



Appeal Decision

Site visit made on 27 August 2019

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2019

Appeal Ref: APP/H5960/W/19/3226988

18 Trinity Road, London, SW17 7RE

- 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 Lucy Honey against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2018/6104, dated 18 December 2018, was refused by notice dated 18 February 2019.
 - The development proposed is erection of part two/part three storey building to create 2 x 2-bedroom self-contained flats with associated refuse and cycle storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (a) the effect of the proposed development on the character and appearance of the area, with particular regard to siting and size; and
 - (b) whether the proposal would provide acceptable living conditions for future occupants, with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site comprises a rear yard containing a part single-storey, part two-storey outbuilding, accessed via an alleyway between commercial properties on a main arterial route. The area is characterised as a busy and vibrant commercial centre, with residential flats above shops, and adjacent former yards now containing residential and commercial properties, of varying heights. The proposal would result in the erection of a building with stepped terracing up to three storeys in height to the rear and occupying most of the yard.
4. The context of the site has been significantly altered in the recent past with the erection of the adjacent two storey black timber-clad dwelling at the rear of No 20 Trinity Road, numbered on the block plan as No 20a. This dwelling visually dominates the appeal site and is a prominent contribution to the streetscene as seen from Chetwode Road. Whilst the open space and gaps between buildings do contribute to maintaining the grain of the local urban environment, the key views of the appeal site are restricted. From Trinity Road, the stepped effect of

the design and the set-back siting behind the alleyway would ensure minimal impact from this very limited vista. From Chetwode Road, the three-storey element would only be glimpsed, with No 20a dominating the foreground. From surrounding properties, views would be similarly associated with No 20a.

5. The proposed roofline would be higher than No 20a and the adjacent industrial buildings. However, the development would only be marginally higher than No 20a, and views of the three storey element against the less sensitive industrial receptor are limited. From my observations, the development would still remain subservient to the principal buildings along Trinity Road, thereby respecting the overall hierarchy of the street. Whilst coverage of the site is extensive, the stepped design helps to offset the massing of the proposal; this and the use of differing materials break up the visual impact.
6. I therefore conclude that the proposal would not have an adverse effect on the character and appearance of the area, with particular regard to siting and size. Accordingly, the proposal does not conflict with Policy 7.6 of the London Plan, Policy PL 1 of the Wandsworth Local Plan Core Strategy, and Policy DMS 1 of the Wandsworth Local Plan Development Management Policies Document. Together these policies require that development is well designed and appropriate within its context, amongst other considerations.

Living conditions

7. The ground floor flat would be centred around a courtyard, stated to be 4 metres wide and 2.5 metres deep, which would serve as the principle and only outlook for this unit. However, the small size of the courtyard, allied with its height of up to three storeys, would nevertheless result in an oppressively restricted aspect and outlook, despite the generous window proportions and reflective surface rendering, such that harm would be caused. Whilst light levels are not a matter of dispute, the poor outlook would be further exacerbated by the use of bottom hinged shutters to the first floor, in effect introducing temporary ceilings over part of the courtyard, uncontrolled by the occupier of the ground floor flat.
8. Any compliance with the definition of 'dual aspect' would have a neutral effect, given the harm I have found above. Supporting submissions indicate similar proposals locally and London wide, including a principle internal courtyard at Bracken Avenue. I have not been provided sufficient evidence to allow full consideration of these permissions, and although I note Bracken Avenue's courtyard is of similar size, it does not have another dwelling above. In any case, I must determine the appeal on its merits.
9. Overall, the proposed development would provide unacceptable living conditions for future occupants, with particular regard to outlook. The proposal is therefore contrary to Policies DMS 1 and DMH 4 of the Wandsworth Local Plan Development Management Policies Document and the Wandsworth Local Plan Supplementary Planning Document on Housing, which together require that development should provide a satisfactory environment and not harm the amenity of users, amongst other matters.

Other matters

10. The provision of higher density dwellings for smaller households, with less need for outdoor space, is not in dispute. That the site is in a sustainable location,

with good access to services and public transport; would add to the number and variety of housing stock; utilise previously developed land; and provide benefit to the community, are matters that are not determinative to this appeal and do not outweigh the harm I have found above. Matters relating to land ownership and rights of access have been raised, however these are not within my jurisdiction.

Conclusion

11. I have found that the proposal would have a harmful effect on the living conditions for the occupants of the ground floor flat, due to poor and restricted outlook. This is not outweighed by the lack of harm to the character and appearance of the area. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Hanna

INSPECTOR