



Appeal Decisions

Site visit made on 10 June 2025

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal A Ref: APP/H5960/W/24/3355000

75-77 Replingham Road, London SW18 5LU

- 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 Bystone Ventures Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref is 2024/2323.
- The development proposed is erection of rear mansard roof extensions, a ground floor rear extension, part first floor extensions with rear roof extensions over part first floor extensions (pod additions) with rear roof terraces, together with the conversion of five existing flats to provide seven flats and associated landscaping and bio-diversity improvements.

Appeal B Ref: APP/H5960/W/24/3355006

79 Replingham Road, London SW18 5LU

- 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 DPH Property Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application Ref is 2024/2483.
- The development proposed is erection of a rear mansard roof extension, ground floor rear extension, part first floor rear extension with rear roof terrace and extension over part first floor extension (pod addition) with rear roof terrace, together with the conversion of the ground floor retail unit and existing flat on the upper floors to provide three flats with associated landscaping and bio-diversity improvements.

Decision - Appeal A

1. Appeal A is allowed and planning permission is granted for erection of rear mansard roof extensions, a ground floor rear extension, part first floor extensions with rear roof extensions over part first floor extensions (pod additions) with rear roof terraces, together with the conversion of five existing flats to provide seven flats and associated landscaping and bio-diversity improvements at 75-77 Replingham Road, London SW18 5LU, in accordance with the terms of the application Ref 2024/2323 and subject to the Schedule of Conditions – Appeal A to this Decision.

Decision - Appeal B

2. Appeal B is allowed and planning permission is granted for erection of a rear mansard roof extension, ground floor rear extension, part first floor rear extension with rear roof terrace and extension over part first floor extension (pod addition) with rear roof terrace, together with the conversion of the ground floor retail unit and existing flat on the upper floors to provide three flats with associated landscaping and bio-diversity improvements at 79 Replingham Road, London SW18 5LU, in accordance with the terms of the application Ref 2024/2483 and subject to the Schedule of Conditions – Appeal B to this Decision.

Preliminary Matters - Appeals A and B

3. Appeal A relates to 75-77 Replingham Road (no. 75 and no. 77) and Appeal B is in respect of 79 Replingham Road (no. 79). These are adjoining properties and the proposals in respect of each appeal include schemes to extend these properties in a similar fashion. Furthermore, the Council's reasons for refusal in respect of both schemes are similar. However, these appeals relate to two separate applications made by different applicants. I will consider each proposal but to avoid duplication, I have evaluated both Appeals together.
4. In respect of Appeal B, as part of the application process, the appellant amended the design of the second-floor extension. This was in response to concern about the effect of the proposal on 81 Replingham Avenue (no.81). The appellant advises that they have also submitted evidence showing the internal layout of no.81, which demonstrates that neither extension would materially affect this property. For this reason, the appellant is proposing both designs as part of this appeal and agrees to implementing either scheme.
5. My role is not to choose a preferred scheme. Therefore, and in the interests of consistency, I have determined Appeal B on the basis of the revised drawings on which the Council made its decision.
6. During the appeal, for both Appeals A and B, the appellant has submitted amended plans. These show that the terraces at first floor level have been set in from their respective side boundaries. These changes reduce the scale of the scheme and do not alter the overall nature of the proposal. However, I have only accepted these in respect of Appeal A, and do not consider that the interests of any party have been prejudiced by my having done so. I have not accepted the amended drawings in respect of Appeal B, as these do not incorporate the revisions made by the appellant in response to concern about the effect of the proposal on no.81, as set out above.

Main Issues - Appeals A and B

7. The main issues are:
 - i) the effect of the proposals on the character and appearance of the area, and;
 - ii) the effect of the proposals on the living conditions of neighbours.

Reasons - Appeals A and B

Character and appearance

8. Numbers 75, 77 and 79 Replingham Road, comprise 3, four-storey, mid-terrace properties with the fourth storey accommodated in the roof space ('the host properties'). These were vacant at the time of my visit and formerly comprised mainly flats with some commercial space.
9. The host properties would have originally shared a similar scale and design features with a wider block of properties that include 69-71 Replingham Road (numbers 69-71). However, overtime these appear to have been altered. In particular, these feature mansard roof extensions and along their rear elevations, the original spacing between outriggers has been infilled.
10. In contrast, the host properties retain rear outriggers at first and second floor levels and incorporate different alterations to their roofs. As such, the rear elevations of

the host properties are different to the neighbouring properties. Whilst I acknowledge that at first and second floor level, the host properties and numbers 69-71 share a similar building line, I also observed that there are outriggers and extensions at first and second floor levels, which extend further back. As such, there is some variation in the building line within the wider group of buildings, which includes those to the east and west of the host properties.

