
Appeal Decision

Site visit made on 12 December 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 11 January 2017

Appeal Ref: APP/N5660/W/16/3158650

58 Woodfield Avenue, Lambeth, London SW16 1LG

- 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 Zakariyya Amejee against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/00294/FUL, dated 12 January 2016, was refused by notice dated 15 March 2016.
 - The development proposed is a new 2 bed dwelling at two levels, with new two storey rear extension to the existing garage and first floor bedroom.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing garage and the first floor bedroom above together with the erection of a two storey side extension to create a new 2 bedroom dwellinghouse and the erection of a single storey ground floor rear extension at 58 Woodfield Avenue, Lambeth, London SW16 1LG in accordance with the terms of the application, Ref 16/00294/FUL, dated 12 January 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. P-58WA-01 – OS Map and Block Plan, Drawing no. P-58WA-02 - Existing Plans and Elevations, Drawing no. P-58WA-03- Proposed Elevations, Drawing no. SK-58WA-003 - Proposed Plans.
 - 3) 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.

Procedural Matter

2. The original planning application form spells the appellant's name as 'Amejee' however the appeal form spells it slightly differently, 'Amjee'. Clearly there appears to have been a typographical error. I have no other information to indicate the correct spelling therefore I have used that stated in the original planning application in the banner heading above.
 3. The description of development I have used in the banner heading is taken from the original planning application form. I note that at Question E of the
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Appeal Form it is stated that the description has not changed however a different wording is inserted. Whilst I have no confirmation from the parties that a description change has been agreed, I have used the revised wording in my decision as I consider it better reflects the development proposed.

Main Issues

4. The main issues in this case are :

- the effect of the development on the character and appearance of the area;
- whether the development would provide an appropriate standard of accommodation for future occupiers with particular regard to storage and circulation space;
- whether or not a contribution to affordable housing is necessary.

Reasons

Character and appearance

5. The appeal site forms a two storey semi-detached house with an existing flat roof two storey side extension. It is located next to Woodfield Lane a tree lined private drive that leads to two residential properties. The site lies next to the Streatham Park and Garrads Road Conservation Area. The area is residential in character with two storey dwellings of a similar design constructed in part brick and part render with a front gable feature.
6. The appeal proposes a single storey rear extension that covers the width of the existing house. I note from the planning history and the submitted plans that this has been approved under a prior notification application. The appeal proposes a side extension which would be two storey adjoining the existing house and single storey where it would adjoin the approved single storey rear extension. The Council raises no concern with regard the single storey element of the scheme.
7. Policy Q11 (h) of the Lambeth Local Plan 2015 requires a minimum retained space of 1 metre between an extension and the property boundary in order to maintain gaps between buildings and prevent visual terracing. The appeal proposal would not maintain a gap of this size to the side boundary, however the existing two storey side extension is approximately the same width and it too extends to the property boundary. In addition the property lies next to Woodfield Lane, a narrow driveway that separates the appeal dwelling and its neighbouring property at No. 60 Woodfield Avenue. I observed that No. 60 is itself sited up to the property boundary with the Lane. Consequently I consider that the appeal dwelling is not in a position where the side space is important to the character of the area and the proposal would not result in any terracing effect. Accordingly I consider its siting would be acceptable.
8. The Council's Building Extensions and Alterations Supplementary Planning Document 2015 states in paragraph 3.19 that in order to achieve subordination, it may be necessary to set back side extensions on the corners and provide lower roofs. In this case the two storey extension is set back by around the length of a brick, the same set back as the existing two storey side extension. I accept that this set back is minimal but the existing dwelling has a

canopy and porch that projects forward of the front elevation of the house. This results in the proposed extension appearing further back and therefore provides a degree of subordination which the SPD is trying to achieve.

9. The existing dwelling has a hipped roof and it is proposed to provide a pitched roof with the same ridge height as the host dwelling. Whilst this would not be in line with advice in the SPD with regard to roof design, I consider that the proposal would be a visual improvement on the flat roof of the existing side extension.
10. I accept that the development would result in an imbalance to the existing semi-detached pair. However this imbalance already exists by virtue of the current two storey side extension. I also noted on my site visit that other residential properties in the area have also been extended to the side. In particular I noted No. 50 Woodfield Avenue which has a two storey side extension creating No 50a, which appears to form a separate residential unit. Neighbouring this is a narrow width three storey building with a high pitched roof which provides two flats. This adds to the variety of architectural style and roof design in the area. I therefore consider that the appeal proposal would be of an acceptable design.
11. The site lies next to the Streatham Park and Garrads Road Conservation Area. The Council has raised no concern with regard the impact of the proposal on the character or appearance of the conservation area or that it would cause harm to the significance of this designated heritage asset. I have no reason to disagree.
12. I have been made aware by the appellant that the property has an expired planning permission dating from 2005 for a two storey side and rear extension and loft conversion which I am advised is similar to the appeal proposal. I have not been provided with the full details of this development in order to make a direct comparison to the scheme before me. In any event I have considered the appeal scheme on its individual merits.
13. Bringing the above points together I consider that the appeal proposal would not cause material harm to the character or appearance of the area. It would therefore comply with Policies Q7, Q8 and Q11 of the Lambeth Local Plan 2015 which aim to ensure high quality design.

Standard of accommodation

14. In March 2016, around the same time that the original planning application was determined, the minimum space standards for new dwellings as outlined in Policy 3.5 of the London Plan were revised through the adoption of Minor Alterations to the Plan (MALP). This brought the policies of the Plan in line with the nationally described space standards published in March 2015. It is accepted by the main parties that the proposed dwelling would comply with these standards in respect of a 2 bed 3 person house. The Council have however raised concern that the proposed layout of the dwelling would not provide sufficient storage or circulation space for future occupiers.
15. The standards require 2 square metres of storage space for a dwelling of the size proposed. I note the submitted plans illustrate that a cupboard would be provided between the stairs and the cloakroom on the ground floor. The proposed bedrooms have a floor area in excess of the required standards so

there would be space for built in storage. I therefore consider that the development would be acceptable in this regard.

16. In terms of circulation space, the property would have a width of just over 3 metres. The ground floor is proposed to be open plan and the bedrooms meet the minimum width requirements set down in the London Plan and the nationally described space standards. The appellant advises that the cloakroom facility would be suitable for a wheelchair user and the property would have level access to the front and rear. The Council have not explained how the circulation space is deficient in their view. In the absence of any evidence to the contrary, I am satisfied that the circulation space would be acceptable.
17. Accordingly I consider that the appeal proposal would provide a satisfactory standard of accommodation for future occupiers. The proposal would comply with Policies H5 and H6 of the Lambeth Local Plan 2015 and Policy 3.5 of the London Plan 2016.

Affordable Housing

18. Policy H2 of the Lambeth Local Plan requires schemes of less than 10 dwellings to contribute to the provision of affordable housing. In the absence of a draft Unilateral Undertaking the Council considers that the scheme fails to accord with this policy.
19. Planning Practice Guidance post-dates the Council's policy and advises in Paragraph 031 that contributions should not be sought from development of 10 units or less. This follows the Order of the Court of Appeal which gave legal effect to the Written Ministerial Statement of 28 November 2014. As the appeal proposal is for a single dwelling it is therefore not necessary for the scheme to contribute to affordable housing provision.

Conditions

20. Whilst I note that the Council's Delegated report makes reference to possible conditions with regard cycle and refuse storage, no suggested wording for any conditions has been provided should the appeal be allowed. I have therefore not imposed such conditions. In addition to the standard condition which limits the timespan of the planning permission I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. A condition relating to materials is also necessary to ensure that the appearance of the development would be satisfactory.

Conclusion

21. I have found that the appeal proposal would not cause harm to the character and appearance of the area and though small and compact, the development would provide a satisfactory standard of accommodation. In addition a contribution to affordable housing is not necessary.
22. For the reasons given above and having had regard to all other matters raised I allow this appeal.

Helen Hockenfull

INSPECTOR