



Appeal Decision

Site visit made on 9 May 2019

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th July 2019

Appeal Ref: APP/H5960/W/19/3222877

121-123 Flat Second and Third Floors C 121 Queenstown Road, London SW8 3RH

- 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 Will Banbury against the decision of London Borough of Wandsworth.
 - The application Ref 2018/3361, dated 9 July 2018, was refused by notice dated 11 September 2018.
 - The development proposed is alterations including erection of a mansard roof extension to main rear roof with formation of roof terrace above with a 1.1m high surround.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the development would preserve or enhance the character or appearance of the Park Town Estate Conservation Area, and the effect on the living conditions of occupiers of nearby residential properties, with particular regard to noise and disturbance, and privacy.

Reasons

Character and appearance

3. The property is located within the Park Town Estate Conservation Area (PECA), a designated heritage asset. The significance of the PECA is derived in part from the historic planned layout of the streets of narrow fronted Victoria/Edwardian terraced properties together with shops in Queenstown Road.
4. In reaching my decision I am mindful of the statutory duty imposed on me by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.
5. The property comprises the upper floors of No 121 Queenstown Road which forms part of an extensive length of terraced properties. The ground floor is in restaurant use and forms part of a section of retail uses to the west side of the road extending up to Prairie Street.
6. The proposed mansard roof would be to the rear of the property which is not visible at street level due to the back to back layout of the area. Photographs

provided by the appellant show a mixture of building forms and features to the rear. It is noted that other properties have been extended in a similar way and consent has previously been granted for a mansard roof to the property. As such I find, in line with the view of the Council, that this element would be an appropriate addition to the property which accords with the guidance set out in the Housing Supplementary Planning Document (2016) (SPD).

7. Sited on top of the mansard roof, on the rear section of the property's roof a sizable terrace would be created. Glass balustrading would enclose the terrace and whilst it is inset it would be positioned towards the rear of the existing chimney stack. At 1.1m, as noted on the section plan, it would extend above the existing height of the chimney. Due to the width of the road and height of the building I acknowledge that views of the terrace would be limited from directly opposite the site, however it would be visible in views along the road.
8. Whilst changes have taken place to properties along road the one element which appears to be unchanged and has conformity, other than the insertion of roof lights which maintain the roof profile, is the front roofscape to Queenstown Road. By virtue of the design and siting of the balustrade which would project above the ridgeline it would be an incongruous feature to the roofline in conflict with the SPD guidance which states that *"The screening will need to be sensitively designed to be unobtrusive and integrated with the roof and it should not appear like an incongruous add-on"*.
9. The prominent and intrusive addition would therefore be harmful to both the existing property and to the character and appearance of the PECA, the designated heritage asset. In terms of the National Planning Policy Framework the harm would be less than substantial and should be weighed against any public benefits arising from the proposal. However, the benefit of outdoor amenity space would be a private benefit for the occupiers and whilst enhancing their living conditions there are no public benefits identified that would outweigh the harm I have identified. This is a matter to which I give considerable importance and weight.
10. I therefore conclude that the proposal would result in less than substantial harm to the significance of the PECA, the designated heritage asset, and which would not be outweighed by public benefits. As such, the proposal would also conflict with policy DMS 2 of the WLP¹. It would not meet the general development principles of DMS 1 or extensions policy DMH 5 in terms of the siting, scale and design of the development, its visual impact on the street scene/character of the area.

Living conditions

11. At a height of 1.1m the balustrade would not screen people standing on the terrace or prevent people on the terrace having an outlook over neighbouring properties. Whilst I note planning permission has been previously granted for a balcony to the mansard, and that there are a number of other terraces in the area, this terrace would occupy a more elevated position. Furthermore, it would be of a size which could accommodate a large gathering of people, and outlook from which would be in all directions. This would unacceptably erode privacy levels for occupiers of nearby residential properties.

¹ Wandsworth Local Plan – Development Management Policies Document Adopted March 2016.

12. Contrary to the appellant's view I do not find the proposal sympathetically introduces outdoor space. The position and size of the terrace together with the height of the screening do not reflect the guidance in the SPD, which advocates small, well screened and sensitively designed terraces. Whilst a level of noise and disturbance and inter-visibility between properties is inevitable in a busy urban location the prominent position of the terrace on the top of the roof would exacerbate the impacts to the detriment of the living conditions of occupiers of nearby properties. As such, the proposal would conflict with WLP policy DMS 1 which amongst other things seek to ensure that that development does not harm the occupiers of nearby properties.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be dismissed.

G Ellis

INSPECTOR