



Appeal Decision

Site visit made on 4 April 2023

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th April 2023

Appeal Ref: APP/H5960/W/22/3304738

Elystan Court, 121 Howards Lane, London, SW15 6QH

- 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 Medina Pavillions Limited against the decision of the London Borough of Wandsworth.
 - The application Ref 2021/4826, dated 18 October 2021, was refused by notice dated 29 June 2022.
 - The development proposed is described as "alterations including erection of a third floor level roof extension to provide 3 x two-bedroom and 1 x one-bedroom flats with associated roof terraces, wheelchair accessible parking space, cycle parking, refuse store, replacement northern boundary treatment and additional landscaping."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although the appeal form submitted by the appellants states that the description of development has not changed from that stated on the application form, the given wording states that the proposed development includes the erection of a third floor level roof extension, rather than a fourth floor level roof extension as stated on the application form. I have used this revised form of wording as it is the more correct description of the proposed development.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character and the appearance of the West Putney Conservation Area.

Reasons

4. The site falls within the West Putney Conservation Area (the CA), and I have accordingly paid special attention to the desirability of preserving or enhancing its character or appearance. The West Putney Conservation Area Appraisal and Management Strategy (the Appraisal) states that the special character of the CA is derived from the urban area of Putney Town, with its Georgian and Victorian elements, and more extensively with the later Victorian and considerable Edwardian suburb developed on former field systems to the west. It further states that the area is predominantly suburban and residential, with gradual urbanising toward Putney Town Centre. The character is largely Victorian to the north and east of the conservation area, with an overwhelmingly Edwardian character in the central, south and western areas. I

walked through the CA during my site visit and agree with the Appraisal's assessment of its character and significance.

5. Within this context, the appeal property is a flat-roofed three-storey apartment building on a prominent corner plot at the junction of Howards Lane and Luttrell Avenue. It sits at one corner of the Westbury Estate character area within the CA and is one of only a small number of buildings within the character area that is not identified as a positive building within the Appraisal. The Appraisal notes that the character area exhibits remarkably similar housing sizes and types in many areas, with two-storied houses dominant, and that Elystan Court is out of scale with the prevailing size and density of houses in the Westbury Estate. While I agree with this assessment in terms of the building's footprint and general form, it appears that some care was taken to ensure that its height accords with that of surrounding buildings. Within the Howards Lane and Luttrell Avenue street scenes the building does not appear unduly tall, partly because of the rising ground level along Luttrell Avenue so that houses further along that street have higher rooflines. From at least some vantage points along Howards Lane the eaves align with the ridgeline of neighbouring properties on that street. Consequently, while the building itself is prominent and unusually large with an uncharacteristic rectilinear form, it does not cause great harm in the street scene or wider CA.
6. The proposed additional storey to the building would substantially increase its prominence within the street scene along both Howards Lane and Luttrell Avenue and would be highly visible in views along both streets. The additional height would exacerbate the effect of the building's uncharacteristic scale and appearance within the surrounding context of predominantly two-storey houses of similar sizes and types. As a result, it would be harmful to both the character and appearance of the CA.
7. The building sits at the edge of the CA, and the proposed additional storey would be set back from the main street frontages, which would lessen its visual impact to some extent. It would therefore result in less than substantial harm to the significance of the CA.
8. The National Planning Policy Framework (the Framework) requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
9. The proposed development would result in the creation of 4 new flats, each providing generously sized accommodation. This would support the Government's objective of significantly boosting the supply of homes. The appeal proposal involves development of a small site and the expansion into the airspace above it, and both elements are supported generally in the Framework. The Council has a shortfall in its recent delivery of new housing, which this development would help to address, and this shortfall means that the delivery of new housing attracts greater weight in the overall balance.
10. The development would deliver improvements to the landscaping of the site, and an overall net gain for biodiversity. Two electric car charging spaces would be created at the site, together with secure storage for 12 bicycles, improving sustainable travel options for residents.

11. The appellants have drawn to my attention other upward extensions to apartment buildings within CAs in the borough. I have considered the highlighted examples, but from the evidence provided these appear to be buildings next to others of a similar scale and character, so that those upward extensions were more in keeping with the surrounding areas. In contrast, Elystan Court is a singular presence within the street scene, and therefore these other examples attract limited weight in the overall balance.
12. The benefits of the proposed development attract considerable weight, especially given the new housing that would be delivered. However, the Framework requires that great weight be given to the conservation of the significance of designated heritage assets. Given the prominence of the building and its existing uncharacteristic form and scale within the surrounding context, the appeal proposal would be harmful to both the character and appearance of the CA. This harm would outweigh the benefits that would result from the proposed development.
13. The appeal proposal would therefore conflict with the requirements of Policies IS 3, DMS 1, DMS 2 and DMH 5 of the Wandsworth Core Strategy. Taken together these require that development be well designed, that it protect and reinforce the existing varied character and heritage of the borough, that its scale, massing and appearance contributes positively to local spatial character, and that development in a CA sustain, conserve or enhance its significance, appearance and character.

Other Matters

14. During my site visit I inspected the skylights from the roof of the building, as well as seeing the rooms served by those numbered 1, 2, 4 and 5 in Appendix 4 of the appellants' final comments. While the covers to those skylights are opaque, I saw that natural light did reach 3 of the rooms served by the skylights, which comprised a kitchen and 2 bathrooms, while one of the skylights is fitted with an extractor for ventilation purposes. As I am dismissing this appeal on other substantive grounds, it has not been necessary for me to address this matter further.

Conclusion

15. The appeal proposal would conflict with the development plan and there are no considerations to lead me to determine this appeal other than in accordance with it. Therefore, for the reasons set out above, the appeal fails.

M Chalk

INSPECTOR