

Appeal Decision

Site visit made on 15 September 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2020

Appeal Ref: APP/H5960/D/20/3255061

30 Burstock Road, London SW15 2PW

- 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 John Thursfield against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2020/1334, dated 13 April 2020, was refused by notice dated 9 June 2020.
 - The development proposed is the construction of a new two storey building to provide a garage and ancillary accommodation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered to that on the application form, matching that used by the Council on their Decision Notice. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application, as I consider that it better reflects the appeal proposal before me.

Main Issues

3. The main issues are the effect of the proposal on i) the character and appearance of the area, and ii) the living conditions of the occupiers of Sir Abraham Dawes Cottages with specific regard to loss of light and overshadowing.

Reasons

Character and appearance

4. The appeal site is a semi-detached post-war dwelling, rendered and painted in a dark colour, with a slate roof. The section of Burstock Road immediately surrounding the appeal site is mixed, with formal, regular Victorian terraces on one side, and the smaller, newer post-war buildings of the appeal site on a different building line to the rest of the street, alongside their earlier neighbours forming an irregular terrace. The junction with Putney Bridge Road has a mixture of taller, newer buildings beyond, and a relatively modern brick building on the opposite corner. Adjacent to the appeal site is the single storey

- rearward projection of the restaurant on the corner, with prominent roof-mounted extraction equipment.
5. The appeal property and its attached neighbour were apparently built on a bomb-damaged site, which gave rise to their different appearance and altered building line relative to the other properties in the street. As a result, the appeal site has a larger than typical front garden, and both the gable end and single-storey extension of the restaurant on the corner are visible along Burstock Road over the front of the appeal site.
 6. The proposal seeks to erect a new two storey building to provide a garage and ancillary accommodation, which would project beyond the front of the original dwelling to the edge of the site. The proposal, which is of a modern design and appearance, takes design, material and finish cues from both the host dwelling and the surrounding built form.
 7. The site lies within the Oxford Road Conservation Area (the CA). The Oxford Road Conservation Area Appraisal and Management Strategy (the CAAMS) notes that the significance of the CA as a heritage asset comes from the variety of high quality Victorian housing of various types and sizes, and the dense residential area with a green appearance that arises as a result.
 8. The appeal site lies close to the northern edge of the CA. As a result, when seen from the south, the site is viewed in the context of the view along Burstock Road, to the edge of and beyond the CA boundary. This view already has a wide variety of built-form, material, scale and building lines. Seen from the north, the appeal site clearly appears to be of a different age, character, appearance and physical arrangement to the other properties on Burstock Road, particularly the houses on the opposite side of the road, which are, according to the CAAMS a cohesive development by a prolific and prominent local builder. Burstock Road, with its varied character has, in my opinion, a different role in the significance of the CA as a heritage asset than adjoining streets such as Montserrat Road, which are more consistent with the significance and quality identified by the CAAMS.
 9. As a result, the appeal site does, in my opinion make a neutral contribution to the significance of the CA as a heritage asset. It is clearly, markedly different from the development which surrounds it, and that difference has been exaggerated by the difference in materials and finishing between it and its immediate neighbours.
 10. The appeal proposal would introduce a new built element into the already mixed street-scene, although its materials and colour would be consistent with the host dwelling. The proposal would also screen the somewhat unfortunate appearance of the flat-roofed single-storey extension and extraction equipment on the corner restaurant in northerly views along Burstock Road. Seen from the north, the proposal would be visible, but not, in my opinion, harmfully prominent, incongruous or awkward.
 11. Whilst I note that the Sir Abraham Dawes Cottages on Putney Bridge Road are fleetingly visible from Burstock Road, in my opinion, they, their significance, and their relationship to Putney Bridge Road and the wider CA, are better understood and appreciated from there, rather than from Burstock Road.