11. In light of the above, the host properties no longer share a distinct design and scale with the other properties nearby. Moreover, the rear elevations of the host properties are of no particular architectural merit and there is considerable variation in the rear elevations of buildings along Replingham Road.
12. There is no notable consistency in respect of ground floor extensions with regard to appearance and depths. In this instance, the proposed ground floor rear extensions would replace existing extensions and match the depth of the extant ground floor extension at No. 75 and others nearby. The mansard roof extensions would be built using slate with lead cheeked dormers and sash windows and are of a similar design to those nearby.
13. The extensions at first and second floor would infill between the existing outriggers and extend beyond these. The first floor extensions to the rear of numbers 75 and 77 would be set in from the side boundaries and incorporate a pitched roof, which would extend across about two thirds of the width of their rear elevations. The first floor extension at no. 79 would incorporate a flat roof. These first-floor extensions have been designed to replicate rear outriggers that are present on other buildings to the east, albeit they are slightly higher due to the additional height of the host properties. The depths of the first floor extensions, including their relatively shallow rear terraces, would match the rear building line within the wider terrace.
14. The second-floor additions will have a depth of about 50% of the rear first floor extensions and mainly incorporate approximately 70-degree pitch slate sides and roofs to limit massing. These extensions lead out onto roof terraces, which will be set back from the first floor building line.
15. The siting of the proposed extensions along the rear of the host properties is logical. Also, because these extensions are mainly set-in from the sides of the host properties and reduced in depth between the lower and upper floors, they are subordinate in scale. Overall, the massing of these extensions would be absorbed by the overall size of the host properties.
16. Based on my observations, the design of the above extensions reflects historic and recent additions to the rear of buildings along Replingham Road. These extensions would also incorporate a palette of materials which are reflective of the host properties and area.
17. I acknowledge that cumulatively, the rear extensions across the host properties would alter their rear facades. Nevertheless, for the above reasons, in particular the limited architectural quality of the extant rear facades and variations found in these along Replingham Road, the proposals would be acceptable and a visual improvement.
18. The alterations to the front of the host properties are well considered and would assimilate with their frontages and wider street scene.

19. For the above reasons, the proposals would not harm the character and appearance of the area and accord with Policy LP1 of the Wandsworth Local Plan 2023-2038 (Adopted 2023) ('LP'). This advocates a design-led approach to optimise the potential of sites so that the layout and arrangement of buildings ensure a high level of physical integration with their surroundings and consideration of broader placemaking. Ensure that the scale, massing and appearance of the development provide a high-quality, sustainable design and layout that enhance and relate positively to the prevailing local character and the emerging character (where the context is changing).
20. I also find no conflict with LP Policy LP5, which relates to rear extensions and says that these should be subservient to the original host dwelling and its setting; would not be overly dominant and ensure that a substantial depth of the original rear garden would remain free of buildings and structures including lightwells.

Living conditions of neighbours.

21. As already stated, the host properties form part of a terrace. This features properties along either side and has a 'back to back' arrangement with terraced properties along Pirbright Road. A number of these properties incorporate rear facing windows, terraces and balconies. Because of this arrangement there is already a degree of mutual overlooking. There is also a considerable sense of perceived overlooking, which is not unusual given the built-up, urban nature of the area, which includes multi-storey buildings.
22. Moreover, on the evidence before me, the host properties have historically featured and had access to roof terraces. These included a substantial roof terrace to the rear of numbers 75 and 77 and a much smaller one to the rear of no. 79.
23. The proposed extensions would increase the scale of the host properties and extend these closer to some of the properties along Pirbright Road. Despite this, at all levels the separation retained between the host properties and dwellings along Pirbright Road, would reflect those which already exist between properties in Replingham Road and Pirbright Road. Moreover, the new roof terraces are proposed to be enclosed with obscure glazed screens. This arrangement, would ensure that there would be very limited increase in actual overlooking. Also, given the surrounding context, any perceived overlooking would be minimal.
24. As already stated, the proposed extensions at first and second floor are considered subordinate to the host properties. In addition, the facades of these extensions would utilise considerable glazing and include glass balustrades, which would soften and provide some visual relief to the proposed built forms. These design interventions in combination with the acceptable separation distances, mean that the proposals would not be unduly dominant or unacceptably undermine the outlook of neighbouring properties, in particular those along Pirbright Road.
25. For the above reasons, the proposals would not result in any harm to the living conditions of neighbours with regard to perceived overlooking or harm to outlook. As such, the proposals accord with Policy LP2B of the LP, which along with other things says development proposals must not adversely impact the amenity of existing and future occupiers or that of neighbouring properties.

