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## Appeal Decision

Site visit made on 27 April 2021

**by G Rollings BA (Hons) MAUD MRTPI**

**An Inspector appointed by the Secretary of State**

**Decision date: 18<sup>th</sup> May 2021**

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### **Appeal Ref: APP/H5960/W/20/3257202 565 Garratt Lane, London, SW18 4SR**

- 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 Mannerleigh Ltd against the decision of the Council of the London Borough of Wandsworth.
  - The application Ref 2020/1797, dated 21 May 2020, was refused by notice dated 17 July 2020.
  - The development proposed is alterations including the excavation of a rear light well in connection with the change of use of the basement from retail (class A1) to residential (class C3) to provide a 1x1 studio flat.
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### **Decision**

1. The appeal is dismissed.

### **Main Issue**

2. The main issue is whether the proposed flat would provide adequate living conditions for future occupiers, with particular regard to outlook.

### **Reasons**

3. The proposed flat would be located at basement level below a retail unit in a shopping parade. It would have an entrance from the street as well as access from a rear lane. The small yard to the rear of the building would be partly excavated to provide a patio area and access stairway.
4. The flat would be wholly below ground level, and its combined living and sleeping area would have three windows to the rear and the side return, all of which would look out into the excavated area. These areas would be constricted in dimensions, being generally narrow or channelled, and further enclosed by boundary structures at ground level. Occupiers of the proposed flat would have an extremely limited outlook that could result in a significant feeling of enclosure.
5. I acknowledge that the daylight and sunlight analysis provided by the appellant indicates that the amount of light into the flat would be within good practice guidelines<sup>1</sup>, and that similar considerations of outlook can be subjective in the absence of clear guidance. However, the diagram provided by the appellant shows that only a limited amount of sky would be visible from basement level, which confirms my assessment of limited outlook.

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<sup>1</sup> *Site Layout Planning for Daylight and Sunlight: A guide to good practice (BR 209)* (2011), Building Research Establishment.

6. The fact that the internal accommodation exceeds the minimum requirement does not negate this harm. Furthermore, although there may be an expectation of limited outlook by occupiers of an urban basement flat, this does not provide me with sufficient justification to allow a development that would provide poor quality accommodation.
7. I therefore conclude that proposed flat would not provide adequate living conditions for future occupiers, with regard to outlook. It would conflict with *Wandsworth Local Plan Development Management Policies Document (2016)* Policies DMS 1 and DMH 4, which require residential development to satisfy a range of criteria including provision of a satisfactory environment and provide suitable amenity for occupiers, amongst other considerations. I have also had regard to the Council's adopted *Housing Supplementary Planning Document (2016)*. There are no material considerations to indicate that I should determine the appeal other than in accordance with the development plan for the area.

### **Conclusion**

8. For the reasons given above I conclude that the appeal should be dismissed.

*G Rollings*

INSPECTOR