



Appeal Decisions

Site visit made on 11 February 2026

by **Siobhan Watson BA(Hons), MCD, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 February 2026

Appeal Ref: APP/H5960/W/24/3356607

82 Northcote Road, London, SW11 6QN

- 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 SLC Property Ltd against the decision of the Council of the London Borough of Wandsworth.
- The application reference is 2024/1672.
- The development proposed is: Alterations including the erection of a mansard roof extension to the main rear roof and second and first floor extensions above the back additions to provide two 1-bedroom and one 2-bedroom flats. Formation of roof terrace at first and second floor levels with 1.7m high screen surround.

Decision

1. The appeal is allowed and planning permission is granted for alterations including the erection of a mansard roof extension to the main rear roof and second and first floor extensions above the back additions to provide two 1-bedroom and one 2-bedroom flats. Formation of roof terrace at first and second floor levels with 1.7m high screen surround at 82 Northcote Road, London, SW11 6QN in accordance with the terms of the application, Ref 2024/1672, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. Planning permission granted in September 2024 and a subsequent Variation of Conditions approval allow a very similar development to the proposal before me¹.
3. The main relevant difference to the permissions and this Appeal proposal is an unapproved first-floor terrace which has been formed with screening around. This terrace is part of the Appeal proposal. Another difference is that home offices (currently proposed next to Bedrooms 1 of Flats 2 and 3) have been omitted in the approved plans. In addition, a small increase in height of the first-floor rear extension is approved but not part of the current Appeal proposal. The approved plans have been substantially implemented.

Main Issue

4. The main issue is the effect of the first-floor roof terrace upon the living conditions of the occupiers of 72 Bennerley Road with particular regard to privacy, noise and disturbance.

¹ 2024/2904 & 2024/3375

Reasons

5. The Council's particular concern is the relationship between the proposed roof terrace and the second-floor bedroom window at 72 Bennerley Road which is adjacent to the Appeal site. However, this window is much higher up than the roof terrace as it is in the second floor of No 72. It is also set back some way behind the roof terrace and the line of vision from the terrace is at a very oblique angle to the window. These two factors prevent unacceptable overlooking of No 72. In respect of noise and disturbance, the roof terrace is very small and it is normal for neighbouring windows to be close to boundaries of gardens and balconies. The appellant has erected tall screens around the roof terrace which prevent any overlooking of properties on the same level as the terrace or below it.
6. In addition, I saw at my visit that there were numerous roof terraces to other properties surrounding the Appeal site. Roof terraces are, therefore, a normal and expected feature in this urban area.
7. I have had regard to the Appeal decisions submitted by the Council. In Mitcham Lane², the Inspector was concerned about overlooking and noise but the layout was different, in particular the balcony was above the affected properties. In the Garratt Terrace³ case the Inspector was concerned with disturbance to flats above and below the terrace. However, I do not have the full context of the site conditions of either of those properties before me. Each Appeal must be determined on its own merits and for the above reasons, and having had the benefit of seeing the terrace in situ, I consider the roof terrace to be acceptable.
8. I acknowledge that Wandsworth's Housing SPD says that "*it is very difficult to secure planning permission for a new roof terrace ... This is because terraces at upper levels can cause great concern to neighbours because of the potential for intrusion on their privacy and the possibility of disturbance from noise.*" However, it goes on to say that "*... any terrace proposed must be adequately enclosed with screening to ensure that there is no possibility that anyone on the terrace will be able to look into adjoining windows, or look down into private gardens ... You should also avoid making a terrace big enough to host large, potentially noisy gatherings of people. So a small, well screened and sensitively designed terrace is more likely to be acceptable in planning terms.*" I consider that the terrace is adequately screened, does not cause unacceptable overlooking, and is not big enough to host large parties. I find no conflict with the SPD.
9. I therefore conclude that the first-floor roof terrace does not have an unacceptable effect upon the living conditions of the occupiers of 72 Bennerley Road. Therefore, I find no conflict with Policy LP2 of the Wandsworth Local Plan (2023) which seeks to avoid adverse impacts on occupiers of neighbouring properties.

Other Matters

10. I note comments from neighbours that the roof terrace would not be in keeping with the aesthetic of Northcote Road and concerns about parking. I have already found that roof terraces are a common feature of surrounding properties and therefore the terrace is not out of character. The flats already exist following a

² APP/H5960/W/23/3315806

³ APP/H5960/W/22/3310251

previous grant of planning permission so allowing this Appeal would have no effect on car parking.

Conditions

11. The development has been substantially completed, including the terrace, subject to the variations described in “Preliminary Matters” above. Therefore, it is not necessary to include the implementation condition, the plans condition or the materials condition. I have altered some of the wording of some of the proposed conditions to accord with advice in the National Planning Practice Guidance.

Conclusion

12. For the above reasons, the Appeal is allowed.

Siobhán Watson

INSPECTOR

Schedule of Conditions

- 1) Prior to first occupation of the first floor and second floor flats 1 and 3, obscure glazed screening (or screening of another material which will have prior agreement in writing with the local planning authority) to each side and rear at a minimum height of 1.7m above finished floor level shall be installed. The screening shall be retained thereafter.
REASON: To protect the privacy of occupiers of neighbouring dwellings.
- 2) No roof area of the building shall be used as a balcony, terrace, roof garden or other amenity space and no means of permanent access shall be erected or provided to any roof unless otherwise approved by this permission.
REASON: To protect the privacy of occupiers of neighbouring dwellings.
- 3) Prior to the first occupation of any flat, details of a scheme for the insulation of the residential units against the transmission of airborne sound and impact sound between the ground and first floor levels shall be submitted to and approved in writing by the local planning authority and the approved scheme shall be implemented in full prior to the first occupation of any dwelling and retained thereafter. No alteration to the ceiling which undermines the sound insulation integrity of the partition shall be undertaken.
REASON: In the interests of the living conditions of the future occupants.
- 4) The development shall achieve a maximum water use of 110 litres per person per day (including an allowance of five litres or less per person per day for external water consumption) in line with the Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government. Prior to first occupation, a scheme to demonstrate this will be achieved must be submitted to the local planning authority and approved in writing. The scheme shall be implemented before the first occupation of any flat and retained for the lifetime of the development.
REASON: In order to avoid the wastage of water.

- 5) Prior to the first occupation of any dwelling, details of the siting, design and materials of refuse and recycling storage to serve the development shall be submitted to and approved in writing by the local planning authority. The refuse/recycling facilities shall be provided in accordance with the approved details prior to the first occupation of the development and shall be retained thereafter.

REASON: In the interests of the living conditions of residents.

END