



Appeal Decision

Site visit made on 13 August 2019

By Elizabeth Lawrence BTP MRTPI

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

Decision date: 19 August 2019

Appeal Ref: APP/H5960/D/19/3229948
46 Orbel Street, London SW11 3NZ

- 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 Jerome Fouille against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2019/1268, dated 18 March 2019, was refused by notice dated 15 May 2019.
 - The development proposed is for a first floor side extension.
-

Decision

1. The appeal is dismissed.

Preliminary matter

2. The submitted drawings do not include a proposed ground floor plan. However, as drawing No.8331 clearly shows the proposed external appearance of the resultant extension at both ground and first floor levels, this has not affected my ability to determine this appeal.

Main Issue

3. The main issue is the effect of the scheme on the character and appearance of the Three Sisters Conservation Area (TSCA).

Reasons

4. The TSCA is characterised by uniformly designed and sited pairs of semi-detached two storey villas dating back to the C19th. They are set back behind good sized and enclosed front gardens and the gaps to the sides of the pairs of semi-detached villas provide glimpses into the rear garden environment and the buildings beyond the gardens. The strong sense of symmetry and uniformity in the rows of dwellings, together with open gaps between the pairs of dwellings, contribute to the uniform, spacious and suburban character, appearance and significance of the TSCA.
5. The Three Sisters Conservation Area Appraisal and Management Strategy 2009 (CAMS), advises that cumulative alterations to individual dwellings can harm the TSCA. To address this, it 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 group. The filling of gaps between dwellings with two storey extensions can have a terracing effect, which detracts from the appearance of the street.
6. The Appeal dwelling is located within the northern part of Orbel Street, where the dwellings and walls frame views towards the spire of the Church of the Sacred Heart. As such, although the appeal property is not particularly prominent within the street scene, it is located in a sensitive location.
 7. The appeal dwelling comprises one of a pair of uniformly designed Victorian two storey semi-detached houses with a fully hipped roof. The symmetry of the pair of houses has already been undermined by a number of changes to 48 Orbel Street (No.48). This includes the white painting of the yellow stock brickwork on the front elevation, the removal of the hipped roof over the front bay window, the replacement of the slate roof with concrete tiles and the installation of replacement windows. However, the gaps on either side of the pair of dwellings, above ground floor level, still exist and the existing ground floor extension to the side of the appeal building matches that of the adjacent dwelling at 44 Orbel Street (No.44).
 8. 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.
 9. Together, Paragraphs 193, 194 and 196 of the National Planning Policy Framework (the Framework) state 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) and Policy PL1 of the Wandsworth Local Plan Core Strategy 2016 (CS), reflect and are consistent with these requirements.
 10. Together, policies DMS1 and DMH5 of the DMP and Policy IS3 of the CS seek to ensure that new development contributes positively the varied character and heritage of the borough, whilst optimising the development potential of a site. Extensions should be well designed and side extensions should not result in a terracing effect. The Wandsworth Local Plan Supplementary Planning Document – Housing 2015 (SPD), advises that two storey side extensions may be acceptable if designed sympathetically to be subservient to the main house. The biggest issue is whether they fill an important gap between dwellings, the loss of which would spoil a particularly attractive arrangement. Gaps between rows of semi-detached dwellings can be important to the street scene, particularly where they contribute to the character and appearance of conservation areas.
 11. The proposed side extension would be set back slightly from the front building line of the host dwelling and would be constructed from reclaimed stock bricks to match the existing property. The proposed extension would have a flat roof, which would be consistent with other single and two storey extensions in Orbel Street and its detailing would complement that of the host dwelling. As a

- result of these factors the proposed extension would respect and would be visually subservient to the host dwelling. Notwithstanding this, the proposed side extension would materially detract from the remaining symmetry in the pair of dwellings and the consistency in the width of the gaps on either side of them.
12. The resultant reduction of the gap between the appeal dwelling and the dwelling at No.44 would not result in a terracing effect within the street scene. However, it would fail to respect the prevailing width of the gaps between pairs of semi-detached houses along this stretch of Orbel Street. In addition, the open view towards the mature tree within the rear garden environment would be reduced.
 13. As a result of these factors the proposal would undermine the symmetry of the pair of dwellings and the uniformity and sense of space within the street scene, which all contribute to the uniform, spacious and suburban character, appearance and significance of the TSCA. Whilst the harm to the significance of the TSCA would be limited, it nonetheless needs to be weighed against any public benefits that would arise from the proposed development.
 14. The construction of the proposed side extension would result in some local employment, although this would fail to outweigh the harm that would be caused by the proposed extension to the CGCA. It would also outweigh the benefits for the appellant and their family resulting from the provision of an additional bathroom and a dressing room.
 15. It is acknowledged that a similar side extension was allowed on appeal in Orbel Street in 2018. However, in that particular case the proposed extension restored the symmetry of a pair of dwellings, which was an important consideration. As such it is not directly comparable to the appeal proposal. It is also noted that there are other two storey side extensions along Orbel Street, although their age and planning background is not stated. It would appear that some were constructed prior to the adoption of the current development plan, the SPD and the Framework. Also, with the appeal proposal the sense of symmetry between the appeal dwelling and the adjoining dwelling has already been materially undermined and the proposal would cause further harm.
 16. For these reasons I conclude that the proposal would unacceptably harm the character and appearance of the pair of dwellings and the street scene and would fail to preserve the character and appearance of the TSCA. Further, the limited level of harm it would cause to the significance of the TSCA would not be outweighed by any public benefits. Accordingly, the proposal would conflict with Policies DMS1, DMS2 and DMH5 of the DMP, Policies PL1 and IS3 of the CS and the SPD. It would also conflict with the objectives of the CAMS and paragraphs 193, 194 and 196 of the Framework.

Elizabeth Lawrence

INSPECTOR