Other Matters - Appeals A and B

26. In addition to the main issues, third parties have raised concerns in respect of a number of other matters. Based on the submitted daylight/sunlight assessments, the effects of the proposals on neighbouring residential properties with regard to receiving daylight/sunlight would meet the relevant guidelines.
27. Whilst the proposals would introduce a number of roof terraces, individually these are of modest sizes and collectively they would be smaller in area relative to those associated with the host properties. Therefore, whilst the use of these would generate some additional activity and noise, this would not be significant or detrimental in the context of an established residential area, which already features outdoor amenity spaces, including roof terraces.
28. The proposals are supported by ecological appraisals, which indicate that the development would be unlikely to impact on any protected species. In addition, some measures are proposed to achieve biodiversity enhancements. These measures could be secured by a conditions if the appeals succeed.
29. The proposed refuse and recycling storage areas are designed to meet the Council's requirements in terms of capacity and access and are therefore acceptable.
30. Some neighbours use an existing alleyway which runs to the side of No. 79. Future access issues in respect of this would be a civil matter between the relevant parties and falls outside the remit of the appeals before me.
31. Individually or cumulatively, the above matters are not sufficiently forceful to justify dismissal of these appeals.

Conditions - Appeals A and B

32. For each appeal I have had regard to the conditions put forward by the Council considering the requirements of the Planning Practice Guidance and the National Planning Policy Framework. In addition to the standard timescale condition for the implementation of the planning permission, I have imposed a condition specifying the approved drawings and documents in the interests of certainty.
33. To ensure a high-quality development and to safeguard the character and appearance of the area, I have imposed conditions requiring details of all external materials and landscaping and its implementation.
34. Also, to safeguard the living conditions of neighbours and in the interests of environmental quality during the construction of the development, it is reasonable and necessary to require a Construction and Environmental Management Plan.
35. To ensure that any works beyond the front elevation of the development site are undertaken and completed in accordance with section 278 of the Highways Act 1980, a condition requiring this is reasonable and necessary.
36. I have specified conditions requiring the provision of refuse and recycling storage and cycle parking. These are necessary to ensure the satisfactory functioning of the approved developments and sustainability.

37. It is reasonable to impose conditions to secure a proportion of energy sources from renewable and/or low carbon measures and water efficiency to promote sustainable forms of development.
38. To secure ecological improvements, I have imposed a condition requiring a scheme for ecological enhancements and biodiversity net gain.
39. To safeguard the living conditions of neighbours, I have specified a condition requiring the specifications, provision and maintenance of the obscure glazed screening to all the approved roof terraces.
40. Condition 3 in respect of Appeals A and B, which prevents any development approved from commencing until this has been complied with, is considered fundamental to the development hereby approved. It is necessary for this to take the form of a 'pre-commencement' condition to have its intended effect. Where necessary and in the interests of clarity, flexibility and precision, I have altered the conditions to better reflect the relevant guidance.

Conclusion - Appeals A and B

41. For the above reasons, I conclude that both Appeal A and Appeal B should be allowed.

M Aqbal

INSPECTOR

Schedule of Conditions - Appeal A

- 1) The development hereby permitted shall be begun within 3 years from the date of this permission.
- 2) The development shall be carried out in accordance with the following drawings and documents: CP-2024-33 P1-10, CP-2024-33 P1-11 (Rev A), CP-2024-33 P1-12 (Rev A), CP-2024-33 P1-13 (Rev A), CP-2024-33 P1-14 (Rev A), CP-2024-33 P1-20, CP-2024-33 P1-21 (Rev A), CP-2024-33 P1-22 (Rev A), CP-2024-33 P1-23, CP-2024-33 P1-24, CP-2024-33 P1-25, CP-2024-33 P1-30, CP-2024-33 P1-31, CP-2024-33 P1-15, Energy Statement, dated June 2024 and Preliminary Ecological Appraisal, dated June 2024.
- 3) The development hereby permitted shall not commence until a Construction and Environmental Management Plan ('CEMP') specific to this planning permission has been submitted to and approved in writing by the local planning authority. Thereafter, the development hereby permitted shall be undertaken in accordance with the approved CEMP.
- 4) Prior to their installation, the details and samples of materials proposed to be used on all external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials and thereafter so retained.
- 5) Prior to the first occupation of any dwelling hereby permitted, a landscaping scheme for the development site shall be submitted to and approved in writing by the local planning authority. All planting, seeding, and turfing included in the approved landscaping scheme shall be carried out prior to the first occupation of any part of the development hereby permitted.
- 6) There shall be no commencement of works beyond the front elevation of the buildings until an agreement pursuant to Section 278 of the Highways Act 1980 has been entered into in respect of the repositioning of two existing on-street cycle stands to the front of the site.
- 7) Prior to the first occupation of any dwelling hereby permitted, the cycle parking shown on the approved drawings shall be provided and thereafter retained only for this purpose for the users of the development.
- 8) Prior to the first occupation of any dwelling hereby permitted, the refuse and recycling storage shown on the approved drawings shall be provided and thereafter retained only for this purpose for the users of the development.
- 9) Prior to the first occupation of any dwelling hereby permitted, evidence to demonstrate that the internal water consumption of the development will not exceed 105l/p/day must be submitted to the local planning authority and approved in writing and shall be retained for the lifetime of the development.
- 10) Prior to the first occupation of any dwelling hereby permitted, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP) shall be submitted to and approved in writing by the local planning authority, to demonstrate that the development has achieved at least a 35% reduction in CO2 emissions above the levels set in Building Regulations Part L 2021 and shall be retained for the lifetime of the development.

