the the designated heritage asset of the Larkhall Conservation Area, subsequently dismissing the appeal.

	Allowed	Dismissed	Mixed
Month total	2	8	0
Financial year to date	2	8	0