

Appeal Decision

Site visit made on 26 September 2016

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 5th October 2016

Appeal Ref: APP/N5660/W/16/3153644

122A Hubert Grove, London SW9 9PD

- 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 & Mrs Hugh Blandy against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/02549/FUL, dated 26 April 2016, was refused by notice dated 23 June 2016.
 - The development proposed is the erection of a ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a ground floor rear extension at 122A Hubert Grove, London SW9 9PD in accordance with the terms of the application, Ref 16/02549/FUL, dated 26 April 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 122-HGC/01 Rev 00; 122-HGC/10 Rev 00 and 122-HGC/11 Rev 01.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building, except in relation to the surfacing materials of the extended courtyard area, for which details of permeable surfacing materials shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of development. The development shall thereafter be carried out in complete accordance with these agreed details, and all new works, and works of making good to the retained fabric, shall be finished to match the adjacent work with regards to the methods used and to material, colour, texture and profile except where otherwise stated on the approved drawings.

Main Issues

2. The main issues are the effect of the proposal on:-
 - The character and appearance of the host building;
 - The living conditions of occupiers of 122A Hubert Grove, with particular regard to outdoor amenity space; and
 - Highway and pedestrian safety.
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Reasons

Character and Appearance

3. The appeal property is a distinctive, converted two storey building with a pleasing gable fronted elevation directly fronting on to Hubert Grove. The appeal property is located in the gap between the rear outriggers of properties at 90 to 94 Landor Road and the end-of-terrace gable elevation of 120 Hubert Grove with access to the site via an access lane between 120 and 122 Hubert Grove.
4. Previously converted into ground and first floor flats, the appeal property is the ground floor unit of the two, with a small courtyard garden enclosed on two sides by the host building. On the other two sides, the courtyard garden is enclosed by substantial yard boundary walls at the rear of 92 Landor Road, and what was previously a separate yard area associated with 90 Landor Road. What was once a separate area is now accessed from the appeal property via a new opening in the wall between the courtyard garden of No 122A and that area, in addition to the access afforded via the gated access lane from Hubert Grove.
5. The proposed garage would utilise two of the existing boundary walls around the courtyard area, and replace the makeshift timber fence between the site and the lane with a garage door opening fitted with a roller shutter door. It would continue the building face and parapet wall of the existing single storey rear extension (above which, lies a roof terrace for the use of the upper floor flat), together with a small increase in the height of the yard wall between the appeal site and No 88 Landor Road.
6. The garage and office extension, when viewed from ground level, would barely be visible. Glimpsed, oblique views from Hubert Grove along the access lane between Nos 120 and 122 would be possible, but limited. From that angle, the proposal would appear as a continuation of the yard walls that line either side of the access lane. More elevated viewpoints, from the upper floor windows of adjacent properties, would reveal the form and extent of the proposal, but from either viewpoint, in the context of the tight urban grain that characterises the internal terraced block created by the rears of Hubert Grove, Landor Road and Tasman Road, it would appear neither incongruous nor out of character.
7. Although the Council consider that the proposal would effectively result, cumulatively with the existing single storey rear extension and roof terrace at, in an 8 metre rear extension from the host building, I do not consider such a numerical description to be of significance in this instance. I am satisfied that from public vantage points the proposal would be largely hidden from view. To the extent that it would be viewed, it would read as a rebuilt boundary wall facing on to the access lane, with garage door access, rather than as an extension. Its proportions, from this aspect, would not dominate or overwhelm the host building, whilst the increase in height of the boundary wall to 88 Landor Road would be limited. In the context of the tight urban grain of the area surrounding the site, a modest structure such as that proposed would not be harmful to the character or appearance of the host building, of those adjoining it, or of the wider surrounding area.
8. Thus, I find no conflict with policies Q8, Q11 or Q14 of the Lambeth Local Plan. Together, these policies seek to ensure visually attractive schemes which

positively respond to the original architecture of the host building in a manner which does not overwhelm or dominate the host building.

