



Appeal Decision

Site visit made on 10 December 2024

by L C Hughes BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2025

Appeal Ref: APP/H5960/W/24/3350097

Adjoining 150 Putney Bridge Road, Wandsworth, London SW15 2NG

- 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 Chris Wheatcroft against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2023/4502.
 - The development proposed is demolition of existing storage shed to erect a 1-bedroom dwelling with amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On the 12 December 2024 the Government published a revised National Planning Policy Framework (The Framework). The revised Framework is a material consideration which should be taken into account from the day of publication. Insofar as it is relevant, its content has not been materially altered in respect of the main issues before me, and therefore it has not been necessary to go back to the parties in this regard.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the living conditions of the occupiers of 150 Putney Bridge Road (No 150) with regard to outlook, overshadowing of the amenity area, and noise and disturbance from the proposed roof terrace; and
 - the living conditions of future occupiers with regard to internal layout and light.

Reasons

Living conditions – occupiers of No 150

Outlook

4. The appeal site is located at the end of a residential terrace, adjacent to a mechanics and tyre sales unit and a railway bridge. The neighbouring residential property, No 150, is split into three flats over each floor.
5. The flats at No 150 each have a window on the side elevation facing the appeal site. From the evidence before me, the windows serve habitable living/kitchen/dining room areas. The outlook from the side windows of No 150

would be altered to a degree. However, due to the design and layout of the proposal, which does not extend the full length of No 150, the evidence before me indicates that the proposed development would only be partially visible when viewed from the side windows of the ground and first floor flats at No 150. From the side window of the upper floor flat at No 150, only an element of the proposed green roof would be visible. Despite its proximity the proposal would not appear as visually intrusive.

6. The appellant has submitted a Daylight and Sunlight Report, which concludes that as a result of the proposal two windows at No 150 would not fully comply with Building Research Establishment (BRE) standards, achieving just below the BRE recommendation of 0.8 of their previous values.
7. One of these windows forms a small part of a bay window. However, the other windows in this bay, including the main pane, would meet the BRE standards and as such the room would continue to be well-lit. The other non-compliant window is a kitchen window at the ground floor flat, which directly faces the appeal site. From my site visit I observed that the kitchen was not wholly separate from the living room, which benefited from large windows and was light and airy. As such, the proposal would not lead to an unacceptable loss of light or outlook from this window to the occupiers of the ground floor flat.
8. The proposal would be sited in an urban area with characteristically tightly spaced dwellings and would be smaller in scale and height than No 150. These factors, together with the limited views of the proposal from the side windows of No 150 and the limited loss of light to two windows would not lead the proposal to have a significant overbearing, oppressive effect or erode the outlook of the occupiers of No 150 to a harmful degree.

Overshadowing

9. The Daylight and Sunlight report concluded that the garden to 150 Putney Bridge Road would experience a minor effect, maintaining slightly less than the recommended figure of 0.8 of its former value in terms of two hours of sunlight on 21 March. However, I note from the report that the part of the garden which would be most affected by the proposal would be a small area at its corner. An assessment for 21 June indicated that the garden would maintain high levels of sunlight, achieving 0.99 of its former value in terms of access to two hours of sunlight. The proposal would therefore not lead to a noticeable increase of overshadowing during the summer months, when any overshadowing would be more likely to be keenly felt. Whilst there would be a slight increase in overshadowing, this would not, therefore, be material enough to cause harm to the living conditions of the occupiers of No 150.

Noise and disturbance

10. The proposed roof terrace would be used as an amenity space for future occupiers of the proposed dwelling. It would be located in proximity to a side window of the upper floor flat at No 150, which serves a habitable room.
11. The proposed roof terrace would be fairly modest in size and consequently would be unlikely to accommodate more than one or two modest pieces of outdoor furniture. On that basis, it is unlikely that the balcony would be used for large gatherings. In tightly knit, densely populated areas, it is not unusual for residents to be able to hear activities in neighbouring amenity spaces and

there is no substantive evidence to suggest that the roof terrace would not be used in a manner otherwise akin to the amenity space of surrounding properties.

