



Appeal Decision

Site visit made on 1 September 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 September 2025

Appeal Ref: APP/N5660/W/25/3367707

15 Dalton Street, Lambeth, London SE27 9HS

- 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 Monaj Patel against the decision of the Council of the London Borough of Lambeth.
 - The application Ref is 25/00705/FUL.
 - The development proposed is erection of a side extension to provide a cycle store for both residential and commercial use. Alterations to the access arrangement for the upper-floor flats, including the installation of a new external metal staircase and the creation of a new upper-level entrance doorway.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my visit, it was evident that work to the proposed side extension, staircase and landing, and new entrance to the appeal property had substantially progressed. However, the works carried out did not appear to reflect the plans before me in relation to the arrangement of windows in the vicinity of the proposed door. I have therefore considered the appeal on the basis of the plans provided with the appeal, rather than as matters stand on site.

Main Issue

3. The main issues are the effect of the proposal upon the living conditions of:
 - occupiers of a neighbouring property with particular regard to privacy, noise and disturbance, and outlook, and;
 - future occupiers with particular regard to privacy and noise and disturbance.

Reasons

Living conditions – existing occupiers

4. The rear of 15 Dalton Street includes a two-storey rear projection, reflected at the neighbouring property, 16 Dalton Street ('No 16'). The projection at No 16 contains windows at ground and first floor levels, facing directly towards the side of the rear projection at the appeal property.
5. The ground floor windows at No 16 are clear glazed and while one of the upper storey windows appears to be partially obscure glazed, the other is not and is served only by an internal curtain. The use of these rooms is unclear and there is

no evidence before me to indicate that the Council's assessment of the use of No 16 as being residential is incorrect. Therefore, while the appellant has asserted that these windows serve rooms that are non-habitable, I cannot be certain that this is the case and have assessed the proposal on the basis that they could serve living areas within the property.

6. The proposed staircase and landing would result in a situation whereby residents or visitors accessing the upper-storey flats at the appeal property would pass in close proximity to the upper-storey windows at No 16. While the obscure nature of one of these windows would mitigate any sense of loss of privacy to a degree, direct views into the other window, at a close distance would be possible and intrusive.
7. Although it is stated that it wouldn't be the case, given the size of the landing, it is nevertheless possible that the area could be used for longer periods, meaning that any views across towards to No 16 would not necessarily be transitional or fleeting. The existing curtain serving the unobscured window at No 16 would not provide adequate mitigation as it would not be reasonable to expect any resident using this room to keep the curtain drawn in order to preserve privacy.
8. Moreover, any users of the staircase and landing would have a direct view across and down into the area of rear yard serving No 16, as well as oblique views towards and into ground floor windows within this property. Overall, this would result in an unacceptable loss of privacy to occupiers of this property.
9. I acknowledge that it is possible that the use of vertical louvres or frosted glass to the balustrade of the proposed landing could mitigate the effect of the proposal upon the privacy of occupants of No 16 to an extent. However, no such treatments are indicated on the plans which are before me and as they would likely need to be of significant height in order to be effective, could raise other issues, meaning it would not be reasonable for me to secure such measures by means of planning conditions.
10. As set out above, the proposed landing would be of a size that would allow its use as recreational outdoor amenity space. Even if this is not the intention of the appellant, I consider that there is reasonable likelihood that this area would be used for such purposes, and I have been presented with no mechanism that would prevent such use.
11. The proximity of windows at No 16 means that even a low-level use of this space would likely to be noticeable to occupiers of this property, particularly if these windows were open. If the use was prolonged, late at night, or involve the congregation of people it would have the potential to result in unacceptable disturbance.
12. The proposed ground floor extension would result in a solid structure located directly on the shared boundary between the appeal property and No 16. Windows at No 16 would face directly towards it at very close proximity. While the relationship between the appeal property and No 16 is already tight, this structure would further reduce the level of outlook available to occupiers of these rooms to a very limited amount and result in a strong and unacceptable sense of enclosure.
13. In relation to this main issue, I therefore conclude that the proposal would lead to unacceptable harm to the living conditions of occupiers of a neighbouring property

with particular regard to privacy, noise and disturbance, and outlook. It would conflict with Policy Q2 of the Lambeth Local Plan 2021, which amongst other factors states that acceptable standards of privacy should be provided, that adequate outlooks are provided avoiding wherever possible any undue sense of enclosure or unacceptable levels of overlooking, that the adverse impact of noise is reduced to an acceptable level through attenuation, and that outdoor amenity space should be provided free from excessive noise and disturbance.

Living conditions – future occupiers

14. The proposal would result in two windows being located on the upper storey side elevation at the appeal property, facing directly onto the proposed landing. One window would serve a service area, the other a bedroom ('Room 2'). A further, larger window would look over the proposed landing from the rear elevation of the appeal property. Although the provided plan is incomplete, this room is also indicated as containing a bed, suggesting that this would be its future use.
15. The window serving Room 2 would be small, however it would be located directly adjacent to the proposed door. It is therefore likely that any visitor awaiting entry would be able to view the interior of this room. The position of the window at a point close to one end of the room would limit the viewable extent of the interior, however it remains the case that at least part of the room would be visible and at close proximity, to the detriment of the level of privacy available to any future occupier of this room.
16. Moreover, the much larger window serving the other bedroom would afford direct views into this bedroom for any person climbing the external staircase in order to access the property. These views would be at very close proximity and would be highly intrusive for any occupant of this bedroom, who in order to achieve any degree of privacy, would be required to cover the window. The level of living conditions which would result would be unacceptable.
17. In terms of noise and disturbance, both adjoining bedrooms would be served by the landing as a means of access, and it is therefore possible that any recreational use of it would involve co-occupiers of the relevant flat. However, the plans indicate that the access would serve more than one flat, and therefore there is no certainty that this would be the case, and it is possible that users may be unknown to the occupiers of these rooms. In these circumstances, given the proximity of these bedrooms to the landing, it is likely that its use for recreational purposes would lead to unacceptable levels of noise and disturbance to future occupiers of these bedrooms.
18. Overall, the proposal would result in unacceptable living conditions with particular regard to privacy and noise and disturbance. It would conflict with Policy Q2 of the Lambeth Local Plan 2021, the requirements of which I have set out above.

Other Matters

19. My attention has been drawn to a number of other examples of rear first floor access landings and ground-floor extensions, primarily within the street. I saw that these examples represent a variety of designs and configurations, and not all appeared to incorporate large landings. While I acknowledge that in design terms, the proposals would not appear incongruous or out of character with the local

context, this does not justify the harm that I have found in relation to matters of living conditions.

20. Moreover, the details that I have been provided with in relation to these examples is limited and the Council have indicated that many are historic. It is also unclear whether the examples cited have directly comparable relationships with windows at neighbouring properties, or serve flats configured in a similar fashion to those at the appeal property. While I have no reason to doubt that such arrangements may have existed at the example properties without issue, when considered overall, these other examples do not represent such a precedent that they would justify the harm that I have found.

Conclusion

21. The proposal conflicts with the development plan when read as whole, and there are no material considerations which indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

C Harding

INSPECTOR