



Appeal Decision

Site visit made on 9 January 2014

by **R J Maile BSc FRICS**

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

Decision date: 20 January 2014

Appeal Ref: APP/N5660/A/13/2207410

80b North Street, London, SW4 0HE.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Dorian Reece against the decision of the Council of the London Borough of Lambeth.
 - The application ref: 13/03560/FUL, dated 7 August 2013, was refused by notice dated 2 October 2013.
 - The development proposed is erection of a single storey rear and side extension to the lower ground floor flat to incorporate six Velux style roof lights.
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Decision

1. The appeal is allowed and planning permission is granted for erection of a single storey rear and side extension to the lower ground floor flat to incorporate six Velux style roof lights at 80b North Street, London, SW4 0HE, in accordance with the terms of the application ref: 13/03560/FUL, dated 7 August 2013, subject to the conditions set out in Annex A to this decision.

Main Issue

2. The main issue here is the effect of the proposed extension upon the character and appearance of the host building and that of the adjacent Wandsworth Road Conservation Area.

Reasons

3. The subject property forms the end one of a terrace of Victorian dwellings with semi-basement. It has been converted into two flats. No. 80b comprises the garden flat, which includes the semi-basement accommodation and the entire rear garden. The flank of the property immediately abuts the rear gardens of dwellings in Wandsworth Road, which are located within the Wandsworth Road Conservation Area.
 4. The property benefits from a recent planning permission dated 2 October 2013 (ref: 13/03561/FUL) for the erection of a single storey rear and side extension at lower ground floor level incorporating the installation of two roof lights. This permission is a material consideration in my determination of this appeal.
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5. The scheme now before me is similar to that permitted development. However, it includes an additional floor area of approximately 4.85m² located adjacent to the boundary fence separating the site from the conservation area to the north.
6. All of the dwellings in the terrace have a rear return. I note from the Council's Supplementary Planning Document '*Residential Alterations and Extensions*' (adopted April 2008) at paragraph 2.12 that "Alterations to the general form of a rear return, especially if part of a group, are likely to be resisted." However, it goes on to say that infilling the remaining space with a single storey extension will usually be acceptable subject to four criteria, including that the proposal should not project beyond the end of, or wrap-around, the original return and that, ideally, it should be set back slightly to give the original return visual superiority.
7. It is relevant that the permitted scheme (ref: 13/03561/FUL) wraps around the original back addition. There is also an extension to no. 78 next door which projects beyond the proposal before me. Importantly, in both the permitted and proposed schemes the back addition and its roof above garden level would remain intact and 'as built'. This original element of the Victorian dwelling is visible from the houses fronting Wandsworth Road within the conservation area, such that views of the site from the designated area would be unaffected.
8. The lower ground floor extension would be set some 450mm below the finished floor level of the main building and be largely screened by existing fences along the flank boundary. The rear elevation, with its full width bi-fold doors, would face northeast and be screened in views from neighbouring property and from the public realm.
9. The additional small area of space created by this amended scheme will provide a more functional open plan kitchen/living area, greatly enhancing the standard of accommodation in this semi-basement flat.
10. For all of these reasons I find on the main issue that development as proposed, being to a high standard of design, would be in keeping with the character and appearance of the host building and that of the adjacent conservation area, as required by paragraphs 56 and 57 of the Framework¹, by Policy S9 of the Core Strategy² and by "saved" Policies 7, 36 and 47 of the UDP³.

Conditions

11. The Council has suggested a total of four conditions should I be minded to allow the appeal, which I have considered against the tests of Circular 11/95⁴. I find all to be reasonable and necessary in the circumstances of this case and my reasons for imposing them are:
12. Condition 1 is the standard commencement condition imposed in accordance with section 91(1) (a) of the Town and Country Planning Act 1990. Conditions 2 and 3 are necessary in order to safeguard the visual amenities of the area and to ensure a satisfactory appearance to the completed development.

¹ The National Planning Policy Framework.

² The Lambeth Local Development Framework Core Strategy 2011.

³ The Lambeth Unitary Development Plan 2007.

⁴ Circular 11/95: The Use of Conditions in Planning Permissions.

13. As to Condition 4, otherwise than as set out in this decision and conditions it is necessary that the development shall be carried out in accordance with the approved plans, both for the avoidance of doubt and in the interests of proper planning.

Conclusion

14. For the reasons given above, I conclude that the appeal should be allowed.

R. J. Maile

INSPECTOR

Schedule of Conditions

Annex A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building. All new works and works of making good to the retained fabric shall be finished to match the adjacent work both in the methods used and materials, colour, texture and profile unless the Local Planning Authority gives written consent to any variation or except where otherwise stated on the approved drawings.
- 3) The roof lights for the side extension hereby approved shall be of a conservation style and sit flush within the roof slope.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing no. NRTH_L000: Extract from Ordnance Survey Map – scale 1:1250.

Drawing no. NRTH_L001: Existing Site Plan – scale 1:200.

Drawing no. NRTH_L101: Proposed Site Plan – scale 1:200.

Drawing no. NRTH_E001: Existing Rear Elevation – scale 1:100.

Drawing no. NRTH_E002: Existing Side Elevation – scale 1:100.

Drawing no. NRTH_E101: Proposed Rear Elevation – scale 1:100.

Drawing no. NRTH_E102: Proposed Side Elevation – scale 1:100.

Drawing no. NRTH_S001: Existing Section AA – scale 1:100.

Drawing no. NRTH_S002: Existing Section BB – scale 1:100.

Drawing no. NRTH_S003: Existing Section CC – scale 1:100.

Drawing no. NRTH_S101: Proposed Section AA – scale 1:100.

Drawing no. NRTH_S102: Proposed Section BB – scale 1:100.

Drawing no. NRTH_S103: Proposed Section CC – scale 1:100.

Drawing no. NRTH_P001: Existing Lower Ground Floor Plan – scale 1:100.

Drawing no. NRTH_P002: Existing Upper Ground Floor Plan – scale 1:100.

Drawing no. NRTH_P101: Proposed Lower Ground Floor Plan – scale 1:100.

Drawing no. NRTH_P102: Proposed Upper Ground Floor Plan – scale 1:100.

Drawing no. NRTH_P103: Proposed Roof Plan.