12. In light of the context and having regard to the great weight that should be given to the asset's conservation I consider that the appeal proposal would have a neutral effect on the significance of the CA as a heritage asset. The proposal would therefore preserve the character of the CA through the introduction of another mixed element into an already mixed part of the CA. This would, of course, represent change to the appearance of the CA but consistent with the host building and not harmful to the established character of the CA. The proposal would therefore comply with the requirements of the National Planning Policy Framework (the Framework) to conserve and enhance the historic environment.
13. Policy DMH5 of the Wandsworth Local Plan Development Management Policies Document Adopted March 2016, (the Local Plan) sets a series of criteria for extensions and alterations to existing residential premises, which must be satisfied, alongside other policy criteria setting general development principles and managing the historic environment. Policy DMH5 is elaborated upon by the Wandsworth Local Plan Supplementary Planning Document – Housing, Adopted November 2016 (the Housing SPD) which aims to promote good, sensitive design respectful the form and appearance of an area.
14. Of these nine criteria, one requires that extensions are not erected in front of houses where they would be visible from the highway. The proposal is clearly to the front of the house and would be visible from the highway. It would therefore be contrary to the development plan policy in that regard.
15. However, I consider that to dismiss the appeal solely on that basis would be an overly rigid application of the criteria, without regard for the particular character and context of the site and the overarching purpose of the policy, which is further explained in the supporting Housing SPD. Whilst the proposal would conflict with that criteria in the policy, to my mind, the proposal would accord with the wider aims of that policy and the relevant development plan policies more widely, to ensure that development is well designed, high quality, integrated with its surroundings and respectful of the form, appearance and proportion of the host dwelling and surrounding area. As I have found that the appeal proposal would meet these requirements, I do not consider that it would be unacceptable.
16. I also do not agree that the proposal would appear to have a vague connection to the host property. The proposed materials, colouration, spatial and functional relationship all count against such a conclusion. I also do not consider that the proposal would cause an unacceptable terracing effect as suggested by the Council, particularly in light of the predominance of terracing in the immediate area. I therefore consider that the proposal would not be an incongruous, awkward or inappropriate addition, and that it would have an acceptable effect on the character and appearance of the area.
17. With regard to the effect of the proposal on the character and appearance of the area, it would comply with Policy DMS1 and Policy DMS2 of the Local Plan, insofar as they seek, amongst other things to ensure that the scale, massing and appearance of development is of a high quality and conserves the significance, appearance, character and setting of heritage assets. Whilst the proposal does conflict with one element of Policy DMH5 of the Local Plan, I consider that the compliance of the proposal with the wider aim of that policy, the Housing SPD, the other relevant policies in the Local Plan and the aims of

the Framework all lead me to conclude that the proposal does not conflict overall with that policy.

Living conditions

18. The appeal site lies to the south of the Sir Abraham Dawes Cottages, a terrace of brick-built houses, which despite being of similar overall height to the appeal site, have steeply pitched, tall roofs, with their principal windows at ground-floor level. The side boundary of the appeal site and the rear boundaries of the Sir Abraham Dawes Cottages are parallel. It is also important to note that Putney Bridge Road does not run along an east-west axis and Burstock Road is not perpendicular to it.
19. As a result, the effect of the appeal proposal on light reaching the rear of the Sir Abraham Dawes Cottages, particularly in the afternoon and evening would be exaggerated. I consider therefore that the appeal proposal would be likely to overshadow a disproportionate amount of both the gardens and rear windows of the Sir Abraham Dawes Cottages. In my opinion, this effect would be heightened by the design of the proposal, with the wall closest to the boundary with the Sir Abraham Dawes Cottages being unrelieved by a pitch as shown on the road- and site-facing elevations.
20. I do not consider that the remaining single-storey gap between the appeal proposal and the gable wall of the corner restaurant would allow sufficient light into and onto the neighbouring properties to mitigate the harmful effect of the proposal itself. Nor do I consider that the overall height of the proposal relative to the host dwelling is sufficiently low to mitigate the harm which would be caused.
21. The proposal would therefore cause unacceptable harm to the living conditions of the occupiers of the Sir Abraham Dawes Cottages with specific regard to loss of light and overshadowing. This would conflict with Policy DMS1 of the Local Plan, which seeks, amongst other things, to ensure that development does not harm the amenity of occupiers of nearby properties.

Conclusion

22. For the reasons given above although the proposal is acceptable with regard to its effect on the character and appearance of the area, this is outweighed by the unacceptable harm I have found to the living conditions of the occupiers of the Sir Abraham Dawes Cottages with specific regard to loss of light and overshadowing. As such, the appeal should be dismissed.

S Dean

INSPECTOR