



Appeal Decision

Site visit made on 20 April 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 MAY 2022

Appeal Ref: APP/H5960/W/21/3283312

41 Bendemeer Road, London SW15 1JX

- 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 Iden Shams against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2021/1574, dated 1 April 2021, was refused by notice dated 3 August 2021.
 - The development proposed is described as extensions and conversion to provide 4 flats.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. 41 Bendemeer Road is a two-storey end of terrace property primarily of red brick construction with a gable ended slate roof. No 41 also has an existing two-storey rear outrigger and is currently split into two, one-bedroom flats. The appeal property sits on a corner plot at the junction between Bendemeer Road and Gladwyn Road. No 41 is also sited away from the side boundary with Gladwyn Road.
4. There is a broad sense of visual uniformity to the existing properties within this part of Bendemeer Road. While exceptions occur, this uniformity is predominantly achieved by matching materials, proportions, and detailed design. Gladwyn Road also broadly follows the prevailing architectural theme of Bendemeer Road.
5. It is proposed to erect a two-storey side extension, a rear mansard roof addition and a single storey rear extension to facilitate the creation of four flats. The proposed two-storey side extension would extend to the side boundary adjoining the pavement with Gladwyn Road and the proposed single storey rear extension would also extend closer to Gladwyn Road.
6. Given the predominantly terraced character of the area, it could be argued that this locality has a dense urban character. However, the side gap between No 41 and the junction where Gladwyn Road joins Bendemeer Road provides valuable relief from the built form and this relief creates a visually attractive open and spacious feel to the immediate character and appearance of the area.

7. The proposed development would extend up to the side boundary and while Gladwyn Road would still provide a gap between the side elevations of Nos 41 and 43 Bendemeer Road, the reduction in spacing and creation of a dominant and hard edge against the side boundary of No 41 would carry significant harm to the detriment of the open character and appearance of the area.
8. I note that No 43 extends up to the pavement edge of Gladwyn Road and the proposed development would follow this theme. However, the Council explain this property has a different planning history, with an established structure historically on the side boundary. Notwithstanding the history, No 43's two storey proximity to the pavement creates a hard edge to the street scene of neutral merit. The plot at No 43 is shallower than No 41 and given the angle of the roads less prominent. The proposed development would consequently have a greater impact to the detriment of the open character and appearance of the area.
9. The appellant draws my attention to other examples of buildings close to the boundaries at corner sites. While examples may exist elsewhere, these are different street scenes and some of these do not make a positive contribution to the street scene. It does not follow that such development should be automatically replicated somewhere else. I have determined the proposed development on its own merits and consequently these examples elsewhere have limited bearing on my findings.
10. I agree that the proposal would provide a more optimal use of the site and paragraphs 4.2.1 and 4.2.4 of the London Plan 2021 (the LP) identify the important role of delivering more housing from sites such as this one. Furthermore, Policy H2 of the LP, amongst other things, seeks to diversify housing supply and support small and medium-sized housebuilders. These benefits carry moderate weight in favour of the appeal. However, this does not outweigh the significant harm identified above.
11. The appellant also makes further reference to Policy H2 of the LP and the need to support well-designed homes for those wishing to bring forward custom, self-build and community led housing. I have not made aware the proposal is genuinely for these types of housing and even if it was, Policy H2 requires 'well-designed' homes. As I have found significant harm above this matter carries limited weight in respect to my overall findings.
12. The appellant also highlights the requirement to achieve minimum housing targets as also set out in Policy H2 of the LP. The Council confirms that it can meet its minimum targets, and this is not disputed by the appellant. While these targets are a minimum, the proposed development at 2 units (net) would make a limited contribution to housing supply. This limited contribution would not outweigh the harm identified above.
13. The proposed development would have a lower roof ridge height which is stepped down from the ridge of the host building. The first floor would also be set behind the front of the building. Additionally, the more modest scale of the single storey rear extension and detailed design of the roof alterations would not cause the proposed development to overwhelm or compete for dominance with the host property. However, the absence of harm in this regard carries neutral weight in the overall planning balance.

14. Consequently, the proposed development would materially harm the character and appearance of the area. Accordingly, I find conflict with the relevant provisions of Policy DMH5 of the Wandsworth Local Plan Development Management Policies Document 2016 (the DMPD), Policy D3 of the LP and paragraph 130 of the National Planning Policy Framework which, amongst other things, seek to ensure that development is sympathetic to the character and appearance of the area.
15. The appellant has also suggested that the proposal complies with DMS1 of the DMPD. This policy, amongst other things, seeks to ensure buildings have a high level of physical integration with their surroundings. As set out in my findings above, I have found that the proposed development would not achieve this.

Other Matters

16. Interested parties have raised concerns about traffic/parking, disruption during building works, waste, living conditions for future and neighbouring occupants, development on garden land, unit mix and cycle storage. As I am dismissing this appeal there is no need for me to consider these matters further.
17. I also note that during the planning application phase, the Council's appointed case officer was supportive of the proposal. However, the Council's final decision was not favourable. It is well understood that planning authorities are not bound to accept the recommendations of their officers and my overall findings are based on the assessment of the planning merits before me.

Conclusion

18. The appeal scheme would conflict with the development plan for the reasons I have given. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

N Praine

INSPECTOR