



Appeal Decision

Site visit made on 5 January 2023

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2023

Appeal Ref: APP/H5960/W/22/3306066

First Floor Flat, 3 Amerland Road, Wandsworth, London SW18 1PX

- 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 George Murphy against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2022/1598, dated 15 April 2022, was refused by notice dated 8 June 2022.
 - The development proposed is a hip to gable loft conversion with rear dormer and rear terrace.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the interests of certainty, in my decision I have referred to the appeal property by the street address provided in the appellant's Statement of Case.

Main Issues

3. The main issues in this appeal are the effects of the proposal on:
 - the character and appearance of the appeal property and surrounding area; and
 - the living conditions of the occupants of 5 Amerland Road, with particular regard to privacy.

Reasons

Character and appearance

4. The appeal property occupies the first floor and roof space of 3 Amerland Road, a semi-detached dwellinghouse which has been subdivided into flats. Despite having been subdivided, No 3 and attached dwelling No 1 retain the external appearance of a pair of semi-detached dwellings.
5. The pair of dwellings are constructed from brick, with ornate detailing and decorative arches above windows providing visual interest. The arrangement of architectural features, including the substantial canted bay windows, arched storm porches, hipped slate roof, and chimneys above each dwelling's flank wall contribute a high degree of symmetry to the form and appearance of the pair of dwellings.

6. Whilst the proposal has been designed to reflect certain aspects of the original dwelling's design, the proposed hip to gable extension would significantly alter the building's roof line and increase the scale of the roof. This would appear top-heavy and would significantly disrupt the overall symmetry of the pair of dwellings. Since the hipped roof is a distinctive feature of the building, the unbalancing effect of the proposed hip to gable extension would appear out-of-keeping and unsympathetic to the original design of the dwelling.
7. In addition, as the appeal property occupies a prominent location within the street scene, set back from the pedestrian footway by a short front garden and low boundary wall, this unbalancing effect would also adversely affect the character and appearance of the area.
8. The appellant's statement has drawn my attention to examples of hip to gable extensions within the area which I also saw on my site visit. Each example appears to be of a differing house type to the appeal property and I cannot be certain if they have been considered under the same development plan as the appeal proposal. Whilst such examples confirm that hip to gable alterations exist in the area, each proposal must be judged on its own merits. I am not persuaded that the other examples are directly comparable with the proposal before me, and they do not therefore persuade me to a different conclusion.
9. The rear of the appeal property is generally screened from view and is situated in an area where modern alterations to the rear of buildings appears commonplace and thus generally less sensitive to change than the front elevation. However, the proposed rear dormer along with the altered rear roof extension would occupy much of the area of the rear roof plane and would increase the mass and bulk of the roof line. The proposal would therefore appear dominant and incongruous in the context of the rear roof plane to the detriment of the appearance of the building and area.
10. For the reasons set out above, the proposal would harm the character and appearance of the appeal property and area. The proposal does not therefore comply with Policy DMS1 of the Development Management Policies Document (2016) (DMPD) which requires proposals to ensure that the scale, massing and appearance of the development provides a high quality, sustainable design and layout, that contributes positively to local spatial character. In addition, the policy would not accord with DMPD Policy DMH5 which requires alterations to roofs to be sympathetic to the style of the building, not visually intrusive and not harm the street scene or building's appearance.
11. Furthermore, the proposal would not accord with the design guidance set out in Wandsworth's Housing Supplementary Planning Document (2016) which seeks to retain hipped roofs on semi-detached pairs to maintain symmetry and avoid harm to their appearance.

Living conditions

12. The proposed roof terrace would be situated at second floor level and oriented as such that it would allow views to the side and rear of 5 Amerland Road. Whilst the roof terrace would be enclosed by an obscure glazed balustrade, its height would not prevent views out of the roof terrace.
13. There is disagreement between the parties as to whether the rooms most affected by overlooking constitute habitable rooms. The proposal indicates the

roof terrace would serve as an outdoor seating area, and therefore users of the terrace are unlikely to be standing for long periods or with the intention of overlooking surrounding dwellings and gardens. Despite this, and irrespective of the use of affected rooms, I consider that the roof terrace would create opportunities for overlooking of rooms within No 5 and its garden space which would result in a loss of privacy for its occupiers. The proposal would therefore conflict with Policy DMS1 which requires proposals to avoid harm to privacy for occupiers of nearby properties.

Other Matters

14. The proposal would provide additional living accommodation to meet the needs of the appeal property's occupants. Whilst I acknowledge the occupant's circumstances, personal reasons do not outweigh the harm I have identified above.

Conclusion

15. For the reasons given above, having assessed the case against the development plan as a whole and having had regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

E Dade

INSPECTOR