



Appeal Decision

Site Visit made on 22 June 2021

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2021

Appeal Ref: APP/H5960/W/20/3255650

89 Ramsden Road, LONDON, SW12 8RA

- 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 Orion Pictor Limited against the decision of London Borough of Wandsworth.
 - The application Ref 2019/5248, dated 20 November 2019, was refused by notice dated 27 February 2020.
 - The development proposed is Alterations including erection of dormer roof extension to main rear roof; erection of single-storey rear/side extension; formation of side lightwell to basement in connection with conversion of property from 5 x 1-bedroom flats to 1 x studio, 2 x 1-bedroom, 1 x 2-bedroom and 1 x 3-bedroom flats.
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Decision

1. The appeal is allowed and planning permission is granted for Alterations including erection of dormer roof extension to main rear roof; erection of single-storey rear/side extension; formation of side lightwell to basement in connection with conversion of property from 5 x 1-bedroom flats to 1 x studio, 2 x 1-bedroom, 1 x 2-bedroom and 1 x 3-bedroom flats at 89 Ramsden Road, London, SW12 8RA in accordance with the terms of the application, Ref 2019/5248, dated 20 November 2019, subject to the conditions in the Schedule attached to this Decision.

Procedural Matter

2. It is clear from the submissions of the parties that the only issue between them in this appeal relates to the proposed lightwell to the Oldridge Road elevation. A subsequent application has approved the other elements of the proposal. My decision therefore solely relates to the effect of the proposed lightwell.

Main Issue

3. The main issue is therefore the effect of the proposed lightwell adjacent to Oldridge Road on the character and appearance of the host property and the area.

Reasons

4. The appeal site is a semi-detached property on the corner of Ramsden Road and Oldridge Road, within the Nightingale Lane Conservation Area (the CA). The significance of the CA is described in the Nightingale Lane Conservation Area Appraisal and Management Strategy (the CAAMS) as being the rich variety of buildings of different styles, which combine to form a pleasing and diverse townscape. The Ramsden Road character area is noted as having a wide variety of styles, and the appeal site makes a positive contribution to this

significance, with its attractive detailing, adding to the variety in the surrounding street-scene. Consistent with its neighbours, the appeal site is bounded by a low wall with vegetation behind and above, creating a strong buffer between the public and private domain and limiting views of the ground immediately behind it.

5. The appeal proposal seeks to introduce a lightwell, with a bay window matching the original, to the Oldridge Road elevation. It proposes to both retain a boundary wall at same height as existing, and add planting above it, as found elsewhere around the property and surrounding streets. As a result, the visibility of the lightwell would be extremely limited. Whilst I acknowledge that it would be visible from the pavement close to it, at least until the proposed planting has time to mature, its visibility in, and effect on, the wider street-scene would be so limited as to have no real effect. I do not therefore find that the proposal would be highly visible, over dominant or incongruous.
6. I do not consider that the lightwell, an essentially subterranean feature, screened by boundary treatments consistent with the rest of the site and area, would be any more eye-catching (and therefore dominant or incongruous in the street-scene) than the host property, with its attractively detailed elevations, which would be preserved by the proposal and which draw the eye when in the area.
7. The Council suggests that the host property does in effect have two main, or front elevations, owing to the design and detailing, particularly of the Oldridge Road elevation. In my view, given the semi-detached nature of the host property, and its proportions relative to surrounding buildings and roads, the Oldridge Road elevation clearly reads as a side elevation. As a result, I do not consider that the detailed restrictions on lightwells to front elevations in Policy DMH5 of the Wandsworth Local Plan Development Management Policies Document, March 2016 (the DMPD) apply to this proposal.
8. Having given great weight to the conservation of the of the CA as a heritage asset, I therefore find that the proposal would not harm its significance, having a neutral effect, and would therefore preserve both the character and appearance of the CA.
9. I therefore find that the proposal would comply with policies PL1 and IS3 of the Local Plan Core Strategy, adopted March 2016, and policies DMS1, DMH4 and DMH5 of the DMPD. These policies seek, amongst other things, to ensure that development promotes local distinctiveness, protects, reinforces and contributes to the varied character and heritage of the Borough, is of high quality design, not visually intrusive or over-dominant and meets specific criteria for certain development types. The proposal would also comply with guidance in the Wandsworth Local Plan Supplementary Planning Document, Housing, November 2016, which seeks to add guidance to those policies and in the National Planning Policy Framework (the Framework) on conserving and enhancing the historic environment.

