



Appeal Decision

Site visit made on 11 March 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2025

Appeal Ref: APP/N5660/W/24/3355286

8-10 Sunnyhill Road, Lambeth, London SW16 2UH

- 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 Coulsdon Properties Ltd against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 23/04060/FUL.
 - The development proposed is development of a two-storey upper floor extension to an existing building comprising five flats and cycle/ bin store to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 12 December 2024, the Government published a revised National Planning Policy Framework (the Framework). Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.
3. The seventh reason for refusal relating to refuse provision is no longer pursued by the Council following the submission of the appellant's grounds of appeal. It is therefore not addressed in this decision.
4. The application form details the postcode of the appeal site as SW16 2BJ but the decision notice refers to a different postcode (SW16 2UH). The appellant was asked to confirm the correct postcode, which is now used in the banner heading above.
5. Within the appellants statement it is alleged that the appeal site does not fall within a conservation area. However, a heritage planning, design and access statement has been submitted which states that the site is located within the Streatham High Road and Streatham Hill Conservation Area (CA). This accords with the Council's assessment, and the map of the CA boundaries provided, therefore this appeal will be determined based on the appeal site being located within the CA.

Main Issues

6. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the CA;

- whether the proposed development would provide acceptable living conditions for its occupants in respect of internal accommodation and external amenity space;
- whether the proposed development would provide acceptable cycle parking provision;
- the effect of the proposed development on the living conditions of the occupants of 6A Sunnyhill Road with reference to privacy and outlook; and;
- whether a S106 planning obligation is necessary to address the transport impacts of the development and the effect of the proposal on local parking conditions and the delivery of transport objectives set out in local planning policies.

Reasons

Conservation Area

7. The appeal site is located within the CA. The significance of the CA is derived from the ancient origins of Streatham High Road. This road varies along its length but contains the old village centre of Streatham, a significant number of commercial and residential properties dating from late Victorian, Edwardian and inter-war periods as well as associated community and leisure buildings.
8. The appeal site is a Victorian two storey building with hipped clay tiled roof, it forms part of a group of older brick built Victorian buildings that lie close to Streatham High Street. Being one of the oldest buildings in the road, it would have formed part of the historic Streatham Village and therefore positively contributes to the character and appearance of the CA.
9. The site is positioned within a row of small shops that front Sunnyhill Road. The buildings step down in height from the corner with Streatham High Street as the road slopes down towards Valley Road. It adjoins a terrace of taller, narrow red brick Edwardian three storey buildings with stepped shopfronts, cornices and largely unaltered roof forms. The buildings have a cohesive appearance, that positively contributes to the character and appearance of the CA.
10. The proposal would result in the appeal building being taller than those either side of it. Whilst it would not be significantly taller than the adjoining terrace, due to the appeal building being wider than those it adjoins, the increased height would unacceptably increase the bulk and mass of the appeal building. This would be emphasised by the proposed render finish which would highlight the scale of the altered building. As such the form and appearance of the resultant building would fail to respect the proportions and appearance of the terrace it adjoins and appear incongruous in this setting.
11. The proposed upper floor windows would match those at first floor and the render finish would match the existing first floor. Whilst several nearby buildings have a white masonry paint finish or modern stucco facing, the use of these materials tends to be limited to upper floors and narrower buildings compared to the appeal site. As a result, despite maintaining the characteristic step in height, the expanse of render combined with the imposing height of the proposal would fail to respect the street scene.

12. In the evidence, reference is made to properties with full width rear dormers in the vicinity. However, from the aerial imagery provided, the examples noted are in a minority, therefore large rear dormers are not a prevailing characteristic of the CA or wider area. As a result, the large proposed rear dormer, due to its scale and boxy appearance would be at odds with the largely unaltered roof forms in the immediate setting.
13. For the above reasons the proposal would fail to preserve or enhance the character or appearance of the CA. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and nature of the proposal, the harm to significance of the heritage asset would be less than substantial; paragraph 208 of the Framework indicates that in such circumstances the harm should be weighed against the public benefits of the proposal.
14. In terms of benefits, the proposal would provide additional flats and positively contribute to the supply of housing. It would also result in the more efficient use of land through the upward extension of the building. These benefits carry significant weight but are tempered by the modest scale of the scheme and would be insufficient to outweigh the less than substantial harm to the CA.
15. For the above reasons, the proposed development would fail to preserve or enhance the character or appearance of the area. It would therefore be contrary to policies Q5, Q11 and Q22 of the Lambeth Local Plan 2021 (LLP). These policies, amongst other things, require proposals to preserve or enhance positive characteristics in the CA, extensions to be subordinate to prevent them dominating the host building and schemes to respond positively to built form, including roofscapes.

