
Appeal Decision

Site visit made on 25 April 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 22 May 2017

Appeal Ref: APP/N5660/W/16/3163117

Ground Floor Flat, 7 Tasman Road, London SW9 9LZ

- 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 Tom Constable against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 16/04398/FUL, dated 20 July 2016, was refused by notice dated 8 September 2016.
 - The development proposed is the extension of the existing basement to create an additional bedroom and associated lightwell.
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Decision

1. The appeal is allowed and planning permission is granted for the extension of the existing basement to create an additional bedroom and associated lightwell at Ground Floor Flat, 7 Tasman Road, London SW9 9LZ in accordance with the terms of application Ref16/04398/FUL, dated 20 July 2016, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal property comprises a two-storey terraced building that contains ground floor bay window that has been converted into two self-contained flats. It is located in an area characterised by terraced blocks and although there are few examples of basement lightwells on properties on Tasman Road, in close vicinity are many examples of properties having double height bays and lightwells. A characteristic feature of the area is that the frontages of many properties have dwarf walls or stone plinths with ironwork railings above, although the railings have been removed at the appeal property.
 4. The proposed development relates to the first floor flat and would involve the extension of the existing basement and the creation of a front lightwell with bay window together with the replacement of the front existing boundary wall with ironwork railings set on a stone plinth. The Council indicate that the proposed lightwell would extend the width of the proposed bay, project approximately 1.5m from the existing front elevation of the property and would have a depth of approximately 1.2m below the existing front garden level. A small soft landscaping strip is proposed between the lightwell and the proposed
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- railings which would extend along the property boundary with No 9 Tasman Road.
5. The proposed lightwell would not be an uncharacteristic feature in the locality. The proposed bay with timber vertical sliding sash windows would match the existing first floor bay above with rendering to match that of the property. As such the design positively responds to the original architecture of the host building. The proposed ironwork railings would reinstate the historic characteristic feature of the property frontages that the Council indicates were original design features in the street.
 6. The extent of excavation to create the lightwell would not be excessive and would retain a small area of the garden for landscaping. Given the relatively shallow projection of the proposed lightwell, and its position behind the railings and landscaping, it would not be visually prominent. Moreover, the top of the proposed bay would be predominantly below the height of the plinth for the ironwork and as such views of the proposed bay and lightwell would be limited to the immediate frontage of the property and would not be readily visible in the wider views of the street.
 7. Whilst there would be a change to the appearance of the front of the property, this would not appear as prominent or at odds with the character of the area. The design of the proposed front bay would be entirely consistent with the host property and as such this would not undermine its appearance or the coherence of the street frontage. The proposed ironwork railings would make a positive contribution to the streetscene. Overall, the proposed changes to the front of the property would not cause demonstrable harm to the character and appearance of the surrounding area of an extent to warrant the dismissal of this appeal.
 8. Taking the above matters into consideration, I conclude that the proposal would not have an adverse effect on the character and appearance of the area. It would not therefore conflict with Policies Q2, Q5, Q8, Q9, Q11 and Q12 of the Lambeth Local Plan (2015). These policies, amongst other things, require that new development should be visually attractive, designed to respond to the character of the area and the appearance of the host building, not compromise visual amenity from the public realm, provide strong boundary treatments and make adequate provision for refuse and recycling storage.

Conditions

9. In addition to the standard time limit condition, I consider it necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. In order to protect the character and appearance of the area, I have also imposed a condition concerning the external materials to be used.
10. In order to consider and mitigate the effect of the development on land stability and hydrological and geotechnical local ground conditions, I agree that a Basement Construction Method Statement and Flood Risk Assessment is required to be submitted prior to the commencement of development.
11. In order to limit the effects of the construction process on the area, I have included a condition requiring adherence to a Construction Method Statement. However, given the residential nature of the adjacent and surrounding

development I have included a requirement for the proposed delivery and construction working hours to be submitted as part of the Construction Method Statement.

12. The Council's Officer Report suggests that had the application been recommended for approval, conditions would have been imposed regarding provision of areas for refuse and recycling bin storage and cycle storage. However, the Council's suggested list of conditions does not refer to these matters.
13. The proposed layout, shown on Drawing No S3120/11, shows a designated area for bin storage adjacent to the lightwell and in close proximity to the entrance gate. However, it is not clear whether the design of this area is sufficient to accommodate the number of bins used for each of the two flats. As such, I have imposed a condition requiring the submission of details of the refuse storage area. In the interests of reducing the dependence on the private car and encouraging the use of alternative sustainable transportation, I agree that a condition relating to the provision of cycle storage facilities is necessary.

Conclusion

14. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR

CONDITIONS SCHEDULE

- 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: Location Plan; Existing Plans Sections and Elevations – Drawing No S3120/01; Proposed Plans Sections and Elevations – Drawing No S3120/11.
- 3) The proposed materials to be used for the external surfaces of the development hereby permitted shall match those of the existing building. 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.
- 4) No development shall take place until a Basement Construction Method Statement and Flood Risk Assessment have been submitted to and approved in writing by the Local Planning Authority. This statement shall include details regarding:
 - a) Detailed site specific analysis of hydrological and geotechnical local ground conditions;
 - b) Analysis of how the excavation of the basement may impact on the water table and any groundwater flow, and whether a perched water table is present;
 - c) Details of how flood risk, including risk from groundwater and surface water flooding has been addressed in the design, including details of any proposed mitigation measures;
 - d) Details of measures proposed to mitigate any risks in relation to land instability;
 - e) Demonstration of how cumulative effects have been considered.The development shall thereafter be carried out in accordance with the details and measures thus approved in the Basement Construction Method Statement and Assessment.
- 5) The development hereby permitted shall not commence until a site management plan (construction phase only) has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be thereafter undertaken in accordance with the approved details. The submitted details shall demonstrate the following:
 - a) Details regarding parking, deliveries, and storage;
 - b) Details of measures regarding dust mitigation;
 - c) Details of measures to prevent the deposit of mud and debris on the public highway; and
 - d) Any other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network;
 - e) Delivery and construction working hours.

- 6) Prior to the commencement of the development details of the storage of refuse and recycling materials for each flat shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed before the basement is first occupied and shall be permanently retained thereafter.
- 7) The basement shall not be occupied until a scheme for bicycle parking has been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details which shall be provided prior to the occupation of the basement. The provision shall thereafter be retained and kept available for the parking of bicycles.