
Appeal Decision

Site visit made on 10 October 2017

By Elizabeth Lawrence BTP MRTPI

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

Decision date: 18 October 2017

Appeal Ref: APP/H5960/D/17/3181003
30 Swinburne Road, London, SW15 5EB

- 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 Brad Sutherland against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2017/2968, dated 24 May 2017, was refused by notice dated 20 July 2017.
 - The development proposed is for a proposed rear first floor extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the scheme on the character and appearance of the host building and the Dover House Estate Conservation Area (DHECA). The second main issue is the effect of the scheme on the living conditions of the occupiers of neighbouring properties, with particular regard to visual impact.

Reasons

Character and appearance

3. The DHECA is characterised by clusters of uniformly designed cottage-style dwellings which were constructed in the 1920's and whose designs were influenced by the Garden City Movement. The dwellings are set back from the streets behind landscaped front gardens that are enclosed by low boundary hedges. This together with the spacious streets, which include an abundance of grass verges, small greens and trees contributes to the spacious, orderly and verdant character and appearance of the DHECA.
4. The Appeal dwelling is situated at the northern end of Swinburne Road and comprises one of three uniformly designed inner terraced two storey family houses, designed with flat and uncluttered front and rear elevations. To the rear the Appeal dwelling has a single storey flat roofed extension which projects across a significant proportion of the rear elevation of the dwelling. However due to its simple form and modest height this extension does not have a materially harmful impact on the overall character and appearance of the host dwelling, the terrace or the rear garden environment.

5. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LB&CA Act) requires that when assessing proposals for new development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing its character or appearance.
6. Section 12 of the National Planning Policy Framework (NPPF) states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. Any harm requires clear and convincing justification, whilst opportunities for new development in conservation areas should be sought. Where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Policy DMS2 of the Wandsworth Local Plan - Development Management Policies 2016 (DMP), reflects and is consistent with these requirements.
7. The Dover House Estate Conservation Area Appraisal and Management Plan (CAMP), sets out various measures to enhance the conservation area. With regard to extensions it advises that individual dwellings should be viewed as part of the whole group and that extensions should respect the symmetry and uniformity of the whole terrace.
8. Together, policies DMS1 and DMH5 of the DMP seek to ensure that new development contributes positively to the spatial character and that extensions are well designed. Rear extensions should be subservient to the original building and not over dominant. In addition, extensions should not harm the living conditions of existing residents, due to amongst other things, visual impact, daylight and sunlight. This is explained further in the Wandsworth Local Plan Supplementary Planning Document – Housing 2015 (SPD).
9. Whilst some of the other dwellings within this rear garden have single storey rear extensions of various sizes and designs, no two storey rear extensions were evident. As a result, the sense of rhythm and original uncluttered form and appearance of the terrace is evident. It makes a material contribution to the character and appearance of the rear garden environment and the DHECA as a whole.
10. Together the existing and proposed extensions would disrupt and obscure a large proportion of the original uncluttered rear elevation of the host dwelling. It would also upset the overall design and rhythm of the host terrace, detracting from the character and appearance of the DHECA. This harm would outweigh the benefits for the Appellant that would result from the proposed additional accommodation.
11. I conclude on the first main issue that the proposal would detract from the character and appearance of the host dwelling and would fail to preserve or enhance the character and appearance of the DHECA. The scheme would therefore conflict with policies DMS1, DMS2 and DMH5 of the DMP, the CAMP and the NPPF.

Living conditions

12. The proposed first floor extension would project some 3.5 metres into the rear garden environment and its eaves height would match that of the host dwelling. It would be located immediately to the south and alongside the side

boundary with 28 Swinborne Road (No.28), close to the adjacent ground and first floor windows and rear patio area at No.28.

13. Due to the combined siting, depth, height and proximity of the proposed first floor extension to the adjacent windows and garden area at No.28, the proposed extension would be visually overbearing for the occupiers of that property. Its overbearing impact would be exacerbated by the associated loss of sunlight within the adjacent garden area at No.28.
14. The Proposed extension would be sited to the north and away from the boundary with the dwelling and rear garden at 32 Swinburne Road. As a consequence, although it would be prominent in views from the rear garden of that property, it would not be visually overbearing. Similarly, in view of the distance between the proposed extension and the dwellings and associated gardens to the west the proposed extension would be prominent, but not visually overbearing.
15. I conclude on the second main issue that the proposal would unacceptably harm the living conditions of the occupiers of No.28 due to its overbearing visual impact. It would therefore conflict with policy DMS1 of the DMP and the associated guidance in the SPD.

Conclusion

16. The conclusions on both main issues represent compelling reasons for dismissing this Appeal, which could not be adequately addressed through the imposition of conditions.

Elizabeth Lawrence

INSPECTOR