Living conditions of future occupants

Internal layout

16. Policy H5 of the LLP requires new dwellings to meet the minimum private internal space standards set out in London Plan Policy D6. Based on the premise that the proposed units are one bedroom two person flats, the Council contends that flats 1-4 have a Gross Internal Area (GIA) below the standard, and do not have the required level of built in storage space. However, the submitted plans indicate that units 1-4 would be one bedroom one person flats and flat 5 would be a one bedroom two-person unit. Based on this information, the GIA of the proposed units would be compliant with the standards. In addition, based on the room schedule on drawing A104-1, all units would either meet or exceed the requirements for built in storage.
17. With reference to internal ceiling height, policy D6 of the London Plan requires a minimum floor to ceiling height of 2.5m for at least 75 per cent of the GIA of each dwelling. This is more stringent than the 2.3m required in the nationally described space standards.
18. The Council alleges that ceiling heights for the first and second floor levels fail to meet the required height of 2.5m for at least 75% of the GIA of each unit. The appellant has not addressed this point but given the submitted sections indicate that the ceiling height does not change across flats 1- 4, the proposed first and

second floor units would fail to comply with this requirement. As such, the internal layout of the proposed units would fail to provide adequate living conditions for future occupants.

External amenity space

19. Policy H5 of the LLP requires proposals to provide 10m² external amenity space per flat as a balcony, terrace, private garden or consolidated communal amenity space. Amenity space in the form of a balcony is provided for flat 5 and a shared communal amenity space is provided for flats 1-4. Due to their small size, both provisions fall significantly below the required standards.
20. Whilst the appellant has used the limited amenity space available, the proposed communal amenity area would be in close proximity to a large extractor system, air conditioning units and a parking area. As such the proposed provision would not only fail to meet the required 10m² per unit, but the quality of the area provided would be poor.
21. Reference is made to planning application 21/04625/FUL relating to a property a few doors away whereby it is alleged that an under provision of private amenity space was accepted. The specific planning, and policy considerations behind this example have not been provided and it is not clear why the Council made an exception, if indeed it did. However, I can see no justification in the present case to accept the under provision of external amenity space.
22. Whilst the Council has not challenged the appellant's assertion that the area does not have an open space deficiency, and Streatham and Tooting Common may be within walking distance and suitable for informal recreation, they would not be suitable for basic activities such as sitting out or drying laundry.
23. For the reasons above, the proposed development would fail to provide acceptable living conditions for its occupants in respect of internal accommodation and external amenity space. It would therefore be contrary to policies H5, Q2 and T3 of the LLP and policies D6 and T5 of the London Plan. These policies amongst other things require proposals to provide adequately sized rooms and external amenity space.

Cycle Parking Provision

24. Policy Q13 of the LLP requires all proposed cycle storage to be compliant with the minimum standards set out in the London Plan. These standards would require a total of 5.5 cycle parking spaces.
25. The plans denote that a secure cycle store would be provided and whilst it is unclear how many bikes this would accommodate, there appears to be sufficient room on the site to provide additional storage if required. Details of cycle storage could have been secured by condition, had I been minded to allow the appeal.
26. For the reasons above, the proposed development would be able to provide acceptable cycle parking provision. It would therefore be compliant with policies T3, and Q13 of the LLP and policy T5 of the London Plan in this regard.

6A Sunnyhill Road -Privacy and Outlook

27. The flank wall of the appeal site faces the side of 6A Sunnyhill Road with access to the rear courtyard being positioned between these buildings. There are four windows in the flank elevation of 6A, three at first floor level. The windows at first floor level, roughly align with the hipped roof of the appeal building.
28. The proposed two additional storeys opposite the first-floor windows in the flank elevation of 6A would harm the outlook from these windows. This is because in contrast to the current relatively open outlook arising from the sloping roof, an imposing two storey gable end would project significantly above these windows and consequently appear oppressive. The separation distance would not be sufficient to prevent the harm identified.
29. In respect of privacy, the proposed gable end would include new windows at second and third floor. These windows would be positioned significantly above the windows in the flank elevation of 6A and as such they would not result in direct overlooking. Instead, views would be limited and oblique, consequently they would not unacceptably affect the privacy of the occupants of 6A Sunnyhill Road.
30. For the reasons above, the proposed development would have an unacceptable impact on the living conditions of the occupants of 6A Sunnyhill Road in respect of outlook. Whilst the effect of the proposed development on the privacy of the occupants of 6A Sunnyhill Road would be acceptable, the proposal would still be contrary to policy Q2 of the LLP. Amongst other things, this policy advises that proposals will be supported if adequate outlooks are provided avoiding wherever possible any undue sense of enclosure.

Parking conditions and the delivery of transport objectives

31. The appeal site is not within a Controlled Parking Zone (CPZ) and has an excellent Public Transport Accessibility Level (PTAL) value of 6A. This means the site has access to a range of public transport.
32. Policy T6 of the LLP requires compliance with London Plan Policy T6 which requires car parking to be restricted in line with public transport accessibility and connectivity. In addition, Policy T.6.1 of the London Plan (relating to residential parking) advises that maximum parking provision for dwellings in all areas with a PTAL of 5-6 should be car free. As a result, the proposed development is required to be car free.
33. Policy T1 of the LLP seeks to reduce dependency on private cars in accordance with the Lambeth Transport Strategy and Implementation Plan. As a result, Policy D4 advises that S106 agreements will be sought in respect of car clubs and parking restrictions. This is required to reduce car dependency in areas where public transport is good and to maximise trips made by sustainable modes of transport. In this case, the Council consider that a S106 agreement is required to secure a contribution towards the implementation of a CPZ in the area and to ensure that the proposed development is designated as car permit free in the event of a CPZ being introduced.
34. The appellant has advised that they are willing to enter into a S106 agreement with reference to the three additional flats being car free and membership to the car club and cycle hire, but, one has not been submitted. Given the objectives of

reducing car dependency and maximizing sustainable travel, such an obligation would meet the tests in paragraph 58 of the Framework in terms of being directly related to the development, fairly and reasonably related in scale and kind to the development and necessary to make it acceptable in planning terms.

35. For the reasons above, the proposed development would have an unacceptable impact on parking conditions and the delivery of transport objectives set out in local planning policies. Therefore, the scheme would be contrary to policies D4, T1, T6 and T7 of the LLP and policies T6 and T6.1 of the London Plan. These policies seek to restrict car parking in line with PTAL values, maximise trips made by sustainable travel and reduce car dependency.

Other Matters

36. Whilst the principle of accepting higher densities in good accessibility areas is agreed, this should not be to the detriment of the impact on the character or appearance of the CA, the living conditions of future occupants or those of the occupiers of the neighbouring property.

Planning Balance and Conclusion

37. The proposal would fail to preserve or enhance the character or appearance of the CA and would therefore fail to satisfy the duty under 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It would also fail to provide acceptable living conditions for its occupants in respect of internal accommodation and external amenity space and have an unacceptable impact on parking conditions and the delivery of transport objectives set out in local planning policies. Substantial weight is afforded to the conflicts with the LLP in relation to these matters.
38. Whilst the proposed development would be able to provide acceptable cycle parking provision, the harm identified above, brings the scheme into conflict with the development plan taken as a whole.
39. The proposal would deliver three additional dwellings in the Borough which would support the implementation of targets set out by the Lambeth Housing Strategy and the delivery of the London Plan ten-year housing target for Lambeth. This would make a small but useful contribution to housing delivery and therefore this benefit is given significant weight. However, these benefits are not sufficient to indicate a decision otherwise in accordance with the development plan.
40. For the reasons given above the appeal is dismissed.

V Goldberg

INSPECTOR