
Appeal Decision

Site visit made on 25 April 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2023

Appeal Ref: APP/H5960/D/22/3313658

1A Atheldene Road, London SW18 3BN

- 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 Alex Anderson against the decision of the Council of the London Borough of Wandsworth.
 - The application ref. 2022/3103, dated 25 July 2022, was refused by notice dated 11 October 2022.
 - The development proposed is for a single-storey side extension with green roof, infill extension at ground floor, first-floor rear extension, internal works and the addition of nine rooflights.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupants of 363 and 365 Garratt Lane in respect of outlook and light.

Reasons

3. The appeal site consists of a detached, two-storey dwelling with ground floor rear extensions. The surrounds are mixed in use, with residential properties to the east and a large commercial complex nearby on the opposite side of Garrett Lane.
 4. The first floor rear bedroom windows of 363 and 365 Garratt Lane currently benefit from views in a broadly easterly direction over the roof of the ground floor rear elements of the appeal house towards the rear garden scene of residences in Atheldene Road and Vanderbilt Road. Whilst I observed that there were net curtains over the glazing, the windows would appear to be the sole source of outlook from the bedrooms, which are deemed to be habitable areas. Due to the height and close proximity of the appeal proposal relative to the windows, the views would be impeded by a blank side wall approximately 4.5 metres away. This would result in an oppressive environment for the occupants of the rooms, and have a harmful impact upon their living conditions.
 5. In order to consider the effect of the proposed development on shading at 363 and 365 Garratt Lane, sunlight projections have been provided using Building Research Establishment guidelines. The plans demonstrate that the appeal scheme will have close to no perceivable loss of daylight or sunlight to the first floor rear-facing windows of the adjacent dwellings. I am satisfied that there would be no adverse effect in this regard.
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6. I am aware that there are no concerns in regard to the character and appearance of the dwelling and the surrounds, and that there have been no objections from local residents. However, these matters do not outweigh the harm that I have identified above.
7. Although the proposal would not result in harm to the living conditions of the occupants of 363 and 365 Garratt Lane in respect of light, the scheme would cause a loss of outlook. It would contravene policies DMS1 and DMH5 of the Wandsworth Local Plan Development Management Policies Document (March 2016), which seek to ensure that development does not harm the amenity of occupiers of nearby properties.

Conclusion

8. Having regard to the above and all other matters raised, I conclude that the appeal should be dismissed.

C Hall

INSPECTOR