12. The surrounding area comprises a railway line and busy road, so background noises are readily apparent. Therefore, although some noise may be noticeable from future occupants sitting out on the roof terrace, due to its relatively small size and the fact that it is solely for domestic purposes for the enjoyment of the occupiers of the proposed property, despite its elevated position, I do not consider that the proposed roof terrace would result in unacceptable levels of noise and disturbance.
13. I therefore conclude that the proposal would not harm the living conditions of the occupiers of No 150 with regard to outlook, overshadowing of the outdoor amenity area and noise and disturbance from the proposed roof terrace. The proposal would therefore comply with Policy LP2 of the Wandsworth Local Plan (2023-2038) (2023) (WLP) which seeks to ensure that developments do not adversely impact the amenity of occupiers of neighbouring properties, including avoiding unacceptable impacts on levels of daylight, sunlight and noise and are not visually intrusive or overbearing.

Living conditions – future occupiers

14. The proposed dwelling would be small, but not unreasonably so. It would meet or exceed internal space standards featured within the Government's Technical Housing Standards – Nationally Described Space Standard (NDSS) and Policy D6 of the London Plan (2021) (LonP). The submitted plans highlight that there is sufficient space for furniture within the proposed dwelling, adequate circulation space, and both internal and external storage space. The proposal would therefore provide functional and usable living space and would not result in an awkward layout.
15. Notwithstanding the above, the Daylight and Sunlight Report indicates that whilst the ground floor living room and first floor bedroom would meet the recommended lux levels, only 25% of the basement, which comprises a kitchen/dining area, would achieve the minimum recommended lux. This is a significant shortfall. The basement would also fail the sunlight exposure analysis.
16. Whilst there is a window to the rear of the proposed room, this would face out onto a lightwell which would limit the amount of light that the room would achieve. In addition, whilst shortfalls in recommended light targets may not be unusual in basement rooms, the Daylight and Sunlight Report highlights that the area which would be less well-lit within the proposed basement would include the area which the proposed floor plan indicates would be the location of the proposed kitchen appliance and cooking area where a reasonable level of light would be expected. Given the low light levels, the room would be somewhat gloomy and future occupiers would be reliant on artificial lighting.
17. Whilst the appellant has pointed out that the Council's Environmental Services raised no objections to the report, the Council have stated that a review of the Daylight and Sunlight report was not within their remit, and as such I do not consider the lack of objections to the report from Environmental Services to be pertinent to the appeal.

18. Therefore, whilst the proposal would not harm the living conditions of future occupiers with regard to layout, I conclude that the proposal would harm the living conditions of future occupiers with regard to light. As such, it would not comply with LonP Policy D6 which seeks to ensure that developments provide sufficient daylight and sunlight. It would conflict with WLP Policy L27 which highlights that development should meet all requirements for housing standards set out in LonP Policy D6. I have not found conflict with the NDSS standards or the London Plan Guidance Housing Design Standards (2023) insofar as they relate to the internal floorspace of rooms.

Other Matters

19. There is no objection in principle to residential development on the appeal site. The proposal was amended following a refusal of an earlier scheme, addressing a number of the Council's previous concerns. However, the amendments are insufficient to overcome the identified harm and the conflict with the development plan.

Planning Balance

20. The proposal would provide economic benefits through the construction phase, and local spend from future occupiers. There would be environmental benefits as a result of the proposal's accessible location. Social benefits would be provided in the form of the provision of an additional residential unit on a small site. Due to the small scale of the development, I attribute these benefits moderate weight. However, these benefits do not outweigh or alter my overall concerns regarding the harm that the proposal would have on the living conditions of future occupiers with regard to light.

Conclusion

21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
22. For the reasons given above the appeal should be dismissed.

L C Hughes

INSPECTOR