Living Conditions

9. The Council are concerned that the proposed extension would fail to retain a sufficient proportion (70%, as set out in Local Plan Policy Q14) of the existing rear garden space serving No 122A. It is certainly the case that the existing courtyard garden that serves the appeal property is a small, enclosed space in the angle between the host building and its single storey rear extension, and the three storey outriggers to the rears of properties on Landor Road. However, the proposed extension would not impinge upon this area. Instead, it would be constructed on what was previously a separate parcel of land prior to its purchase by the appellants. Furthermore, the proposal also includes provision for the removal of the yard wall between the existing courtyard garden and the remaining area at the rear of the proposed extension.
10. I find therefore that the proposal would result in an extended and enlarged outdoor garden area for the use of No 122A, and would not therefore erode the amenity value of the outdoor amenity space currently associated with the appeal property. It has not been argued that the proposal would be contrary to any other aspects of policy Q14 of the Lambeth Local Plan, and, thus, I find that the proposal would not be in conflict with policy Q14 of the Local Plan which seeks to ensure that development in gardens and on backland sites does not erode the amenity value of such areas, or of adjoining properties.

Highway and Pedestrian Safety

11. There is already access from Hubert Grove into the access lane between Nos 120 and 122, which the appellants advise is used for the parking of a vehicle. In this respect, the proposal would not alter the existing situation with regard access into the lane from Hubert Grove and the Council have not set out what additional conflict, or harm, they consider that the proposal would cause. Nor, as there is already an access point into the lane from Hubert Grove, would the proposal result in the loss, or further restriction, of on-street parking on Hubert Grove.
12. The access lane is gated, with pedestrian access limited. Whilst the lane itself is narrow, it is not clear what, or where, the pedestrian / vehicle conflict that the Council refer to would arise. From my observations, whilst of limited width, the lane is of sufficient width to continue to allow a vehicle to manoeuvre into and out of the lane from Hubert Grove, and to allow for access to, and egress from, the vehicle. Furthermore, the length of the lane, from Hubert Grove to the entrance to the proposed garage would also be of sufficient length to allow a vehicle to be clear of Hubert Grove whilst manoeuvring into the proposed garage.
13. For the reasons set out, I conclude that the proposal would not have unacceptable transport impacts upon highway safety, congestion, on-street car parking or the attractiveness of walking as an alternative means of travel. There would be no conflict with the provisions of Lambeth Local Plan policies T2, T6 or T7 as a result.

Other Matters

14. Although not forming a reason for refusal, the Council have expressed concern about the implications of the proposal in terms of surface water management and drainage. Although both parties consider that such matters could be appropriately dealt with by condition, the scale of the proposal is limited and I have not been presented with any evidence to indicate that the existing conversion was subject to such arrangements. The proposed extension would replace an existing area of concrete hard surface and is not in an area at risk of flooding and, whilst I consider the matter of conditions below, I afford this matter only limited weight.
15. I note the objection that has been raised regarding the side-facing ground floor windows at No 122A. However, as those windows do not form part of the proposal before me, I afford very limited weight to this matter.

Conditions

16. I have considered the conditions that have been suggested by the Council in the light of the Framework and Planning Practice Guidance and have amended them where necessary.
17. In addition to the time limit condition, I agree that a condition specifying the approved plans is necessary in order to provide certainty. I have therefore amended the condition suggested by the Council so as to refer to the approved plans by specifically by drawing number.
18. I have attached a condition to ensure that the materials used in the construction of the external surfaces of the building are a match for those of the existing building. However, for completeness I have amended that condition to require details of permeable paving materials for the extended area of courtyard garden. As a consequence, I have not imposed a condition regarding hard and soft landscaping, as the scale of the development is such that a requirement for soft landscaping would not be reasonable or necessary, and hard landscaping, including the Council's concerns about the management of surface water, can be adequately dealt with in the manner I have set out.

Conclusion

19. For the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR