



Appeal Decision

Site visit made on 19 October 2022

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th November 2022

Appeal Ref: APP/H5960/W/22/3296921

Flat B, 99 Magdalen Road, London SW18 3NW

- 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 Lloyd Peters against the decision of London Borough of Wandsworth.
 - The application Ref: 2021/5466 dated 29 November 2021, was refused by notice dated 1 February 2022.
 - The development proposed is for a loft extension.
-

Decision

1. The appeal is allowed, and planning permission is granted for a loft extension at Flat B, 99 Magdalen Road, London SW18 3NW in accordance with the terms of the application, Ref 2021/5466, dated 29 November 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: - location plan and DRG No:4957a.
 - 3) All new external works shall be carried out in materials to match the external surfaces of the existing building.
 - 4) The rooflights hereby approved shall be of a conservation area specification:- in-line and flush within the roof pitch that they would be located.

Procedural Matter

2. The description of development is taken from the application form. Whilst the Council changed the description it is not clear from the information before me that it was agreed in writing, and the original description adequately describes the proposal.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host property and the surrounding area, including the conservation area.

Reasons

4. Magdalen Road is a wide, tree lined street bound by Wandsworth cemetery and residential properties to the other side. 99 Magdalen Road is a semi-detached property which has been subdivided into two flats and is located at the junction with Ellerton Road.
5. It lies within the Wandsworth Common Conservation Area (WCCA) and as such I have a statutory duty under section 72(1) of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The area is identified in the WCCA Appraisal and Management Strategy as sub-character area G which is described as comprising a mixture of late Victorian buildings, combined with buildings influenced by the modern movement. Whilst there is some variety, in my view, part of the significance is derived from the appearance of the properties which are set back from the road and have a consistency in architectural detailing, including the roof forms, and materials.
6. Policy DMH 5 (ii) of the Wandsworth Local Plan Development Management Policies Document March 2016 (DMPD) indicates that dormer extensions or other alteration to a roof will be permitted *'where it is visible from the street or any other public place, it is sympathetic to the style of the building, not visually intrusive and does not harm either the street scene or the building's appearance'*.
7. The appeal property has a steep pitched roof with the profile of the catslide roof form and a large chimney feature forming the side elevation to Ellerton Road. The proposed dormer would be positioned in the main roof space beyond the catslide, which contains a dormer window at first floor level, and would align with the dormer windows at a similar height in the neighbouring properties (Nos.101 and 103).
8. The Council identify these additions to the neighbouring properties as negative features of the WCCA. While I acknowledge that some of the roof alterations in the area, particularly the larger 'box type' dormers, are dominating features, nonetheless dormer windows are a prevalent feature of the area and an established part of the character.
9. The proposed dormer is to be formed of two small windows and utilises materials to match the existing property. It would be set down from the ridge and is proportionate to the roof. I thereby find that the scale and form is sympathetic to the appearance of the host property and would be reflective of similar features in the locality.
10. The layout of the area is such that the space created by the gardens to the corner plots permits views across the upper part of the rear of the properties in the row. As I observed at various junctions in the immediate area these views include an assortment of dormer windows and rear extensions. The space around No.99 is no different and in my opinion the dormer window would not be so visually prominent to detract from the general appearance of the street scene. The proposed dormer would not be visible from Magdalen Road and in views along Ellerton Road it would be seen in the context of all the features of the host property and with the neighbouring properties. In addition, transient views would also be filtered by the existing mature garden tree, which is covered by a Tree Preservation Order, and contributes to the visual amenity of the street. Consequently, I find that the appeal proposal would not be harmful

to the prevailing character of the area, or the significance of the WCCA as a whole.

11. Accordingly, the proposal would comply, with policy HC1 of the London Plan 2021 and DMPD policy DMS 2 which seek to conserve the significance, appearance, character and setting of heritage assets. In addition, it would accord with policy D3 of the London Plan and DMPD policies DMS1 and DMH5 which promote a design led approach which responds to the site's local context, and that extensions are sympathetic and use appropriate materials.

Conditions and Conclusion

12. I have had regard to the conditions suggested by the Council. In addition to the standard commencement condition, a condition to require the development to be carried out in accordance with the approved plans is needed for certainty. I also agree, particularly given the conservation area location, that conditions are necessary to ensure that the materials match with the existing property and that the proposed rooflights are flush to ensure a high-quality development.
13. For the reasons set out the appeal is allowed.

G Ellis

INSPECTOR