
Appeal Decision

Site visit made on 6 December 2016

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

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

Decision date: 14th December 2016.

Appeal Ref: APP/H5960/W/16/3156326

49a Tranmere Road, Earlsfield SW18 3QH

- 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 and Mrs James Hockley against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/1289, dated 4 April 2016, was refused by notice dated 26 May 2016.
 - The development proposed is described as "loft conversion and installation of an external staircase".
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Decision

1. The appeal is allowed and planning permission is granted for "loft conversion and installation of an external staircase" at 49a Tranmere Road, Earlsfield SW18 3QH in accordance with the terms of the application, Ref 2016/1289, dated 4 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: Location Plan; Existing First Floor Plan (89/01); Existing Roof Plan (89/06); Elevations (89/04A, 89/09); Proposed First Floor Plan (89/02), Proposed Loft Plan (89/03), Proposed Roof Plan (89/05).

Procedural Matter

2. I have taken the description of development from the appeal form as this is more representative of the proposal than that given on the application form.
3. The development includes a rear facing 'mansard' roof extension, a rear dormer with a Juliette balcony, roof lights on the front facing roofslope, and an external metal staircase. The Council's objection to the proposal is based on the external staircase. I have, therefore, confined my consideration of the appeal to this element of the scheme.

Main Issue

4. The main issues are the effect of the rear staircase on: (i) the character and appearance of the host dwelling and the surrounding area and; (ii) the living conditions of adjoining occupiers with regard to privacy.
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Reasons

Character and Appearance

5. The appeal property is a two storey end-terrace house located in a road of similar properties. The house has been sub-divided and No 49a is the first floor flat. The external staircase would provide access to the rear garden.
6. The staircase would extend into the garden by approximately 3.4m and would be accessed via a new door at first floor level. There are other rear staircases in the vicinity and they tend to be of a spiral design, which is favoured by the Council. Nevertheless, I saw from my site visit that there are examples of straight staircases nearby. These integrate with the character and appearance of the area and do not stand out as incongruent features.
7. The proposed staircase would be of an open, metal construction and, as such, would not dominate the existing property. Although the staircase would extend some distance from the rear of the house, its size would be proportionate to the host property and the garden, and it would be subservient to the original building. Moreover, as it would not be a solid structure, the staircase would not be overly prominent in views from surrounding properties. Due to its location at the rear, it would not be visible in the street scene.
8. I conclude on this issue that the staircase would not have an adverse effect on the character and appearance of the host dwelling or the wider area. Therefore, the development would meet the aims of Policy DMH5 of the Local Plan¹ which seeks to ensure extensions are well designed, do not dominate and are subservient to the original building, and Policy DMS1 which seeks to secure a high quality design.

Living Conditions

9. The Council is concerned about overlooking from the staircase, in particular, from the top platform. I saw from my site visit that there is an existing level of overlooking between properties from within the gardens and from the rear windows of houses. In particular, I saw that there are extensive views of the adjoining gardens from the first floor kitchen windows of the No 49a.
10. I appreciate that it would be possible to see into neighbours' rear gardens from the staircase, however, I am mindful that the staircase would be used primarily as a route to the garden. Consequently, views would be limited to the time that the occupants were descending the staircase. This would not lead to a material loss of privacy as it is unlikely that the staircase would be used for prolonged periods. Moreover, the gardens are already overlooked by the kitchen windows of the flat, which are more likely to provide views for longer periods.
11. It may be possible to gain views into the ground floor windows of the neighbouring properties from the staircase, but this would be restricted by the boundary treatment and it is unlikely that privacy would be materially affected.

¹ Wandsworth Local Plan Development Management Policies Document, adopted 2016

12. I conclude on this issue that the development would not lead to a material loss of privacy and would be in accordance with Policy DMS1 of the Local Plan which seeks to protect the amenity of occupiers of nearby properties.

Conditions

13. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. I have not imposed the materials condition requested by the Council as these details are specified in the application.
14. I have not imposed the condition to require obscured glazing to the window in the side roofslope as it has not been demonstrated that this is necessary.

Conclusion

15. For the reasons given above, the appeal is allowed.

Debbie Moore

Inspector