
Appeal Decision

Site visit made on 16 March 2017

by Brendan Lyons BArch MA MRTPI IHBC

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

Decision date: 03 April 2017

Appeal Ref: APP/H5960/D/17/3166785
18 Parkfields, London SW15 6NH

- 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 Ms Jennifer Norris against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/5760, dated 3 October 2016, was refused by notice dated 28 November 2016.
 - The development proposed is the erection of a new roof terrace to the flat roof and the extension of a chimney.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue arising from the Council's reason for refusal is the effect of the proposed development on the character and appearance of the host building and of the Parkfields Conservation Area, of which it forms part.
3. A second issue is the effect on neighbours' living conditions.

Reasons

4. Parkfields is a narrow residential street that opens off a busy main road. The street is lined on both sides by pairs of semi-detached mainly two-storey houses built in the mid-nineteenth century. The houses are included on a local list of historic buildings and, together with a row of much larger houses fronting the main road, have been designated as the Parkfields Conservation Area.
 5. The pairs of houses were originally generally well spaced. This has allowed scope for many of the houses to add significant side extensions, a great number of which have flat roofs. The appeal property, No.18, is one such. Its original main part, faced in brick with painted window surrounds, forms half of a simple pair covered by a hipped slate roof, and is flanked by a large flat-roofed extension set back from the street front. The extension wraps around the corner of the house to absorb what must originally have been a rear service wing.
 6. Permission is now sought to form a terrace on the flat roof, with access to be gained through a box-shaped rooflight at the rear corner of the main hipped roof. The boarded terrace would be surrounded by a 1.1m high black metal
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balustrade and would have an area of some 3.16m wide by 4.16m deep, the proposal having been amended to reduce its extent while under consideration by the Council. The terrace would encompass an existing chimney which would be increased in height to some 2.06m above roof level.

Character and appearance

7. In considering proposed development affecting a conservation area, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty to pay special attention to the desirability of preserving or enhancing the area's character or appearance. Policy guidance set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'designated heritage assets', such as conservation areas. The particular significance of any such assets likely to be affected by a development proposal should be identified and assessed. Any harm should require clear and convincing justification. Where non-designated heritage assets, such as locally listed buildings, would be affected, a balanced judgement is required.
8. In this case, the character of the Parkfields part of the conservation area is highly distinctive, with the narrow street space defined by the closely house fronts, but softened by greenery. There is a high degree of consistency of built form and materials, predominantly brick and slate. The small number of rendered and taller houses provide an accent, while retaining the overall consistency of form and details such as sash windows.
9. The heritage significance of the area lies in the survival of this historic pattern of urban development. The significance of the houses as heritage assets is based on their scale, form and details as part of an original pair. Many of the side extensions, although built in sympathetic materials, have a block-like quality that detracts from the simple form of the main house, often with a poorly resolved junction with the original hipped roof. Moreover, as pointed out by the Council's Conservation Area Appraisal, the extensions have over time filled most of the gaps between the houses, thereby adversely altering the balance of spaces along the street.
10. I consider that preservation of the character of the street is highly desirable, and that this requires a focus on the primacy of the original house form. Further additions that would detract from the original shape and further enclose the spaces between buildings are likely to be harmful.
11. In principle, a roof terrace is not a feature that would sit well with the traditional small-scale domestic character of the original buildings. In the case of the appeal proposal, it would add a further layer of activity to the existing extension. Even if the physical additions would not amount to a full extra storey, the effect would be to increase the prominence of the extension compared to the original house, and to further impinge on the space between buildings.
12. The proposed alterations would adversely affect the appearance of the house. The proposed box rooflight would form an awkward alteration to the shape of the original roof at a main corner. The adjoining balustrade would also not relate well to the hipped roof, and the intrusive effect would not be adequately mitigated by the addition of planting or by the alternative of a cantilevered glass balustrade, as suggested by the appellant.

13. I accept that because of the setback from the edges of the roof, particularly to the front, these features would not be highly prominent in the street scene. However, I consider it likely that their top parts would be visible from the far side of the street, as would the taller chimney. Moreover, it seems probable that people standing and moving about on the terrace would be clearly seen, thereby drawing attention to the addition. The enlargement would also be seen at least in part from the houses opposite and in full from the upper floors of the row of houses to the rear, on Fairfax Mews, as well as potentially from the entrance to that private road.
14. Because the terrace would be set in from the roof edges, the visual impact would be less than that of the existing terrace at No.10 Parkfields, whose balustrade forms an incongruous feature at the edge of the roof of the corresponding extension. That terrace, which according to the Council was allowed some years ago in a different planning policy context, does not provide a compelling precedent for the appeal proposal.
15. I conclude on this issue that the proposal would not preserve the character or appearance of the house or of the conservation area. The harm to the significance of the heritage assets would be less than substantial in NPPF terms. However, it is not claimed that the addition of the terrace would have any public benefit, but would be entirely for the benefit of the house's residents. On balance, the harm to significance would not be outweighed. The proposal would be contrary to national policy and to Policy DMS 1 of the Wandsworth Local Plan Development Management Policies Document ('LP') adopted in 2016, which sets general principles for development, and to Policies DMS 2 and DMH 5, which respectively set criteria for proposals affecting the historic environment and for the design of alterations and extensions to dwellings.

Living conditions

16. The Council has not endorsed concerns expressed by a number of local residents that the proposal would result in harmful effects on adjoining houses and gardens due to overlooking and sound transmission. I do not share the Council's confidence that the reduction in area of the proposed terrace would limit views into neighbouring gardens, in particular of the adjoining houses Nos.16 and 20, but also to a lesser extent of the large side garden of No.17 on the opposite side of the road. I acknowledge that these gardens are already overlooked from upper floor windows, as is common in closely built older suburban areas, and that the rear-facing 'juliet balcony' at No.18 would allow more open views. However, the more elevated and exposed overlooking potentially available from the proposed terrace would be more intrusive and more harmful to neighbours' enjoyment of their outdoor spaces.
17. I accept that the scaled-down proposal would limit the potential for entertaining and use by significant numbers of people. In this open context the direct transmission of even relatively modest levels of sound, such as conversation or music, could cause disturbance to neighbours but not significantly different from what could arise from use of the garden.
18. I conclude that due to overlooking there would be some harmful effects on neighbours' living conditions, contrary to the principles of the NPPF and to LP Policy DMS 1.

Conclusion

19. For the reasons set out above, and having taken all representations into account, I conclude that the appeal should be dismissed.

Brendan Lyons

INSPECTOR