



Appeal Decision

Site visit made on 17 December 2024

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2025

Appeal Ref: APP/H5960/D/24/3354300

71 Clapham Common West Side, Wandsworth, London, SW4 9AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Philipp de Cassan against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2024/2079.
 - The development proposed is described as 'this proposal is to lower existing basement floorspace, enlarge front lightwell to create new lower entry, alterations to front garden railings and new front bay windows at basement level. There will also be a minor reconfiguration of the basement in order to make full use of the rooms. There will be no proposed changes to the rest of the property'.
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Decision

1. The appeal is allowed and planning permission is granted to lower existing basement floorspace, enlarge front lightwell to create new lower entry, alterations to front garden railings and new front bay windows at basement level. There will also be a minor reconfiguration of the basement in order to make full use of the rooms. There will be no proposed changes to the rest of the property at 71 Clapham Common West Side, Wandsworth, London, SW4 9AX in accordance with the terms of the application, Ref 2024/2079, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; PL2_001; PL2_010; PL2_100; PL2_200; PL2_300; PL2_400 and PL2_500.
 - 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) Before the development is first occupied, a scheme of landscaping shall be submitted to and approved in writing by the local planning authority.
 - 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die,

are removed or become seriously damaged or diseased shall be replaced in the next planning season with others of a similar size and species.

Preliminary Matter

2. The National Planning Policy Framework (the Framework) was revised in December 2024. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments. Where reference is made to the Framework in this decision, the paragraph numbers are those that appear in the latest version.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and on the Clapham Common Conservation Area.

Reasons

4. The appeal site is within the Clapham Common Conservation Area (CA). The Clapham Common Conservation Area Appraisal and Management Strategy confirms that the CA is defined by the wide, open space of Clapham Common and the often grand houses that front onto it. It identifies that along the west side are many late nineteenth century terraced houses. Nos 35-80 represent a series of short terraces of three storey in red brick with projecting two storey canted bays. They include paired entrance porches with railings above. Front garden boundaries were originally of low red brick walls with coping and railings above. The appeal property is an end of terrace and displays many of the features that are typical of this part of the CA.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Similar advice is contained within the Framework and Policy LP3 of the Wandsworth Local Plan 2023 (WLP).
6. The appeal property is within a row of terraced properties that feature small front gardens, often paved and mostly enclosed by low walls and railings. Basements and associated lightwells are common and are often screened by narrow strips of hedging and /or planters. At the time of the site visit, the frontage of the dwelling was secured by hoardings with no existing soft landscaping provided to the front of the dwelling.
7. The proposal alterations involve excavation to the existing basement including the formation of an enlarged front lightwell with steps leading to a new lower entry way. There would also be alterations to the existing boundary, with a new gate enabling pedestrian access from Winsham Grove.
8. Policy LP6 of the WLP states that proposals for a new basement, extension to existing basement and subterranean development will only be permitted in certain circumstances including 'the provision of any lightwells in CAs would retain at least two metres or 50% (whichever is greater) of the original front garden depth'.

9. The proposed lightwell would be slightly deeper than the existing lightwell. The proposed lightwell would have a depth of about 1.35m when taken from the front of the prominent bay window. A landscaped strip of about 1.2m would be retained between the edge of the lightwell and the front boundary of the site which is formed by a low wall with railings above. The depth of the front garden would therefore be less than 2 metres of the original front garden, required to be retained under Policy LP6.
10. However, I observed on my site visit that many of the dwellings along Clapham Common West Side have front lightwells, and the size of lightwell sought is not uncommon in this part of the Conservation Area. Moreover, most of the lightwells are screened by hedges or planters along the front boundary and accordingly, the lightwells have not had a significant adverse effect on the CA's character and appearance. The landscape strip that would be retained is commensurate in size with those that are typical along Clapham Common West Side and would be sufficient to provide hedging or planters to soften the effects of the development. Providing that planting was provided in association with the proposal, I am satisfied that the lightwell and associated excavations would not have an adverse effect on the character and appearance of the CA.
11. The side boundary of the site is also defined by a low wall with railings above. The proposed pedestrian gate would enable access to the steps leading down to the basement. It would match the style and materials of the existing railings and front gate and its narrow width would ensure that any views into the site, including the steps down to the basement are limited. Planters on either side of the new gate would also further screen the proposed development. I therefore consider that the proposal would respect the architectural character and appearance of the host building, and the significance, character and appearance of the CA.
12. In accordance with the statutory duty set out in the Act, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA. For the reasons given above I have found that the proposal would have a neutral effect on the CA and its character and appearance would be preserved.
13. Accordingly, the proposal would comply with the heritage and design aims and objectives of the Framework, Policies LP1, LP3, LP5 and LP6 of the WLP Policy HC1 of the LP and the Housing Supplementary Planning Document 2016. Together these policies and guidance seek to protect the district's heritage assets and (amongst other things) to ensure that developments provide a high-quality design that contributes positively to local character.

Conditions

14. I have had regard to the Council's list of suggested conditions in the event that the appeal is allowed. In addition to the standard implementation condition, the approved plans condition is imposed for clarity. A condition relating to materials is necessary to protect the character and appearance of the CA. The appellant has also suggested a landscaping condition. I consider such a condition to be reasonable and necessary in order to protect the character and appearance of the CA.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

J Davis

INSPECTOR