



Appeal Decision

Site visit made on 17 October 2017

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 14 November 2017

Appeal Ref: APP/H5960/W/17/3179294

Land adjacent to 4 Ashvale Road, Tooting, London SW17 8PW

- 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 Munro Property Holdings Ltd against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2016/6182, dated 21 October 2016, was refused by notice dated 25 January 2017.
 - The development proposed is erection of first floor side extension with habitable roof space to create a one-bedroom residential unit.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are (i) the effect of the proposal on the character and appearance of the area having particular regard to the Ashvale Road and Longmead Road street scenes; (ii) its effect on the living conditions of the occupiers of 2 Ashvale Road and 41 and 43 Mitcham Road with regard to outlook; and (iii) whether it would provide acceptable living conditions for future residents in terms of the provision of internal and external space.

Reasons

Character and appearance

3. The proposed building comprises an extension to an end of terrace dwelling now comprising flats located towards the south-western end of Ashvale Road. It would create a new separate dwelling over two floors that would sit above an under-croft, which would allow for the off-street parking of vehicles. The existing metal palisade type gates fronting the site would be retained as part of the development. The proposed dwelling would be sited next to a busy bus terminus and it would therefore occupy a very prominent location.
4. Ashvale Road is a residential street along which dwellings share many common design features including substantial front gables creating a general uniformity to the street scene. Although the new dwelling would provide separate accommodation. It would appear as an extension to the dwelling forming no. 4, stretching out from the end of the terrace resulting in an unbalanced roof form. It would therefore appear at odds with the character and appearance of the block of four terraced dwellings to which it would be attached.

5. The proposed window within the front roof elevation would be positioned at a lower level than the dormer window at no. 4. This would have a significant adverse visually disrupting effect on the character of the terrace, being a discordant addition to the street scene in a prominent location.
6. Furthermore, the front overhang and substantial area of flat roof to the rear all sitting above an under-croft would appear at odds with the established form of development along Ashvale Road, thus harming the general uniformity and rhythm of the street. It would be particularly incongruous in views from the south-west in Longmead Road.
7. I note the appellant's argument in relation to the form of the Primark building opposite the appeal site and its effect on the street scene. However, this building reads as part of the wider retail area along Mitcham Road which is distinct from the character of the residential areas along Ashvale Road and Longmead Road. As such, I do not consider that the existence of the Primark building lends any material weight to a residential proposal which I have found to be harmful to the residential street scenes.
8. Taking all of this into account, the proposal would run counter to policy DMS 1 of the Wandsworth Local Plan Development Management Policies Document (2016) (DMPD), which amongst other things requires development to contribute positively to local character including through its appearance and ensure it integrates with its surroundings. It would also conflict with DMPD policy DMH 5, which requires extensions to be well-designed and with the Council's Housing Supplementary Planning Document (2016) (SPD) that seeks to prevent bulky rear additions to the roofs of terraced properties.

Living conditions

9. No. 2 Ashvale Road sits behind no. 4 and has a dual aspect corner window. Although the main part of the window faces towards the rear of properties in Mitcham Road, its overall size is modest and I consider both aspects to be important in creating an acceptable outlook for the dwelling's occupants within what is an already somewhat enclosed area. The introduction of a further mass of built form in close proximity to no. 2 would result in an unacceptable sense of enclosure for its occupants and diminish their overall outlook. Thus the proposal would run counter to DMPD policy DMS 1, which also seeks to ensure development does not harm the amenity of neighbouring occupiers.
10. The proposed development would fill in part of the gap between the flank wall of no. 4 and the properties extending rearwards from Mitcham Road. Notwithstanding that some of the windows and doors in the property forming no. 41 are currently boarded up, at my site visit I observed that the main windows face towards Longmead Road and that there is only a door and a small upper floor window in the flank of this building. I do not therefore consider that any material harm would be caused to the outlook from no. 41.
11. However, no. 43 sits to the south east of no. 41 and has a number of windows facing into the access area behind Mitcham Road. The current space between these windows and the side of no. 4 Ashvale Road is important in maintaining a satisfactory outlook from no. 43. The proposed development would fill in a substantial part of this space and bring the built form at the end of the terrace into much closer proximity to no. 43, which I consider would diminish the

outlook from that property and would therefore be unacceptable. In this regard, the proposal therefore runs counter to DMPD policy DMS 1.

12. The Council's reasons for refusal state that the proposal falls short of providing the area of internal floor space of 58sqm required by the NDSS¹. However, the appellant states that this is inaccurate and that the correct figure is 58.9sqm. The Council has not provided any substantive evidence to dispute this. The proposal would therefore provide adequately sized internal living space in accordance with the NDSS, DMPD policy DMH 6 and the Housing SPD. The proposal also includes a front facing balcony that would accord with the requirement of DMPD policy DMH 7 to provide 10sqm of private amenity space in flatted accommodation.
13. Having said that, the balcony would face north-north-west so would not receive direct sunlight and would be next to a busy bus terminus. At my site visit I experienced the noise and fumes from buses turning and idling and found it to be an uncomfortable, even hostile space. Users of the balcony would be subject to the same issues thereby being discouraged from spending any meaningful amount of time. It would therefore be a poor quality space and in reality, I am not convinced it would be used for its intended purpose.
14. I do not accept the appellant's assertion that some occupiers may not wish to use the balcony area. However, this is not a valid reason for the provision of an unacceptably uncomfortable outdoor space. In this regard, the proposal would run counter to policy DMS 1 that seeks to prevent harm to the amenity of occupiers through unacceptable noise, vibration, air pollution and lack of sunlight.
15. Relevant to this main issue, the Council's reasons for refusal refer to DMPD policy DMH 4 that requires residential development to provide, amongst other things, adequate daylight to habitable rooms, incorporating a dual aspect where possible if one of the aspects is north facing. Despite the orientation of the balcony, it would look out over the substantial open area. I am satisfied that this would be sufficient to allow an adequate amount of daylight to reach the front of the dwelling. In relation to this specific matter, I do not find any overall conflict with the relevant objective of DMPD policy DMH 4.

Other Matter

16. The appellant argues that the proposal would provide much needed housing. However, there is no empirical evidence of any identified unmet need for the type of housing proposed and in any case, the contribution it would make to local housing availability would be very minimal given the provision of only a single dwelling. Accordingly, I give this argument little weight.

Conclusion

17. For the above reasons and having had regard to all other matters raised including those by interested parties, the appeal does not succeed.

Hayden Baugh-Jones

Inspector

¹ Technical Housing Standards – Nationally Described Space Standard, March 2015