

Appeal Decision

Site visit made on 20 June 2017

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 11th July 2017

Appeal Ref: APP/H5960/D/17/3174642
89 Albert Bridge Road, London, SW11 4PF

- 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 Ms Heather Lindahl against the decision of the London Borough of Wandsworth.
 - The application Ref 2016/7320 dated 20 December 2016 was refused by notice dated 19 April 2017.
 - The development proposed is a single storey rear extension at first floor level and remodelling of garden.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of neighbouring occupiers with reference to outlook.

Reasons

3. The appeal site consists of a five-storey property including basement and attic accommodation, which is situated within a terrace of similar properties. The ground floor of the terrace is elevated with the basement / lower ground floor level being visible from street level. To the rear is a partial width four-storey projection which adjoins a similar rear projection on the neighbouring property, No. 87 Albert Bridge Road. An extension at lower ground floor level with a terrace above is also situated to the rear between the four-storey rear element of the site and the party boundary with No. 91 Albert Bridge Road.
 4. The proposal includes a single storey extension above the rear lower ground floor structure and would occupy the width and depth of the current terrace. It would have a projection of around 5.3m and be sited on the boundary with No. 91 Albert Bridge Road with a white render finish. Whilst I recognise the scale of the host property which is set over five floors, and the height of the proposal, which is said to have been designed to be kept to a minimum, the extension would nevertheless be at a height of around 3m above the terrace. This, in addition to its projection and siting, would result in an extension that would have an unacceptable enclosing effect on the outlook from No. 91's upper ground floor window on its rear elevation, which is situated in close proximity to the boundary of the appeal site.
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5. I note that an Assessment relating to Sunlight/Daylight was submitted with the appeal application. A number of concerns were raised in relation to this Assessment, with differing views on whether the Conservatory at No. 91 should have been considered by it. Whether or not the Assessment was satisfactory in this respect, I have found the proposal would have an unacceptable effect on the outlook of the occupiers of this adjoining property.
6. The appellant has made reference to a number of other properties in the area, where extensions similar to the appeal proposal have been granted. Some details of these referenced extensions have been provided. It is however evident from the information before me that many of the referenced extensions pre-date the current policy documents cited in the refusal notice. There are also differences between the appeal proposal and some of these developments, such as the one referenced at No. 103 Albert Bridge Road, which the Council have stated would only be half the depth of the rear addition and would have a slope on its side elevation. Whilst I acknowledge that there should be consistency in decision-making, each case must be considered on its own merits.
7. I therefore conclude that the proposal would have an unacceptable harmful effect on the living conditions of neighbouring occupants with regard to outlook. It would be contrary to Policy DMS1 of the Council's Development Management Policies Document which requires, amongst other matters, for development to not harm the amenity of occupiers of nearby properties. It would also conflict with the *Housing* Supplementary Planning Document and Paragraph 17 of the National Planning Policy Framework, which require, amongst other matters, a good standard of amenity for all existing and future occupiers of land and buildings. Given the harm that I have identified in respect of the main issue, I do not consider the proposed development would be the form of sustainable development, that the Framework intends there to be a presumption in favour of.

Other Matters

8. Reference has been made to a previous approval in 2005 on the appeal site and some details of this have been provided. The appellant has stated that the difference between the previous approval for an extension, terrace and screen and the current appeal would be minimal. Whilst I accept that the previous proposal would have had some effect on the neighbouring occupiers at No. 91, this previous development proposed to incorporate a glazed screen along part of the boundary. It would also have been lower than the appeal proposal along part of the boundary with No. 91. Furthermore, and contrary to the appellant's views, I find that the increased height which is stated to be 1.2m, along with the use of more solid materials would have a greater impact on the neighbouring occupiers than the previously consented scheme. I therefore attach limited weight to this fallback position and in any event, I have not been provided with details of whether the scheme remains extant and the likelihood that such an extension would be built if this appeal scheme was to fail.
9. I note concerns have been raised in relation to the effect of the proposal on the character and appearance of the host property and the Conservation Area within which the site is located. However, as the Council note, the proposal would not extend beyond the existing four storey projection and would square

off the rear of the property. It would therefore appear as a subservient addition to the host property and would preserve the character and appearance of the Conservation Area.

10. The appellant has stated that the application was due to be recommended for approval up to the date of the decision and has also raised a number of other queries relating to the Council's assessment of the application. This appeal follows the Council's decision and I can confirm that I have dealt with the appeal on its own merits.

Conclusion

11. For the reasons given above and having considered all other matters raised, including in third party representations and taking into account that the loss of a view is not in itself a planning consideration, the appeal should be dismissed.

F Rafiq

INSPECTOR