



Appeal Decision

Site visit made on 17 July 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st August 2025

Appeal Ref: APP/N5660/W/25/3361758

Flat 1, 6 Windmill Drive, London, SW4 9DE

- 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 Gopi Chelliah against the decision of the Council of the London Borough of Lambeth.
- The application Ref is 24/01630/FUL.
- The development proposed is for the demolition of rear spiral staircase and terrace. Erection of single storey lower ground floor rear extension with sunken courtyard and provision of terrace at ground floor level with proposed stairs to garden level. Installation of new door and 2x windows to rear elevation (to Flat 1).

Decision

1. The appeal is allowed and planning permission is granted for the demolition of rear spiral staircase and terrace. Erection of single storey lower ground floor rear extension with sunken courtyard and provision of terrace at ground floor level with proposed stairs to garden level. Installation of new door and 2x windows to rear elevation at Flat 1, 6 Windmill Drive, London, SW4 9DE in accordance with the terms of the application, Ref 24/01630/FUL, 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:
 - Proposed Site/Location and Block Plan- Drg No. J22009-ZMA-V1-ZZ-DR-A-101-PL- Rev. A
 - Proposed Site Plan- Drg No. J22009-ZMA-V1-ZZ-DR-A-102-PL
 - Proposed Lower Ground Floor Plan- Drg No. Drg No. J22009-ZMA-V1-LGF-DR-A-109-PL Rev. A
 - Proposed Ground Floor Plan- Drg No. J22009-ZMA-V1-GF-DR-A-110-PL Rev. A
 - Proposed Roof Plan- Drg No. J22009-ZMA-V1-RP-DR-A-111-PL Rev.A
 - Proposed Rear (S) Elevation- Drg No. J22009-ZMA-V1-ZZ-DR-A-121-PL Rev. B
 - Proposed Side (E) Elevation- Drg No. J22009-ZMA-V1-ZZ-DR-A-122-PL- Rev. A
 - Proposed Side (W) Elevation- Drg No. J22009-ZMA-V1-ZZ-DR-A-123-PL

- Proposed Street (E) Elevation- Drg No. J22009-ZMA-V1-ZZ-DR-A-124-PL Rev. A
 - Proposed Section AA- Drg No. J22009-ZMA-V1-ZZ-DR-A-130-PL Rev. A
 - Proposed Section BB- Drg No. J22009-ZMA-V1-ZZ-DR-A-131-PL
 - Proposed Front Elevation- Drg No. J22009-ZMA-V1-ZZ-DR-A-120-PL
- 3) The materials to be used in the construction of the external surfaces of the proposed development shall match those used on the existing building, except where indicated otherwise on the drawings hereby approved.
- 4) The upper ground floor bi-fold doors on the rear elevation shall be constructed of white timber, to match existing windows on the upper ground floor rear elevation.

Preliminary Matters

2. I have amended the address provided in the application form in the heading above for reasons of clarity. The address listed above matches that listed in the appeal form, however it removes the repetition of 'London'.
3. For reasons of clarity, I have used the description of development as listed on the decision notice. This matches that used in the appellant's statement of case.
4. In the Council's refusal reason they refer to the use of a large aluminium framed aperture at upper ground floor level, however the plans which formed the basis of their decision do not indicate that the upper floor doors would be aluminium. The appellant has advised at appeal stage that the doors would be white timber. The Council therefore suggest that the appellant has introduced new information at appeal stage as it was not previously confirmed to officers that the proposed doors would be timber framed, and it was unclear to Officers what material was proposed. In any case, the Council have had the opportunity to view and comment on the now confirmed materials. Furthermore, the plans did not indicate that the upper floor doors would be aluminium. I have assessed the appeal accordingly.
5. The appeal site is within Clapham Conservation Area (CA) wherein I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area, including the Clapham CA.

Reasons

7. The appeal property relates to a duplex flat which occupies the lower ground floor and upper ground floor of 6 Windmill Drive. 6 Windmill Drive is a substantial red brick Victorian villa with a semi-basement and roof accommodation situated on Clapham Common. The evidence before me outlines how the building is one of five built in the late 1800's and the villas are located on the only part of Clapham Common which has been developed for residential use. The flat benefits from a

garden to the rear and there appears to be shared parking at the front of the property.

8. The site is situated within Clapham CA. From the evidence before me and my site visit observations, the significance of the CA, in part, derives from the sense of openness provided by Clapham Common, the architectural and historic interest of the townscape on its fringes and the evidence this provides of the architectural style and building techniques of the time. The appeal property adds positively to an understanding of the CA in terms of its age, materials and architectural detailing. The Council outline how the building is a positive contributor to the character and appearance of the CA.
9. The appeal scheme seeks to erect a single storey lower ground floor rear extension with sunken courtyard, a terrace at ground floor level with stairs to the garden level, and the installation of new doors and two windows on the rear elevation at upper ground floor level.
10. The Council confirm in their case officer report that the infill extension and terrace would cause no harm to the CA. I agree with this assessment. Their objections relate to the loss of two top hung sliding sashes and their aperture along with the installation of a large aluminium framed aperture and the addition of render on the rear elevation. My assessment therefore largely focusses on these elements of the scheme.
11. The two upper ground floor windows would be removed and replaced with traditional style bifold doors with a central division to mirror the existing masonry pier between the sash windows. The Council outline how at this level, the openings are largely uniform with a pattern of portrait punched openings. However, whilst the proposed openings would be somewhat larger than the existing sash windows, their cill levels would only be marginally dropped, thereby largely retaining the uniformity in openings at this level. In addition, the Council's own evidence outlines how the cill levels have been dropped on a pair of windows at 8 Windmill Drive, to allow access to a raised terrace. Furthermore, in any case the traditional design and detailing, with the wider central frame, allows the scheme to positively respond to the original fenestration pattern, whilst enabling access to the terrace.
12. As previously noted, the Council refusal reason referred to the large aluminium framed aperture at upper ground floor level which would replace the existing sash windows. However, the submitted plans do not indicate that the doors would be made of aluminium and instead indicate that they would be traditional style bifold doors. The appellant has subsequently confirmed in their statement of case that these would be white timber, therefore matching existing openings. In any case, if the appeal is allowed a condition to ensure that they are constructed of white timber to match existing openings could be used.
13. The Council object to the use of render to the upper ground floor elevation, outlining how brick is the traditional treatment and should be retained. The existing render steps up from the lower ground floor level to the rear entrance door on the upper ground floor level and above the conservatory. This however contrasts to neighbouring properties on Windmill Drive. The proposed render would match the upper ground floor elevation on neighbouring properties, thereby create a uniform appearance at No. 6. I therefore do not agree that it would result in an incongruous

and alien intervention. Instead, it would be in keeping with surrounding development.

14. Grey framed aluminium sliding doors would be used on the lower ground floor extension. These would also have a wide central frame to match the original upper ground floor sash windows and sit in line with the proposed bifold doors above. As previously outlined, the Council have confirmed that they have no objection to the lower ground floor extension. I agree with this assessment. No objection is raised to the removal of the spiral staircase, or the two new windows at upper ground floor level. These are similar to the existing openings and overall are relatively minor changes with limited visual impacts.
15. The front elevation of the property, which faces the common, would remain unchanged. Given the existing side boundary treatment of a fence and trellis, and the positioning of the works to the lower and upper ground floor, views of the scheme would be largely limited. The Council outline how the visibility of works from a public pavement is not the test when assessing harm. Nonetheless, whilst views would be limited, I consider that the scheme would respond positively to the original character of the building and not detract from the contribution the property makes to the CA.
16. The Council have drawn my attention to another scheme at the site which was recently granted permission. Whilst this represents an alternative scheme, I have assessed the appeal before me on its own planning merits and outlined my reasoning above.
17. For the reasons outlined above, I conclude that the development is well designed and in keeping with the character and appearance of the host property and would preserve the character and appearance of the CA. This scheme would accord with Policies Q5, Q8, Q11 of the Lambeth Local Plan 2020-2035 (2021) (LP). Collectively, amongst other matters, these policies seek to ensure that development responds positively to the local context and historic character of an area. It would also accord with Policy Q22 of the LP which seeks to ensure that development affecting conservation areas preserves or enhances their character or appearance and the provisions of the Lambeth Design Guide Supplementary Planning Document (2023) in this regard.
18. It would similarly accord with the requirements National Planning Policy Framework (the Framework), which states that great weight should be given to the conservation of heritage assets.

Other Matters

19. I acknowledge the appellant's concerns over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.
20. The appeal site is located within proximity to Windmill Public House, which is a Grade II listed building. The Council have not raised any concerns regarding the effect of the proposed works on the setting of the listed building. Given the works are relatively minor in scale, occupying largely the lower and upper ground floor, and the intervening distance and vegetation between the site and the listed building, I am satisfied that the setting of the listed building would not be affected.

21. The Council outline how the appellant appears to switch between referring to the original proposal and the revised proposal in their statement of case. I have however assessed the scheme based on the scheme which the Council made their final decision upon. I understand that this is the revised proposal.
22. A third party queries whether trees on the site are to remain, and whether there are plans for any treatment to the rear wall of the garden at the appeal site. The plans do not indicate that any amendments to the rear wall at the site are proposed. They also do not suggest that any trees would be removed as part of the application. The Council have similarly stated in their case officer report that no trees are proposed to be removed.

Conditions

23. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have amended suggested wording from the Council for reasons of clarity.
24. The Council have suggested a condition to ensure that external materials match the colour, texture, profile and finished appearance. However, I have used a standard matching materials condition as this would still ensure that the materials match the existing building, therefore safeguarding visual amenity of the CA in this regard. I have also used a condition to ensure the proposed doors on the rear elevation at ground floor are constructed of white timber, as advised by the appellant. This is in order to safeguard the visual amenity of the CA.

Conclusion

25. For the reasons given above, and taking into account all relevant matters raised, I conclude that the appeal should be allowed.

S Burch

INSPECTOR