



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: 26th February 2020

Appeal Ref: APP/H5960/W/19/3240845

Flat Third Floor 3, 153 Battersea Rise, London SW11 1HP

- 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 I-Improve Ltd against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2018/6096, dated 21 December 2018, was refused by notice dated 9 May 2019.
 - The development proposed is alterations including erection of front and rear mansard roof extension to provide additional floor of accommodation, the erection of a single storey extension above the back addition and the formation of roof terrace above part of the proposed extension over the back addition with 1.7m high screen surround.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The site has a previously approved permission¹ which has not been completed. However, I have determined the appeal on the basis of what has been submitted.
3. I have taken the description of development from the appeal form, as this more accurately describes the development proposed.

Main Issues

4. The main issues are:
 - Whether the proposal would preserve or enhance the character or appearance of the Wandsworth Common Conservation Area; and
 - The effect of the development on the living conditions of the neighbouring properties, with particular reference to outlook and light.

Reasons

Character and appearance

5. The appeal site is a top floor flat within a three storey mid-terraced property, with an additional mansard storey above and a two-storey block to the rear. The property is located on the south side of Battersea Rise and sits within the Wandsworth Common Conservation Area (CA). The host property forms part of

¹ Planning application reference 2016/1302

a row of traditional Victorian terraced buildings that have uniform mansard roofs. The adjoining property, 151 Battersea Rise (No 151), sits on the corner of the junction between Bolingbroke Grove and Battersea Rise. This has an additional storey and is architecturally different to the rest of the neighbouring properties, being taller in eaves and storey height and having larger windows. The property is located opposite part of Wandsworth Common, which allows wide ranging views of the properties on the road.

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The special character of the CA relies upon the key relationship between the fine-grained pattern of development with its architectural consistency and the contrast with the surrounding common.
7. The proposed extension would result in an increase in height to the host property. Due to the set back from the front elevation, the proposal would not be readily visible from immediately outside the property on Battersea Rise. However, the scale, bulk and design of the proposal would be readily visible from the surrounding area, particularly from the adjacent green.
8. Given the underlying uniformity of the building pattern, the additional storey would be an intrusive feature at the roof level and it would appear as an incongruous addition to the host property. Whilst I note the appellant stated that it would match the roof height of No 151, which is already taller, it would not integrate with the host property and the adjacent terraced properties, which are of the same height as the existing property. Therefore, I consider that the proposed additional storey would appear as an unsympathetic addition to the host building.
9. In terms of the rear extension and the roof terrace, this would not be readily visible from public vantage points and would be mainly seen by the neighbouring properties to the rear. The rear extension in terms of its location and scale, would have a suitable level of integration with the host property and would therefore be acceptable in relation to its design.
10. Given the size and scale of the proposal within the context of the CA as a whole, I consider it would cause less than substantial harm to the character and appearance of the CA. Nevertheless, any harm to the significance of a designated heritage asset should require clear and convincing justification and in accordance with paragraph 196 of the National Planning Policy Framework (the Framework), any harm should be weighed against the public benefits. As the proposal is for a private dwelling, there are no substantive public benefits that would arise from the proposed extension.
11. For the reasons above, the proposed development, when taken as a whole, would fail to preserve or enhance the character or appearance of the CA. Therefore, it would be contrary to policies PL1 and IS3 of the Core Strategy (2016), DMS1, DMS2 and DMH5 of the Development Management Policies Document (2016), paragraph 196 of the Framework, guidance provided in the Housing SPD (2016) and the Wandsworth Common Conservation Area Appraisal and Management Strategy. These policies and guidance, amongst other things, seek development to contribute positively the local spatial character and preserve or conserve the character and setting of the surrounding historic environment.

Living Conditions

12. The proposal to the rear would extend the full depth and width of the approved extension. The difference being the addition of vertical elevations to both the side and rear of the extension. I note the Council states that in the previous approval the plans were amended in order to provide sufficient daylight and outlook to the neighbouring property at 155 Battersea Rise (No 155). This included removing the roof terrace and the rear extension being amended to replace the vertical side elevation with a 70-degree pitch to reduce the bulk, massing and proximity to No 155.
13. The proposed roof terrace and its associated obscured screening would have a depth of approximately 3 metres. Whilst I acknowledge that the screening would be translucent, it would add additional height along this area of the rear elevation, which would be in close proximity to No 155. The additional area of wall on top of the approved scheme, would introduce additional built form that would give a sense of enclosure. Due to the close proximity of the proposal to No 155, it would appear as an overbearing feature for the occupants, and would have a materially harmful effect upon the outlook from No 155.
14. In terms of light, as part of the appeal the appellant has submitted a daylight and sunlight assessment². The report compares the differences in the vertical sky component analysis (VSC) and annual probable sunlight hours (APSH).
15. In terms of VSC, the report shows that in the existing development results there are several windows that fail the VSC compliance with some receiving <10% of VSC. There are 2 windows which would change from a pass status to a fail status, namely W4 and W8. Although, the W8 would receive a change of <20%, which is within the category of not being a noticeable change. However, W4 and W13 have failed the VSC compliance and the <20% change compliance.
16. In terms of APSH, the report shows that a number of the existing properties already fail the APSH. Whilst the proposed development would reduce some of the figures it would not cause any of the existing passes to fail and would be not cause changes greater than 20%.
17. For the reasons above, the proposed development would materially harm the living conditions of the neighbouring properties, with particular reference to outlook and light. Therefore, it would be contrary to policy DMS1 of the Development Management Policies Document (2016) and the guidance provided in the Housing SPD (2016). This policy and guidance, amongst other things, seek to ensure development does not harm the amenity of occupiers of nearby properties.

Other Matters

18. I note the appellant has suggested the site is well located for public transport and has a public transport accessibility level rating of 6B. I also note that the appellant states that it will have a number of benefits including: low energy lighting, A-rated appliances, good levels of daylighting, adequate sound insulation and outdoor space for health and wellbeing, Secured by Design principles, good internal accessibility for occupants and accessibility for

² BRE Daylight and Sunlight Assessment Flat 3, 153 Battersea Rise, London SW1 1HP – SHA Environmental (2018)

emergency services and not be at risk from flooding. However, this does not outweigh the harm that I have identified above.

19. I acknowledge that there were a number of concerns raised by interested parties, however, as I have already identified harm above, it is not necessary to consider these further.

Conclusion

20. For the reasons set out above, I conclude that the appeal is dismissed.

D Peppitt

INSPECTOR