



Appeal Decision

Site visit made on 26 October 2021 by C Glaister BSc (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 November 2021

Appeal Ref: APP/H5960/D/21/3280186

111 Twilley Street, London SW18 4NW

- 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 Jonathon Moore against the decision of the London Borough of Wandsworth.
 - The application Ref 2021/1305, dated 18 March 2021, was refused by notice dated 13 May 2021.
 - The development proposed is described as "an addition to the existing extension to create a small home office space, with the addition of a modest roof terrace over the existing rear addition with 1.7m obscured glazing".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021. Regard has been had to the revised national policy as a material consideration in the decision-making process. However, in this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. There is therefore no requirement to seek further submissions on the revised Framework.

Main Issues

4. The main issues are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of neighbouring residents, with regard to light, and whether or not it would be overbearing or create a sense of enclosure.

Reasons for the Recommendation

Character and Appearance

5. The site is a mid-terrace property. To its rear, the River Wandle separates the site from a public park, from which it is visible. No 111 has a small extension above its outrigger. The main body of the extension at 113 Twilley Street is

similar. However, No 113 also has a small roof terrace, which increases the overall depth of the development above its outrigger. Nevertheless, a significant portion of the outrigger's roof remains unaltered at No 113. There are no apparent examples of development in the immediate area which extend to the full depth of the outrigger.

6. The depth of the development would be excessive. The main body of the extension would create a visual imbalance between Nos 111 and 113, and together with the roof terrace would dominate the outrigger. The development would alter the original form of the dwelling at the rear and erode the existing character of the property. It would appear incongruous among more modest development and cause harm to the character and appearance of the area.
7. The appeal is considered with respect to its own individual merits. Both 29 Thorndean Street and 53 Vanderbilt Road are located at a significant distance from the site, and are not representative of the character and appearance of the site and its immediate surroundings. Whilst they both demonstrate development which is similar to the proposal, there are differences in their design and context. In any case, further development of this kind would result in harm.
8. For these reasons, the development would cause harm to the character and appearance of the area. It would therefore fail to conform with Policies DMS 1 and DMH 5 of the Wandsworth Local Plan Development Management Policies Document (March 2016) (DMPD) which together seek to ensure development is not so large that it dominates and competes with the original building and achieves a high level of physical integration.
9. The Council refers to Policy D3 of the London Plan (2021) in the reason for refusal. Although this Policy could be relevant to all forms of development, in terms of the main issues in this appeal, it is not greatly relevant.

Living Conditions

10. The extension would lie alongside the roof terrace at No 113. Due to its height and depth, it would create a sense of enclosure and be overbearing for the occupants of No 113. Given the orientation of the properties, the reduction in light available to the roof terrace of No 113 would be minimal. In contrast, the reduction in the light available to 109 Twilley Street would be much greater, and the development would also create a sense of overbearing to the occupants of this property.
11. The Wandsworth Local Plan Supplementary Planning Document Housing (SPD) suggests that up to 50% of the original back addition may need to be left unaltered to avoid harming a neighbour's amenities. It also suggests that dominant structures are unacceptable. The development would fail to align with the guidance provided in the SPD.
12. For these reasons, the development would cause harm to the living conditions of neighbouring occupiers with regard to light, overbearing, and enclosure. It would therefore fail to comply with Policy DMS 1 of the DMPD which seeks to ensure development does not harm the amenity of the occupiers of nearby properties.

Conclusion and Recommendation

13. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR