



Appeal Decision

Site visit made on 22 September 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2021

Appeal Ref: APP/H5960/D/21/3277269

11 Bellamy Street, London, SW12 8BT

- 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 Robert Wilson against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2021/1493, dated 29 March 2021, was refused by notice dated 24 May 2021.
 - The development proposed is to erect a part single, part two-storey and mansard roof extension to main rear roof. Alterations to the front include raising existing ridge height to match No.13 and insertion of rooflights to front pitch roof.
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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.

Background and Main Issues

3. Planning permission exists for the demolition of existing dwelling (with retention of front facade) and construction of a replacement two-storey dwellinghouse with attic accommodation and basement level¹. The appeal proposal before me incorporates amendments to the shape, scale and materials of the proposed roof of the new dwelling and a couple of minor alterations to the fenestration.
4. The main issues are the effect of the development on the character and appearance of the subject building and its surroundings, and the effect on the living conditions of the neighbour at 9 Bellamy Street with particular regards to outlook and light.

Reasons for the Recommendation

Character and appearance

5. The appeal property comprises a two-storey semi-detached dwelling in a residential area. The proposal would retain the original façade and include the

¹ Planning application ref. 2020/4007

- reinstatement of the front door, which would have been replaced with a window in the previous approval.
6. The amended mansard roof would extend across the entire width of the property and would project considerably beyond the original roof slope and eaves. As such the apparent bulk of the building would be substantially increased and would create a dwelling that would, in comparison with its neighbours, have a top-heavy form and massing. The previously approved mansard also represented a substantial increase in scale and massing, when compared to the existing roof form. However, the plan was based on a L-shaped roof form which reflects the common arrangement of terraced properties with rear outriggers and the mansard was designed to respect the original eaves line of the dwelling. Therefore, although the scale was substantial the design took influence from the existing pattern of development.
 7. In contrast, the removal of the L-shaped arrangement and the extension of the mansard beyond the original rear eaves line would fail to reflect the established character of the area. Although the side of the mansard roof adjacent to No 9 would be angled at 80 degrees, this would not significantly reduce the bulk and massing of the proposed roof. Consequently, the proposed roof would be an incongruous addition that would detract from the character and appearance of the subject building and its surroundings.
 8. The proposed materials would match the roof materials of other properties in the street, including the zinc cladding which would represent a modern but sympathetic solution which reflects the hue of traditional roof slate. However, this would not mitigate the harm identified above in relation to the scale and form of the proposal.
 9. My attention has been drawn to existing roof extensions to the surrounding properties. However, the roof extensions at Nos 9 and 13 do not project beyond the original roof slope and eaves, and where the extensions at Nos 15, 17, 19 and 21 do project beyond the original roof slope and eaves, this is not for the full width of the dwelling. As such these extensions are not directly comparable to the proposal before me.
 10. I have also been referred to planning permissions for extensions that include roof extensions at other properties in Bellamy Street and other streets. However, substantive details of these permissions have not been provided and it is not clear from the descriptions provided whether these permissions include a mansard roof extension of a similar scale and design to this proposal. I therefore cannot be certain that the context of these other extensions is comparable to the scheme before me.
 11. The proposal would therefore fail to comply with policies DMS1 and DMH5 of the Development Plan Policies Document (March 2016) (DPPD) which all seek, amongst other things, to ensure that developments are of a scale, massing and appearance that provides a high-quality design and that it contributes positively to local spatial character. The proposal also conflicts with the guidance in paragraph 4.155 of the Wandsworth Local Plan Supplementary Planning Document Housing (November 2016) (SPD), which states that the mass of an extension over a back addition should not respect the hierarchy of the rear addition and not appear top heavy.

Living conditions of 9 Bellamy Street

12. The adjacent neighbour at No 9 has ground-floor patio doors and a first-floor window in the rear elevation immediately adjacent to the boundary with the appeal property and would be set back considerably from the approved dwelling. The approved mansard roof, which would be at the second-floor level, was L-shaped so that it was set away from the boundary with No 9. The proposed alterations to the mansard roof would result in it being close to the boundary with No 9.
13. Owing to its proximity to No 9, the additional massing at the second-floor level and the degree to which it would extend beyond the rear elevation, the proposed mansard roof would be an imposing structure that would cause a significant sense of enclosure as well as reducing the already limited outlook from the patio doors by an unacceptable degree. Moreover, the level of natural light received by the patio doors and first-floor rear window would be diminished, adding to the harm caused by the sense of enclosure and loss of outlook. The proposal would consequently cause harm to the living conditions to the occupants of the neighbour at No 9.
14. The occupiers of No 9 have not objected in this regard. However, the proposal must be assessed in relation to its impact on existing and future occupiers of the property and the absence of an objection from the present occupiers does not alter my conclusion on the harm that would be caused.
15. The Council raises no concerns with regards to the effect of the proposal on the side-facing windows, which appear to serve non-habitable rooms, or the rear conservatory at No 9. Based on the evidence before me I have no reason to disagree, however this does not mitigate for the harm that would be caused to the ground-floor patio doors and first-floor rear window adjacent to the boundary with the appeal site.
16. I have been referred to three planning permissions for extensions to properties in Dingwall Road, Garrett Lane and Balmuir Gardens. Again, no substantive details of these schemes have been submitted and therefore I am unable to determine whether the contexts of these other schemes are similar to the proposal before me.
17. I therefore conclude that the proposal would cause harm to the living conditions of the occupiers of 9 Bellamy Street as a result of the loss of outlook and natural light and the greater sense of enclosure that would be caused by the proposed extension. The proposal would therefore be contrary to policy DMS1 of the DPPD and the guidance in the SPD which both, amongst other things, seek to protect the amenity of nearby properties.

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 with the development plan.

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.

Chris Preston

INSPECTOR