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## Appeal Decision

Site visit made on 14 June 2017

**by Elaine Gray MA(Hons) MSc IHBC**

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

**Decision date: 29 June 2017**

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**Appeal Ref: APP/H5960/W/16/3164545**

**38 Lebanon Gardens, Wandsworth, London SW18 1RH**

- 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 Simon Gayer against the decision of the Council of the London Borough of Wandsworth.
  - The application Ref 2016/1578, dated 19 March 2016, was refused by notice dated 22 June 2016.
  - The development proposed is alterations including the erection of a first floor side extension with hipped roof and wrap-around dormer; alterations to fenestration within existing front and side lightwells.
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### Decision

1. The appeal is allowed for alterations including the erection of a first floor side extension with hipped roof and wrap-around dormer; alterations to fenestration within existing front and side lightwells at 38 Lebanon Gardens, Wandsworth, London SW18 1RH in accordance with the terms of the application Ref 2016/1578, dated 19 March 2016, and 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: Site location plan; 2016/1/1; 2016/1/2; 2016/1/3; 2016/1/4; 2016/1/5.
  - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

### Preliminary Matters

2. The description of the proposal varies between the application form and the subsequent documents. I have used the description given on the decision notice as it describes the development more clearly.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.
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## **Reasons**

4. The appeal site at 38 Lebanon Gardens is located in a predominantly residential area, and forms one of a pair of two storey semi-detached properties. The development would result in the addition of a first floor extension to the side of No 38. The scheme includes front and side lightwells which have already been installed at the property. The Council has indicated that they consider this element of the scheme to be acceptable. I have no grounds on which to disagree, and so I have not considered the lightwells further in this decision.
5. The development would add a storey to the existing single storey extension. It would be set back from the front elevation of No 38 by around 7.3m. The ridge of the new roof would be set down from the main roof of the house by some way. The new extension would be 3m wide, which would be approximately 47% of the width of the main frontage. However, this would match the width of the existing single storey extension, which is not overly obtrusive. As a result, I do not consider that this would be an excessive width in proportion to the main building. Moreover, by virtue of a substantial set back from the front, and the significantly lower ridge height, the development would achieve an acceptable degree of physical subservience to the existing property.
6. In terms of design, the new extension would mirror the visual characteristics of No 38, including the proposed tripartite window design. The proposed materials would match the existing, and so the extension would be in keeping in this regard. No 38 and its neighbour at 40 Lebanon Gardens would remain legible as a near-identical pair, and so their contribution to the streetscape would be preserved.
7. The proposed roof would also incorporate a new dormer window. From the front and side, the dormer would appear proportionate to and in keeping with the dimensions of the new roof. At the rear, the dormer would return, with a step up to meet the ridge of the proposed roof. Visually, this would be an awkward arrangement. However, it would be located at the back of the building, which is well screened from public view. I am thus satisfied that, due to the limited visual impact of the rear elevation in the wider area, it would not be unduly harmful.
8. Drawing these factors together, I conclude that the proposed development would not have a dominant visual impact in the streetscene. The development would thus comply with Policy DMS1 of the Wandsworth Local Plan Development Management Policies Document (DMPD, March 2016), which amongst other things, seeks to ensure that the scale, massing and appearance of development provides a high quality, sustainable design and layout that contribute positively to local spatial character. It would further comply with DMPD Policy DMH5, insofar as it requires that extensions should be well designed, should use appropriate materials and should not be so large that they dominate or compete with the original building.

## **Other Matters**

9. I have had regard to the concerns raised by neighbours. These include issues relating to the tenure and density of occupancy at the appeal site, such as noise, disturbance, traffic, parking, rubbish and reduced privacy. However, I note that the Council has not raised these matters in their reason for refusal, and there is no detailed evidence before me relating to the problems that have

been alluded to. Concern has been voiced over the quality of previous workmanship at the appeal site, but this would not constitute a reason to dismiss the appeal. I am satisfied that the choice of materials may be controlled by a suitably worded condition. As the proposal is for a first floor extension and lightwells which are close to the building, the loss of green garden space would be minimal. The upkeep of the garden area is a private matter between the relevant parties, and therefore has not had a bearing on my decision.

### **Conditions**

10. I note that no planning conditions have been suggested by the Council. However, for certainty, it is necessary that the development is carried out in accordance with the approved plans. I also consider that a condition relating to materials is necessary in the interests of character and appearance. It is essential that the requirements of Condition 3 are agreed prior to the development commencing to ensure that the development is acceptable in respect of the matters addressed.

### **Conclusion**

11. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be allowed.

*Elaine Gray*

INSPECTOR