
Appeal Decision

Site visit made on 13 February 2023

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2023

Appeal Ref: APP/H5960/D/22/3301042

48 Swinburne Road, Wandsworth, London SW15 5EB

- 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 James Miller against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2022/0849, dated 28 February 2022, was refused by notice dated 9 May 2022.
 - The development proposed is ground floor side and rear extension, minor alteration to 1x window opening and replacement of all windows, single story garage with associated dropped curb.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has changed from the application form to the decision notice. That on the application form is adequate to describe the proposal although I have omitted the reference to the garage and dropped curb which the evidence indicates were removed from the proposals.
3. The proposal can therefore be described as 'ground floor side and rear extension, minor alteration to 1x window opening and replacement of all windows'.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Dover House Estate Conservation Area (the Conservation Area).

Reasons

5. The proposal relates to an end terraced dwelling set on a prominent corner location. The dwelling appears to retain a largely unaltered form and the terrace within which it sits retains a cohesive appearance. It therefore makes a positive contribution to the character and appearance of the Conservation Area.
6. The form, scale, materials and layout of its buildings as part of a residential estate influenced by the garden city movement are defining features of its character and appearance.

7. Whilst rear extensions appear to be a common feature, the buildings retain a remarkably cohesive appearance to their elevations that are principally visible from public views.
8. This includes the side elevation at the appeal property and the side elevation at 70 Swinburne Road to the south, which does differ slightly in appearance in that it includes windows either side of its entrance door with a smaller side area.
9. Despite its reasonably low overall height, the extension would be visible above the boundary hedgerow and would wrap around the property, covering a significant length of the side elevation.
10. Despite the inclusion of materials to integrate, the extension would subsequently compromise the unencumbered appearance of the characteristically simple publicly visible side elevation.
11. The proposal would subsequently detract from the heritage significance of the Conservation Area which lies in part with the form, scale, materials and layout of the buildings.
12. The harm to the significance of the Conservation Area would be less than substantial. Paragraph 202 of the Framework¹ requires such harm to be weighed against any public benefits of the proposal.
13. The benefits of the proposal would partly be limited to improved and enlarged living accommodation at the property. This would however be a very narrow benefit that would be experienced by few people. There would also be some public benefit in the replacement of the existing plain timber windows with timber sash.
14. However, given the degree of harm I have found that would arise from the appeal scheme and the statutory protection afforded to Conservation Areas, such benefits would not be sufficient to outweigh this harm.
15. The proposal would therefore conflict with policies PL 1 and IS 3 of the Wandsworth Local Plan Core Strategy (2016), policies DMS 1, DMS 2 and DMH 5 of the Wandsworth Local Plan Development Management Policies Document (2016) and policies D3 and HC1 of the London Plan (2021). Amongst other things, these policies seek well designed development which contributes positively to local spatial character and which protects heritage assets.

Other Matters

16. My attention has been drawn to other properties on the estate that have a side extension. However, the appellant acknowledges that not all these examples are comparable as they are not end of terrace properties nor as prominent. From the evidence before me there is nothing directly comparable and I afford these matters limited weight.
17. My particular attention has been drawn to the side extension at 45 Swinburne Road. However, despite the fact that this property also has a prominent position, that side extension has only a very small projection along the side elevation and therefore significantly differs from the proposal before me. I therefore afford this matter limited weight.

¹ National Planning Policy Framework 2021.

Conclusion

18. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR