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# Appeal Decision

Site visit made on 7 February 2023

**by S Pearce BA(Hons) MPlan MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6 March 2023**

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**Appeal Ref: APP/H5960/D/22/3308995**

**67 Linstead Way, Wandsworth, London SW18 5QB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
  - The appeal is made by Mr M Gluck against the decision of the Council of the London Borough of Wandsworth.
  - The application Ref 2022/1948, dated 10 May 2022, was refused by notice dated 28 July 2022.
  - The development proposed is removal of the existing ground floor extension to create a new ground floor extension with the same footprint.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. At the time of my site visit, work on the proposed extension had commenced. I noted that the works carried out appear not to accord with the submitted plans. I need to consider the appeal based on the development applied for and the plans submitted with it.

## Main Issues

3. The main issues are:
  - The effect of the development upon the character and appearance of the area; and,
  - The effect of the extension on the living conditions of adjoining occupiers of 66 and 68 Linstead Way, with regards to outlook.

## Reasons

### *Character and Appearance*

4. 67 Linstead Way is set within a predominately residential area, with a mix of two storey terrace properties and blocks of flats. The site comprises a two storey mid-terrace property with a modest rear garden, which is enclosed by a brick wall and fence. However, by virtue of its elevated position, the rear of the site is visible when viewed from Arnal Crescent, located to the rear of the property.
5. Properties along both Linstead Way and Arnal Crescent are primarily two storey terraces, with modest flat roof, single storey porches to the front elevations, and smaller single storey flat roof projections to the rear. It is the distinct

symmetry and rhythm of the buildings that contributes to the character of the area.

6. By virtue of its size, design, scale, stepped footprint and heavy fascia detailing, the proposed extension would appear as a visually prominent, dominant and overbearing feature, at odds with the character of the surrounding area. The prominence of the proposed development is further exacerbated by the land levels within and surrounding the appeal site.
7. The extension would dominate the original property and detract from the symmetry and rhythm of the terrace block and wider area, particularly given its prominent position, with views from Arnal Crescent. This would result in harm to the character and appearance of the area.
8. The appellant has highlighted that the extension has replaced a previous extension, that was on a similar footprint. The previous extension has since been demolished. The submitted plans of that previous extension show the structure to have been less dominant and overbearing, due to its overall design and larger areas of glazing.
9. The appellant notes that there are other single storey extensions within the area and suggest this proposal would therefore not compromise the symmetry and rhythm of the rear of the terrace as a whole. The extensions I observed during my site visit, including a neighbouring extension at no. 65 Linstead Way, do not appear as visually prominent as the appeal proposal, due to their layout, height and depth.
10. It has been suggested that the existing vegetation would help conceal the proposed extension from public view and reduce its visual impact. Based on my observations on site, the vegetation would only provide minimal screening, which would not overcome the harm I have identified.
11. For the reasons outlined above, I conclude that the development would result in significant harm to the character and appearance of the area. As such, it would be contrary to Policy IS3 of the Wandsworth Local Plan Core Strategy Adopted 2016 (Core Strategy), Policies DMS1 and DMH5 of the Wandsworth Local Plan Development Management Policies Document Adopted 2016 (DMPD), Wandsworth Local Plan Supplementary Planning Document Housing Adopted 2016 (Housing SPD) and the National Planning Policy Framework (the Framework). These policies seek, amongst other matters, to secure good quality design and reinforce local character, ensure development proposals contribute positively to local spatial character, are well designed and visually attractive.

#### *Living conditions*

12. The extension extends the full width of the appeal site and immediately adjoins the boundaries with no. 66 and no. 68 Linstead Way. The extension runs along a significant length of the side boundary adjoining no. 68. Although the previous extension has been demolished, based on the existing plans submitted as part of this appeal, I note that the proposed extension shares a similar footprint, height and massing along the boundary as the extension it would replace. The neighbouring occupiers at no. 68 would therefore be accustomed to development adjacent to the boundary as a result.

13. Having regards to this, the proposed extension would not have a significantly increased overbearing effect on outlook from either the garden or habitable room at the rear of no. 68, over and above that previously experienced by the occupiers of the property.
14. The extension is stepped away from the boundary with no. 66, which means that the majority of the extension is away from the boundary with the neighbouring property. Consequently, the extension would not be detrimental to the living conditions of the occupiers of no. 66.
15. For the reasons outlined above, I conclude that the development would not result in material harm to the living conditions of the occupiers of 66 or 68 Linstead Way, in accordance with Policy DMS1 of the DMPD 2016 and the Framework, which seeks to ensure, amongst others, that the amenity of existing occupiers is not harmed through overbearing development and developments create places with a high standard of amenity for existing and future users.

### **Other Matters**

16. The appellant has referred to their ability to construct an extension with planning permission granted by virtue of the Town and Country Planning (General Permitted Development)(England) Order 2015 as a potential alternative. I have seen nothing to suggest they would genuinely pursue this option if the appeal failed or that such a scheme would be similar to, or worse than, what is currently proposed. As such, it is a matter of limited weight.
17. I note that fire safety features have been incorporated within the proposal. However, this would not affect my conclusions on the main issues.

### **Conclusion**

18. For the above reasons and taking account of all policies drawn to my attention, the conflict with Policy IS3 of the Core Strategy and Policies DMS1 and DMH5 of the DMPD means that the development would conflict with the development plan as a whole. It would also conflict with the Framework and Housing SPD. Taking account of all other matters raised, I conclude that the appeal should be dismissed.

*S Pearce*

INSPECTOR