- 11) Prior to the first occupation of any dwelling hereby permitted, the specification of the obscure glazed screening to all terraces hereby permitted, shall be submitted to and approved in writing by the local planning authority. The obscure glazed screening in accordance with the approved specification shall be installed prior to the first occupation of any dwelling hereby permitted and thereafter maintained in accordance with the approved specifications for the life of the development.
- 12) Prior to the first occupation of any dwelling hereby permitted, a scheme for ecological enhancements and biodiversity net gain as set out in the submitted Preliminary Ecological Appraisal, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of any dwelling hereby permitted and shall be maintained thereafter.

Schedule of Conditions - Appeal B

- 1) The development hereby permitted shall be begun within 3 years from the date of this permission.
- 2) The development shall be carried out in accordance with the following drawings and documents: CP-2024-33 P2-10, CP-2024-33 P2-11, CP-2024-33 P2-12 (REV A), CP-2024-33 P2-13 (REV A), CP-2024-33 P2-14 (REV A), CP-2024-33 P2-20, CP-2024-33 P2-21 (REV A), CP-2024-33 P2-22 (REV A), CP-2024-33 P2-23 (REV A), CP-2024-33 | P2-24 (REV A), CP-2024-33 P2-25, CP-2024-33 P2-30 (REV A), Energy Statement, dated July 2024 and Preliminary Ecological Appraisal, dated June 2024.
- 3) The development hereby permitted shall not commence until a Construction and Environmental Management Plan ('CEMP') specific to this planning permission has been submitted to and approved in writing by the local planning authority. Thereafter, the development hereby permitted shall be undertaken in accordance with the approved CEMP.
- 4) Prior to their installation, the details and samples of materials proposed to be used on all external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials and thereafter so retained.
- 5) Prior to the first occupation of any dwelling hereby permitted, a landscaping scheme for the development site shall be submitted to and approved in writing by the local planning authority. All planting, seeding, and turfing included in the approved landscaping scheme shall be carried out prior to the first occupation of any part of the development hereby permitted.
- 6) There shall be no commencement of works beyond the front elevation of the building until an agreement pursuant to Section 278 of the Highways Act 1980 has been entered into in respect of the repositioning of two existing on-street cycle stands to the front of the site.
- 7) Prior to the first occupation of any dwelling hereby permitted, the cycle parking shown on the approved drawings shall be provided and thereafter retained only for this purpose for the users of the development.
- 8) Prior to the first occupation of any dwelling hereby permitted, the refuse and recycling storage shown on the approved drawings shall be provided and thereafter retained only for this purpose for the users of the development.
- 9) Prior to the first occupation of any dwelling hereby permitted, evidence to demonstrate that the internal water consumption of the development will not exceed 105l/p/day must be submitted to the local planning authority and approved in writing and shall be retained for the lifetime of the development.
- 10) Prior to the first occupation of any dwelling hereby permitted, evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP) shall be submitted to and approved in writing by the local planning authority, to demonstrate that the development has achieved at least a 35% reduction in CO2 emissions above the levels set in Building Regulations Part L 2021 and shall be retained for the lifetime of the development.

- 11) Prior to the first occupation of any dwelling hereby permitted, the specification of the obscure glazed screening to all terraces hereby permitted, shall be submitted to and approved in writing by the local planning authority. The obscure glazed screening in accordance with the approved specification shall be installed prior to the first occupation of any dwelling hereby permitted and thereafter maintained in accordance with the approved specifications for the life of the development.
- 12) Prior to the first occupation of any dwelling hereby permitted, a scheme for ecological enhancements and biodiversity net gain as set out in the submitted Preliminary Ecological Appraisal, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of any dwelling hereby permitted and shall be maintained thereafter.