Conditions

10. Having had regard to the requirements of the Framework and the Planning Practice Guidance (PPG), I have imposed standard conditions concerning commencement (1), requiring compliance with the submitted plans (2), the use of matching materials (3) and the use of contextually-appropriate rooflights (5) in order to ensure the satisfactory appearance of the completed development. Both parties have also made submissions on other conditions.
11. The appellant has suggested a condition (4) requiring approval of the boundary treatments around the lightwell. Given the issues in this appeal, and the CA location of the site, I consider that this would be reasonable and necessary. I have however amended the trigger and wording of the suggested condition to be consistent with the other conditions and to ensure that it is precise and reasonable. Condition 6 is necessary to ensure that the proposal does not lead to any unacceptable noise and disturbance arising from use of the roof area.
12. I note the comments of the appellant around the timing and trigger for Condition 7. However, I do not consider that it would be appropriate for these matters to be dealt with prior to the first occupation of the development as they are fundamental to it. In any case, I note that given the nature of the development, this condition is not pre-commencement. Conditions 8 and 9 are necessary to ensure that the proposal meets the energy efficiency and resource usage targets set out in the development plan.
13. I am therefore satisfied that the conditions meet the tests in, and requirements of both the Framework and the PPG.

Conclusion

14. For the reasons given above I conclude that the proposal accords with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be allowed, and planning permission granted.

S Dean

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be begun within 3 years from the date of this permission.
2. The development shall be carried out in accordance with the reports, specifications and drawings detailed; A0.100 Rev A, A0.101 Rev A, A0.102 Rev A, A1.109 Rev A, A1.110 Rev A, A1.110A Rev A, A1.111 Rev A, A1.112 Rev C, A1.140 Rev A, A1.301 Rev A, A1.401 Rev A, A1.401A Rev A, A1.402 Rev A, A1.403 Rev A.
3. All external materials used in the construction of the development hereby approved shall match the type, texture, tone, colour, size and profile of those used on the existing building and shall be retained permanently.
4. Prior to the commencement of above ground works (excluding demolition), details of the boundary treatment and hard and soft landscaping associated with the side lightwell (Oldridge Road) shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be carried out in accordance with the approval given before any part of the development is first occupied and the completed boundary treatment shall be maintained thereafter.
5. The rooflights hereby approved, shall be of a conservation area specification i.e. in-line with and flush within the roof pitch that they would be located in.
6. The roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area and furthermore, no balustrades, railings or other means of enclosure or means of permanent access shall be erected on this area.
7. Prior to the commencement of above ground works (excluding demolition), details of the siting, design and materials of refuse, recycling and cycle storage to serve the development shall be submitted to and approved in writing by the local planning authority. This should include a design where the doors do not open out over the pavement. The refuse and cycle storage facilities shall be provided in accordance with the approved details prior to occupation of the development, and shall be retained thereafter.
8. The development hereby approved shall achieve a minimum of a 19% reduction in CO2 emissions below the maximum threshold set in Building Regulations Part L 2013. Prior to first occupation of the development, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP) shall be submitted to and approved in writing by the local planning authority, to demonstrate that the development has achieved at least a 19% reduction in CO2 emissions below the maximum threshold set in Building Regulations Part L 2013. The installed measures shall be retained in accordance with the approved details.

9. The development shall achieve a maximum water use of 105 litres per person per day (plus 5 litres for outside use) in line with the Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government. Prior to first occupation, evidence to demonstrate that the internal water consumption of the development will not exceed 105l/p/day must be submitted to the local planning authority and approved in writing. Measures integrated shall be retained for the lifetime of the development.

End of Schedule of Conditions