



Appeal Decision

Site visit made on 21 January 2020

by D Peppitt BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th February 2020

Appeal Ref: APP/H5960/W/3240520

Flat D, 41 North Side Wandsworth Common, London SW18 2SU

- The appeal was submitted under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Mark Miller against the Council of the London Borough of Wandsworth.
 - The application Ref 2019/3690, is dated 9 August 2019.
 - The development proposed is mansard roof extension to the top floor flat.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Mark Miller against the Council of the London Borough of Wandsworth. This application is the subject of a separate Decision.

Procedural Matter

3. The Council has indicated that it issued a refusal notice for the planning application on the date the appeal was submitted. However, I have not been provided with the decision notice. Therefore, I have determined the appeal on the basis on which it was submitted.

Main Issue

4. From the evidence I have before me, I consider the main issue is whether the proposal would preserve or enhance the character or appearance of Wandsworth Common Conservation Area.

Reasons

5. The appeal property is the top floor apartment of a semi-detached converted villa on North Side Wandsworth Common, a predominately residential street within the Wandsworth Common Conservation Area (CA). There is a variety of residential properties in the area, although the immediate vicinity is characterised by 4 storey semi-detached properties, with mature deciduous trees to the front. The rear garden of the property is bordered by Spencer Park and there are a number of mature trees adjacent to the site. The rear elevations of the properties are of an understated appearance and with simpler detailing compared to the front elevations and the properties have a largely uncluttered roofscape.

6. At the front elevation, the appellant seeks the removal of an existing rooflight and the installation of 4 new rooflights. Given the height of the property and the style of the windows, they would not be a prominent or overbearing feature within the street scene. They would not detract from the character of the building or the wider area, and as such, would be acceptable in this context.
7. To the rear of the property, the proposal would include a mansard style extension with dormer windows. Due to the location of the proposal to the rear roof, the full extent of the development would not be readily visible from the street. However, as the property is a semi-detached property, part of the proposal would be visible through the gap between the host property and the neighbouring property. Whilst the trees to the front may obscure some views during the summer months, during the winter, the proposal would be more apparent.
8. Regarding the views at the rear of the property, although there are a number of mature trees in Spencer Park, some views would still be possible from this area. I also observed that the proposal would be particularly apparent from the neighbouring gardens and properties. I acknowledge that views from the Wandsworth Common are largely restricted. However, due to the height of the property some views would be possible from the area adjacent to Spencer Park Road. In any case, harm to a CA is not necessarily predicated upon visibility from the public domain.
9. Due to the size of the roof and low roof pitch, the rear mansard roof development and dormer windows would dominate the rear roof slope and would appear out of proportion. Whilst I note the proposal has followed the pattern of the windows on the floors below and would use matching materials to the host property, it would appear as an incongruous addition and be at odds with the existing semi-detached building and its surroundings.
10. Moreover, the Council's Supplementary Planning Document on Housing (2016) contains guidance on mansard style roof extensions (Paras 4.141 – 4.143). It states that *'...it is unlikely that the addition of mansard roofs will be considered as an acceptable alteration to roofs, which are visible from public areas within conservation areas.'* It also states that *'...for houses at the end of a terrace and on a corner, the rear mansard style addition should be avoided...In these situations a well proportioned and traditionally detailed dormer on the rear roof slope, that is set in from the edge of the roof and preserves the shape of the gable end, would be more appropriate.'* Whilst I note that there is no specific guidance in relation to a semi-detached property, it provides direction for proposals to consider in their design proposals, particularly when aspects of the rear are visible.
11. The appellant has provided the report for a previous permission for 3 rear dormers at the property¹. However, whilst the proposal is similar it is for a different roof type therefore it is not directly comparable to this proposal. The appellant has also provided a number of examples of properties that have had mansard extensions in Shaftsbury Park Estate Conservation Area and Wandsworth Conservation Area. However, I have not been provided with the full details of all these permissions and what may have led to their approval. I note there is a nearby approval at 57 and 58 Spencer Park², however, whilst

¹ Planning application reference 2015/3916

² Application Ref: 2019/2244

visible it is a different type of building. I also note that appellant has suggested an appeal at 55 Westover Road³ is similar to this proposal. However, I do not have the full details to determine if they are directly comparable. In any case, each proposal must be determined on its merits and within its local context.

12. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. The proposal would have a negative effect on the significance of a designated heritage asset and would result in "less than substantial" harm in the words of the National Planning Policy Framework (the Framework) (paragraph 196). No substantive public benefits have been put forward to weigh against this harm.
13. For the reasons above, the proposed extension would have a harmful effect on the character and appearance of the host building and the surrounding area and would not preserve or enhance the character or appearance of Wandsworth Common Conservation Area. Therefore, it would be contrary to policies DMS1, DMS2 and DMH5 of the Development Management Policies Document (2016), the guidance in the Wandsworth Housing SPD (2016) and paragraph 196 of the Framework. These policies and guidance seek to ensure an extension is well designed and is sympathetic to the style of the building and preserve or enhance the historic environment.

Other Matters

14. The appellant has stated that the internal layout of the building is in compliance with the Council's Environmental Health criteria for a residential building and the existing flat access will be unaltered by the scheme. He suggests that it will provide natural daylight throughout the day, improving the quality of living accommodation. He also states that the proposed development would not cause a material loss of privacy, nor adversely affect the amenity of neighbouring properties. However, this does not outweigh the harm that I have identified above.

Conclusion

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

D Peppitt

INSPECTOR

³ APP/H5960/D/15/3133693