



Appeal Decision

Site visit made on 22 September 2021 by Darren Ellis MPlan

Decision by H Nicholls FdA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 December 2021

Appeal Ref: APP/H5960/D/21/3277947

2 Parkstead Road, London, SW15 5HW

- 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 Ross Harrington against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2021/0716, dated 16 February 2021, was refused by notice dated 13 April 2021.
 - The development proposed is first floor side and rear extension, rear patio, facade alterations, floor plan redesign and all associated works.
-

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.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the host property and the Dover House Conservation Area; and
 - the effect of the proposal on the living conditions of the occupiers of No 4 Parkstead Road, with particular regard to privacy.

Reasons for the Recommendation

Character and appearance

4. The appeal site comprises a two-storey end-of-terrace dwelling on a prominent corner plot at the junction of Parkstead Road and Putney Park Lane. The site is within the Dover House Conservation Area (CA). The significance of the CA is derived from the attractive cottage-style houses which form terraces or pairs of dwellings with a uniformity of design features. Overall the area has a pleasing and cohesive character and rhythm.
 5. The terrace in question is symmetrical in design, with a hipped roof profile for the two end properties and front box dormers at the first-floor level for the two centre properties. I recognise that the symmetry has been diminished to a
-

- degree as a result of the existing single-storey side extension to appeal property. However, that addition is of a modest scale such that a degree of symmetry remains. Overall, the terrace relates positively to the CA and makes a positive contribution on account of its scale and form.
6. Whilst the proposed extension would be set back from the front elevation of the property and its roof would be set below the ridge of the main roof, as a result of its scale it would be a substantial addition to the property. Given the lack of a side extension at the other end of the terrace, the proposed extension would unbalance the appearance of the terrace and fail to have regard to the carefully planned design of the block. As a result, it would appear as an unsympathetic addition that would erode the attractive form of the building.
 7. I understand that the property opposite the appeal site at 1 Parkstead Road previously had planning permission granted for a two-storey side extension¹, however it appears that this extension has not been built. Nevertheless, the terrace containing No 1 is of a different and simpler design to the terrace of the appeal property, and the previously approved two-storey extension to No 1 would not have resulted in any significant unbalancing of the terrace.
 8. My attention has been drawn to other properties in the CA that have two-storey side extensions. No substantive details of any planning permissions for these extensions have been submitted, and many of these dwellings are not on prominent corner plots. I therefore cannot be certain that the context surrounding these extensions is directly comparable to the proposal before me. Moreover, while these other properties are within the CA, they are a considerable distance from the appeal site and therefore have no bearing on the street scene at the site.
 9. For the above reasons, the proposal would cause harm to the character and appearance of the CA and to the uniformity of the group of terraced properties. Given the localised extent of the impact the harm to the CA would be less than substantial but still carries significant weight, having regard to the statutory duty to preserve or enhance the CA.
 10. Paragraph 202 of the National Planning Policy Framework (the Framework) states that less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposed development. The appellant contends that the proposal would enhance the urban design of the street scene, however in this case the proposal would detract from the symmetrical appearance of the terrace. No public benefits of the scheme have therefore been identified, with a desire to extend the property to provide additional space to meet the appellant's needs clearly identifiable as a private benefit which would not outweigh the identified harm.
 11. Moreover, the proposal would conflict with policies DMS1 and DMH5 of the Development Management Policies Document (March 2016) (DMPD). These policies require development to integrate with its surroundings and contribute positively to local character and for extensions to buildings to not cause harm to the street scene or the building's appearance. The proposal would also fail to comply with policy DMS2 of the DMPD, which requires development to sustain, conserve or enhance the significance, character, appearance and setting of a heritage asset.

¹ Planning application ref. 2005/4596

Living conditions of neighbouring occupiers

12. Whilst the raised patio would be of a modest size, it would be elevated approximately 0.62m above existing ground levels. At that height the patio would allow wide views over the existing boundary treatment into the garden at 4 Parkstead Road. Although the existing windows allow a degree of overlooking, the patio would increase the overlooking of No 4. Unlike a window where views are likely to be fleeting, those using the patio are likely to sit for prolonged periods, particularly during good weather, and the use would create a real sense of being overlooked for neighbouring residents. As such, the raised patio would cause harm to the living conditions of residents at No 4.
13. The appellant has suggested a condition could be used to either require a privacy screen around two sides of the patio to prevent overlooking of the neighbouring gardens, or to remove the patio from the scheme. However, introducing such a privacy screen to a small patio is likely to create an oppressive and unpleasant environment for those using the patio. Moreover, even if either condition were imposed, the harm identified above from the proposed extension would remain.
14. The proposal would therefore conflict with policy DMS1(c) of the DMPD, which seeks to ensure that development does not cause harm to the living conditions of occupiers, users and nearby properties.

Other Matters

15. I note that the proposal would assist an occupant with mobility impairments to access the rear garden area. I have due regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it, including a person's disability or age. It does not follow from the PSED that the appeal should succeed, but I must have due regard to the duty in arriving at my decision.
16. I do not doubt that the proposals would assist access to the rear garden area. Nonetheless, this must be balanced with the significant adverse impacts of the proposal identified earlier. I am not persuaded that there are no alternatives to the proposal that could deliver substantially the same benefits without conflict with the development plan. Therefore, I conclude that these are not matters which outweigh the harm that would be caused by the proposal in respect of the main issues.
17. Though no representations were received in respect of the original application from any neighbours, this only attracts neutral weight in my considerations.

Conclusion

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed because of the conflict with the development plan and there being no material considerations which indicate that a decision should be made other than in accordance therewith.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Hollie Nicholls

INSPECTOR