
Appeal Decision

Site visit made on 1 February 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 24/03/2017

Appeal Ref: APP/H5960/W/16/3163420

Earlsfield Post Office, 591 Garratt Lane, London SW18 4ST

- 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 Sadiq Ali against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/5039, dated 23 August 2016, was refused by notice dated 26 October 2016.
 - The development proposed is a rear extension with the creation of 1 new bedroom flat to the rear of the property. Mixed use from B1 business to B1 business and C3 residential.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note the difference in the descriptions of the proposed development as used by the appellant and the Council. On the basis of the evidence before me and my observations on site, the existing rear section of the ground floor is used as additional storage space for the retail unit at the front. The proposed development would therefore be better described as being a change of use and extension of the rear ground floor to create a studio flat. This does not however alter the main issue in the determination of this appeal.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of future occupiers with specific regard to light and outlook.

Reasons

4. The appeal site is a three storey terraced property, the ground floor of which is a shop and post office with associated storage. There is an enclosed yard to the rear. The proposed development would change the use of part of the existing ground floor and extend it to the rear with a single storey flat roofed addition to provide a largely open plan studio flat. The extended building would occupy the majority of the yard save for two areas of outdoor space. These would be a courtyard to the side and garden area to the far end of the existing yard.
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5. Whilst full height, the only windows serving the flat would be to the side and rear, looking out onto the aforementioned courtyard and garden. They would offer some light, but the level of it would be significantly constrained by the proximity of the windows to high sided walls of neighbouring buildings. Namely the side elevation of a two storey dwelling at the rear and the blank rendered side wall of the neighbouring property to the side. Whilst the side windows would face south and thus be faced in the direction of sunlight for most of the day, the proximity of the window to the aforementioned wall as well as the general built up nature of surrounding properties would significantly restrict the light it would receive.
6. Owing to the height of both the side and rear windows and the single storey nature of some of the abutting built development, I accept that it would be possible to pick out planting in gardens. However this would be very limited. The mainstay of the views from the windows would be of large, flat and featureless walls and thus the outlook from them would be of an unacceptably poor quality. Similarly to the matter of light, the outlook from the windows would be significantly constrained by how close they are to neighbouring walls.
7. For these reasons, the proposed development would have an adverse effect on the living conditions of future occupiers. As such, it would be contrary to Policy DMH4 of the Local Plan¹. This Policy seeks to ensure, amongst other things and along with the Framework² a good standard of amenity for existing and future occupiers of land and buildings.

Other Matters

8. The proposed flat would have an acceptable level of floor space and the outdoor space provided would be small but adequate. However, a lack of harm in these respects does not amount to a benefit that could weigh in favour of the proposed development. In addition, I do not share the view that being a studio flat means occupiers would spend any less time in it. Neither would this justify future occupiers having to endure an unacceptable standard of either light or outlook.
9. My attention is drawn to the granting of a planning permission³ for the use of the basement, part of the rear of the ground floor and an extension for a two bedroom flat at the appeal site. Having reviewed the evidence provided on this matter, I note it would have a larger rear garden with longer distances between the rear windows and the side wall of the above mentioned two storey dwelling. It would also have a narrower depth at ground floor level, making the side courtyard noticeably larger. It is not therefore sufficiently similar to the scheme before me to justify allowing the appeal.
10. The appellant has also cited a planning permission granted at 657/657 Garratt Lane but I have not been provided with further details of it. I cannot be certain that it is the same as the proposed development. I can therefore afford it only limited weight in my findings.

¹ Wandsworth Local Plan Development Management Policies Document 2016

² The National Planning Policy Framework 2012

³ London Borough of Wandsworth Ref 2014/3392

Conclusion

11. For the reasons set out above, and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR