



Appeal Decision

Site visit made on 16 March 2020

by M Scriven BA (Hons) MSc CMgr MCIHT MCMI

an Inspector appointed by the Secretary of State

Decision date: 06 April 2020

Appeal Ref: APP/H5960/W/20/3244326

64B Upper Tooting Road, London SW17 7PB

- 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 Mrs R Rauf against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2019/4627, dated 25 October 2019, was refused by notice dated 19 December 2019.
 - The development proposed is an extension at first floor level to form an additional storey and formation of roof terrace with change of use of retail unit (Class A1) to 1 x bedroom dwelling (Class C3).
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Decision

1. The appeal is dismissed.

Procedural matters

2. Although the application form indicates that the proposal is for a change of use from retail to residential, I saw on my visit that the building is currently in residential use. However, that use appears to be unlawful. There is no suggestion that the proposal is for planning permission for development already carried out, and therefore I shall deal with it solely as prospective development. The date of application the banner heading above has been taken from the original application form as the appeal form refers to a different date.

Main Issues

3. The main issues are the effect of the development on:
 - The character and appearance of the area.
 - The living conditions of current and future occupiers of the development and of neighbouring properties.

Reasons

Character and appearance

4. The development site is located to the rear of a three storey mid terrace property on Upper Tooting Road. The building is part of an existing single storey rear extension to a retail unit and is being used as residential accommodation. The location is not part of a conservation area and sits amongst other rear single storey buildings, extensions, rear gardens and yards. Whilst numerous properties surround the site it is most clearly viewed by other

properties in the terrace. The appeal building is largely hidden from road level. The conglomeration of single storey buildings creates an open space at upper storey level between the surrounding taller buildings. This openness coupled with a largely similar style of architecture in Upper Tooting Road, incorporating dark brick and Beechcroft Road which is of typical Edwardian style, incorporating red brick and render, positively contribute to the character and appearance of the area. It is acknowledged that higher rear extensions exist further along Upper Tooting Road, beyond the junction with Beechcroft Road. That said this only serves to make the open feel here even more pronounced.

5. The development would essentially add a storey to the current unit, sitting on the same footprint incorporating modern design such as metal cladding, glazing and a small balcony area. The plans show a building of marked contrast in appearance to those on Upper Tooting Road and Beechcroft Road, with the new storey bearing little relationship to the ground floor storey.
6. The additional storey to the building would create a lone prominent feature in an area of relative openness. This prominence would be negatively exacerbated through the materials chosen, and the height and scale of the development. Similarly, the introduction of a balcony area would not assimilate with the surrounding property styles. The extra height would make the site viewable from Beechcroft Road, both at road level and from properties facing on to it. It would also be clearly seen from the rear windows of the terrace of Upper Tooting Road. Notwithstanding the appellants comments regarding the development being tucked away and of a contemporary feel, for the reasons above I am of the view it would be of stark contrast to those around it. The resultant impact would be significant harm to the character and appearance of the area, which the application of conditions would not offset.
7. Therefore, the development does not accord with Policy DMS1 of the Wandsworth Local Plan Development Management Policies Document (Local Plan), 2016 which amongst other things seeks to ensure development provides high level integration with the surroundings and contributes positively to the local character.

Living conditions

8. Light within the existing accommodation is limited with front windows facing the building across the alleyway and only high level windows serving the rear. There is negligible outside space beyond the alleyway which also serves other buildings and accommodates storage for items such as bins. Neighbouring properties look out on to the site which currently appears more as a store associated with retail use from the outside than a dwelling. Although some of the rear windows of neighbouring properties incorporate obscured glazing the majority do not. This does not limit neighbours' current privacy from the unit to any great degree given the unit has limited outlook to those windows which are clear glazed.
9. The development seeks to formally change the use to Class C residential, assumed to be for two people by the creation of the double bedroom in the additional storey. The rooms and amenity space would be very small in size, with low ceilings. The appellant views the development to align with the Mayor of London's Housing Supplementary Planning Guidance (SPG), 2016. Whilst it does at individual room level the development falls short on aggregate space and is well below national standards. Albeit low, there is insufficient evidence to

say the ceiling heights do not conform with standards. It is acknowledged that the development would give current occupiers more internal and external space than it currently affords. However, as the residential use appears to be unlawful, I afford this little weight.

10. The development would incorporate glazing and a balcony to maximise daylight and sunlight within the property and I am satisfied that adequate daylight would be obtained. However, in doing so the new windows would create clear views of nearby properties, particularly the rear first floor and above rooms of Upper Tooting Road, the majority of which appear to be residential flats. This would be to the harmful detriment of both occupiers of the development and neighbours' privacy. Some of this harm could be reduced through the use of obscured glazing but this would likely reduce natural light within the property itself, further harming living conditions for occupants.
11. Therefore, the development does not accord with Policy DMH4 of the Local Plan which amongst other things seeks to ensure developments have adequate internal and external space. Similarly, the development does not meet the internal and external space standards as detailed respectively in Policies DMH6 and DMH7 of the Local Plan. The development does not conform with Policy DMS1 of the Local Plan which amongst other things seeks to ensure against developments harming the amenity of occupiers or neighbours.
12. I have given due consideration to the Mayor of London's Housing SPG, 2016, referred to by the appellant, However, the adopted Local Plan incorporates national standards. Irrespective of the differences between the two documents, given the harm created to the character and appearance of the area and harm to living conditions overall this matter does not change the outcome of the appeal.

Other matters

13. The proposal would add to the Borough's housing stock, but only by one small dwelling. There is no evidence that the Council is not meeting the housing needs of the Borough, and thus the limited benefit of the proposal is heavily outweighed by the harm that I have found
14. Both parties refer to previously rejected applications at the site, their reasons for refusal and comparison with the development before me, whilst this is noted the decision is made on the merits of the individual case.
15. Reference is made to an existing planning permission for the site adjacent to the development on Beechcroft Road. The effect of the development on the approved site has been considered although there is no guarantee that the approved scheme will be implemented and therefore I place greater weight on the situation which was apparent at the time of my visit.

Conclusion

16. For the reasons given above the appeal is dismissed.

M Scriven

INSPECTOR