
Appeal Decision

Site visit made on 8 November 2016

by Amanda Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2nd December 2016

Appeal Ref: APP/H5960/W/16/3156258

Flat 3, 184 Earlsfield Road, Earlsfield, London SW18 3DU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Bharat Patel against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/1234, dated 12 February 2016, was refused by notice dated 12 May 2016.
 - The development proposed is first floor rear extension to Flat 3 to create a 3 bed unit.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Although the Council's reasons for refusal do not specifically refer to the effect of the development on the character and appearance of the area, both main parties include arguments related to character and appearance in their evidence. Furthermore, Policy DMH5 of the Local Plan¹ (LP) which is cited in the reasons for refusal, is concerned with the character and appearance of extensions. As such, I have included this as one of my main issues.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the surrounding area; and,
 - the living conditions of occupiers of 186 Earlsfield Road (No 186), with particular regard to outlook.

Reasons

Character and appearance

4. The appeal property is a first floor flat at 184 Earlsfield Road (No 184). No 184 is an end of terrace, three-storey period dwelling forming the corner of Earlsfield Road and Dingwall Road. No 184 appears to have been extended at the rear already, with extensions at both ground and second floor level. These extensions are prominent in views of No 184 from Dingwall Road as they form its side boundary, and are built hard against the footway.

¹ London Borough of Wandsworth, Local Plan – Development Management Policies Document, adopted March 2016

5. The development proposed is a flat roofed first floor extension, to be built above the existing ground floor projection which currently has a pitched and hipped roof.
6. LP Policy DMH5 states that proposals for extensions will be permitted where they are not so large that they dominate and compete with the existing building, and do not harm either the street scene or building's appearance.
7. In this instance, the development would significantly increase the bulk of No 184 at the rear, and extend its mass along Dingwall Road by increasing the height of the existing ground floor projection to two storeys. The mass of the development would be highly prominent in the street scene and would significantly reduce the dominance and appreciation of the host dwelling.
8. The appellant argues that the development would provide a gradation of scale between the second and the ground floor flats, and provide an intermediate visual link between the ground and second floors. However, the proposed side elevation drawing² indicates that the ground floor projection would be subsumed into the development, creating an abrupt two-storey structure beside the parking bay. As such, I give this argument no weight.
9. The Council has raised a concern that the proposed white rendered finish would exacerbate the intrusiveness of the development in the street scene. However, were the appeal to be allowed, the external finishes could be controlled by condition, so I do not consider this issue to be determinative.
10. In the light of the above, I conclude that the development would, by virtue of adding considerable mass to the rear of No 184, be visually intrusive in the street scene, and would dominate and compete with the original building. This would be harmful to the character and appearance of the surrounding area, contrary to LP Policy DMH5, as outlined above.

Living conditions

11. The development would be located on the boundary line with No 186 at first floor level. I noted on my visit that there is a window on No 186's rear elevation whose window head appears to be at approximately the same level as the ridge line of the ground floor projection's pitched roof. As this roof slopes back from the boundary, it will currently mitigate the enclosing effect that the roof has on outlook from No 186, and will also allow limited views to Dingwall Road beyond. I also noted a window on the floor above, currently above the pitched roof of the ground floor projection.
12. The development would replace this pitched roof with a further storey of building which would extend across the full width of the plot. This would have the effect of enclosing the view from both windows observed on No 186's rear elevation and the effect would be particularly pronounced for the outlook from the lower window, due to its relative height compared to the development. From here, the development would have a significant enclosing and overbearing effect, which would be unsatisfactory for the occupiers. There would be a lesser enclosing and overbearing effect on outlook from the upper window; the evidence before me indicates only its lower portion would be below the level of the development.

² Dwg. No 507

13. As such, there would be a harmful effect on outlook to the detriment of occupiers of No 186, were the appeal to be allowed. Consequently, the development would fail to accord with LP Policy DMS1 which will only grant permission for development where it does not harm the amenity of occupiers through having an overbearing effect or unsatisfactory outlook.

Other matters

14. The appellant argues that the Council has failed to identify which neighbours might be affected by the development. However, there are statements from interested parties received during the application stage in the evidence before me, and this evidence is in the public domain. Furthermore, although I acknowledge that there is support for the development from a resident of one of the flats at No 184, the representations from an occupier of No 186 support the Council's argument with regard to living conditions and, as reasoned above, I see no reason to disagree with this argument.

Conclusion

15. For the reasons given above and taking all matters into account, I conclude that the development would be contrary to the relevant policies of the Council's Local Plan and that therefore the appeal should be dismissed.

Amanda Blicq

INSPECTOR