

Appeal Decision

Site visit made on 7 May 2021

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State

Decision date: 14 June 2021

Appeal Reference: APP/H5960/W/20/3263422

Land at 29-31 Upper Tooting Road, London SW17 7TS

- 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 Danish Hanif against the decision of Wandsworth Council.
 - The application (reference 2020/2897, dated 6 August 2020) was refused by notice dated 1 October 2020.
 - The development proposed is described in the application form as "Erection of Third floor mansard extension to accommodate 1 x Studio Flat".
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Decision

1. The appeal is dismissed.

Main issues

2. The first main issue to be determined in this appeal is the effect of the proposed development on its surroundings. The second is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or loss of outlook).

Reasons

3. The appeal site is located at the corner of Upper Tooting Road (the A24) and Foulser Road, a short distance from Tooting Bec Underground station, at the junction of Upper Tooting Road and Tooting Bec Road (the A214). Side roads in the vicinity are characterised by residential terraces but Upper Tooting Road itself is a busy thoroughfare with a range of retail and commercial outlets, as well as social and leisure facilities. In the vicinity of the appeal site, the buildings in Upper Tooting Road are predominantly three-storey height to eaves level, while most of those in Foulser Road are two-storey height to eaves level.
4. The appeal building stands at the end of a rather ornate terrace of buildings on the south-east frontage of the main road, with an end elevation at the side road that continues the architectural detail of the principal elevation. To the rear, however, this corner building has been extended in a more modern idiom, with a strongly vertical stairwell feature that creates a clear break with the historic elevation and a brickwork continuation along the Foulser Road

frontage. This plainer brickwork section incorporates a physical set-back above the ground floor and it terminates with a flat roof that is reached from the top of the stairwell. The flat roof is set below the ridge level of the pitched roof on the main road frontage, thus stepping down towards the lower buildings in Foulser Road.

5. The appeal building is occupied by an agency on the ground floor, with flats above on both road frontages, that are served by the main stair.
6. It is now proposed that a "mansard" roof would be constructed above the existing flat roof, with a single additional "studio" apartment to be laid out within the roof space thus created.
7. The current scheme is the result of modifications that have been made to an earlier proposal, the subject of a previous planning application that was refused in May 2019 and for which an appeal was dismissed in October 2019.
8. The 'National Planning Policy Framework' (which was revised in February 2019) emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation in new dwellings.
9. An emphasis on the importance of good design is also to be found in the Development Plan, notably in Wandsworth Council's 'Development Management Policies Document' (which was adopted in March 2016). Policy DMH5 is concerned with alterations and extensions to existing residential properties and it encompasses the general propositions that new extensions should be well designed in themselves and should not be unduly intrusive in the streetscene. Policy DMS1 also points out the importance of good design and specifically addresses the need to protect existing residential amenities for those in nearby properties.
10. In this case, the proposed roof extension would be constructed with steeply pitched roof slopes on some elevations, inset from the verges of the existing flat roof. The "mansard" appearance would affect the elevations that would be obviously visible from the public roads, the south-east and south-west elevations, and these steep roof slopes would be topped by a new flat roof.
11. Nevertheless, the additional building bulk would be very obvious in the streetscene and would visually dominate the more traditionally pitched roof slopes of the original frontage building. In addition, the very steep "mansard" roof slopes would be alien to the traditional forms of nearby buildings and would not disguise the visual intrusiveness of the new addition. Thus, the proposals would have an unacceptable visual impact on the surroundings (specifically on the streetscene in Foulser Road) and would be unacceptable in the context of Development Plan policies that are intended to promote good design that is integrated with and sympathetic to its location.
12. The additional construction would also have a significant impact on residents in nearby properties. It would introduce additional bulk behind existing flats in number 29-31, effectively deepening the lightwell at the rear of the building. The loss of light itself would not be so severe as to make neighbouring property

uninhabitable but the outlook for neighbours would be considerably harmed, creating an excessive sense of enclosure and dominance, contrary to Development Plan policies that are intended to prevent unneighbourly development.

13. Evidently, the appeal site lies within an established urban area, which is "sustainable" in planning terms, while the contribution that the appeal scheme would make to economic activity and the additional residential unit that would be created both weigh in favour of the appeal. Nevertheless, I am convinced that the harm that would be done to the streetscene and the impact of the proposals on the residential amenities of neighbours outweigh the benefits of the project.
14. In reaching my own decision, I have noted the decision that was made in 2019 in relation to an earlier appeal and I have found no reason to dissent from the conclusions that were reached in that case.
15. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR