
Appeal Decision

Site visit made on 27 February 2017

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 10 March 2017

Appeal Ref: APP/H5960/D/16/3160750
6 Tonsley Road, London SW18 1BG

- 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 Mrs Ivana Duarte against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/4251, dated 19 July 2016, was refused by notice dated 19 September 2016.
 - The development proposed is erection of rear roof extension and extension above part of two-storey back addition.
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Decision

1. The appeal is allowed and planning permission is granted for erection of rear roof extension and extension above part of two-storey back addition at 6 Tonsley Road, London SW18 1BG in accordance with the terms of the application ref 2016/4251, dated 19 July 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The description of the proposal varies between the application form and the subsequent documents. I have used the description given on the decision notice as it describes the proposal more comprehensively.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the surrounding area, and on the living conditions of neighbouring occupants, with particular regard to shadowing, light, outlook and visual impact.

Reasons

Living conditions

4. The appeal property at 6 Tonsley Road forms part of a terrace of two storey dwellings within a predominantly residential area. The proposal would create an enlarged rear dormer window and would add an extra storey to the existing flat-roofed extension. The Council and a neighbouring resident have voiced concern the effect of the proposal on the living conditions of neighbouring occupants.
5. The neighbouring properties where living conditions would be most likely to be affected would be 4 Tonsley Road and 8 Tonsley Road. I was not able to gain access to either of these properties on my site visit. However, I observed that a roof extension has been added to the rear slope at No 4. The new roof extension at No 6 would sit in parallel to that development. Concern has been voiced that the vertical face of the proposal would result in additional shadow and the decrease of ambient daylight to the rear window in the loft space at No 4. However, the difference in volume and projection between the vertical face and the alternative solution of a 70 degree slope would be insufficient to unduly affect light or shadow at No 4.
6. The existing back addition at No 6 adjoins the party wall of No 8, and is set away from the rear elevation of No 4. I am satisfied that the position of the new extension to the back addition would maintain the existing separation distance, allowing sufficient clearance from No 4 that any undue loss of outlook or increase in enclosure would be avoided.
7. I am mindful that No 4 is located to the north west of No 6, and so there may be some effect on sunlight received at No 4. However, the remainder of the terrace to the south-east would block direct sunlight for much of the day. Whilst the height of the back addition would increase, its projection from the rear elevation of No 6 would remain as existing. In view furthermore of the relatively small volume of the extension, any impact on sunlight would be for a limited time. In the absence of any detailed or technical evidence to the contrary, I consider that sunlight at No 4 would not be so harmfully affected as to warrant the withholding of planning permission.
8. As No 8 is located to the south-east of the appeal site, light and sunlight would not be significantly affected by the proposal. There is little evidence before me to suggest that outlook from or enclosure to No 6 would be unduly compromised by the development.
9. Drawing these factors together, I conclude that the development would not be unduly harmful to the living conditions of neighbouring occupants. It would therefore comply with Policy DMS1 of the Wandsworth Local Plan Development Management Policies Document (DMPD, March 2016), insofar as it seeks to avoid harm to the amenity of nearby properties. It would also comply with the Council's document entitled 'Wandsworth Local Plan Supplementary Planning Document – Housing' (SPD, July 2015), insofar as it also seeks to protect the amenity of neighbours.

Character and appearance

10. The SPD sets out design guidelines for alterations at roof level. For mid-terraced houses where the roof slope is not widely visible, as is the case at No 6, the SPD favours a mansard style extension. The proposal would meet

the majority of the criteria, although it would not achieve the 70 degree slope recommended for the face of such developments. However, as it would adjoin the new extension to the back addition, the visible section of the new roof extension would take up less than half of the full width of the roof. I am therefore satisfied that the lack of a 70 degree slope for this relatively small section would not be unacceptably harmful.

11. In terms of extensions over back additions, the SPD states that the simplest solution can be achieved by raising the height of the back addition and finishing with a flat or shallow pitched roof, which is essentially what is proposed in this case. The existing back addition is relatively small in area, and extending it directly up enables a simple, unfussy development to be achieved. The new flat roof would sit beneath the ridge level of the main building, thus allowing the extension to remain subservient to it. As the proposal would not harm the amenity of neighbouring occupiers, I consider that it would not be necessary to set the extension in from the edge of the existing back addition.
12. I have been referred to a number of planning permissions for developments in the local area where it is stated that rear roof slope extensions with 70 degree slopes have been allowed. However, there are no details of those schemes before me, and little indication of the circumstances in which they were found to be acceptable. I can therefore afford limited weight to these circumstances, and I have considered the appeal scheme on its own merits.
13. I conclude that the proposal would not unacceptably harm the character or appearance of the surrounding area. It would therefore comply with DMPD Policy DMS1, which sets out general development principles, and DMPD Policy DMH5, which sets out criteria for alterations and extensions. It would also meet the recommendations of the SPD.

Conclusion

14. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be allowed.

Elaine Gray

INSPECTOR