



Appeal Decision

Site visit made on 25 April 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th May 2023

Appeal Ref: APP/H5960/D/22/3312398

55 Heathfield Road, London SW18 2PH

- 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 Richard Doughty against the decision of the Council of the London Borough of Wandsworth.
 - The application ref. 2022/0465, dated 8 February 2022, was refused by notice dated 13 October 2022.
 - The proposed development is for extending the existing second floor at the rear of the house.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on a) the character and appearance of the existing building and surrounds, including the Wandsworth Common Conservation Area (CA); and b) the living conditions of the occupants of 57 Heathfield Road in respect of overbearing impact and light.

Reasons

Character and appearance

3. The appeal site relates to a mid-terrace, two-storey dwelling on Heathfield Road. The surrounding area consists of residential buildings of broadly similar scale and design, many of which have-scale roof extensions over rear outriggers.
 4. Being situated in the CA, special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Paragraph 199 of the National Planning Policy Framework states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
 5. The CA Appraisal states that the special architectural and historic interest derives from the relationship between the fine-grained pattern of development surrounding the common and the open space of the common. The pattern of streets is mainly in the form of grids, essentially of two to three storey terraces, and semi-detached buildings of Victorian and Edwardian origin.
-

6. The appeal scheme would replace the existing modest dormer with an element that would dominate the roof of the outrigger. Its mass and bulk would be clearly visible from the private amenity spaces of surrounding houses, having a jarring effect by virtue of its scale and extent. The scheme would lack subservience to the existing ridge line, and there would be no separation from the hindmost wall of the outrigger. The incongruous and boxy appearance would be exacerbated by the use of zinc cladding, that would fail to integrate with the more traditional external materials on other properties in the terrace.
7. I recognise that the proposed scheme will remove overlooking of the adjacent property at 57 Heathfield Road. It would also increase the quality of internal living space, the footprint would be smaller than that of the floors below, no skylights are being added onto the front roof, and there will be no changes that influence the street scape or the character of Heathfield Road. However, none of these points could justify the harm I have identified previously.
8. At my site visit I saw the roof extension at 51 Heathfield Road, which was approved by the Council under reference 2021/1523. This element is appreciably smaller in scale than that proposed by this appeal, and therefore to my mind is not comparable. I note the other examples cited in the grounds of appeal, however these are further afield where site characteristics will differ to the terrace of which the appeal dwelling is part. In any event, the appearance of other schemes would be a neutral consideration in any balance against planning harm, and I am mindful that each case must be assessed on its own merits.
9. Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The harm would be less than substantial, on account of the fact that the proposal would only affect part of the character of the CA. Nevertheless, taking account of the statutory duty to have special regard to enhancing or preserving the character and appearance of a Conservation Area, importance and weight must be attached to the harm identified. I appreciate that the proposal would restore the front elevation of the property, but this benefit does not outweigh the harm.
10. I conclude that the proposal would result in harm to the character and appearance of the existing building and surrounds, including the Wandsworth Common Conservation Area. It would run contrary to policies DMS1, DMS2 and DMH5 of the Wandsworth Local Plan Development Management Policies Document March 2016 (LP) and the Council's Housing Supplementary Planning Document November 2016 (SPD). Cumulatively these seek to ensure development is of an acceptable scale and design and conserves and enhances the significance, character and appearance of the borough's historic environment.
11. The development would also be inconsistent with the advice in the National Planning Policy Framework (the Framework), which states that good design is a key aspect of sustainable development, and it is desirable for new development to make a positive contribution to local character and distinctiveness.

Living conditions

12. I observed that the some of the rear windows and patio of 57 Heathfield Road are already enclosed and dominated by the substantial two-storey side wall of

the appeal property's outtrigger.

13. Although the roof addition would project rearwards and upwards, within the context of the scale of the existing built form, and its proximity to the adjacent property, the impact of the proposal would be relatively limited. To my mind, any changes in the outlook from the openings at both ground and first floor level of the adjacent dwelling would be minor. Views in other directions, for example Crieff Road towards the south, would be maintained and unimpeded.
14. I am therefore satisfied that the proposal would not have an unduly oppressive or intrusive effect on living conditions. The proposal is unlikely to result in a sense of confinement or enclosure sufficient to cause adverse harm above and beyond the current situation. In a high-density area such as this, it would clearly not be unusual to be able to see the built form of other dwellings from living rooms or bedrooms.
15. The existing built arrangement between the appeal dwelling and no.57 already causes a loss of light in the morning to the adjacent rear windows and patio. I consider that any additional loss of light due to the scheme would be limited; as the day progresses the path of the sun will naturally pass the built limits of the extended appeal dwelling, and light in the afternoon reaching the adjacent properties would not be unduly affected. As such, the appeal scheme will result in no adverse loss of daylight or sunlight above and over that which is presently experienced.
16. I conclude that the development would not result in material harm to the living conditions of the occupants of neighbouring houses having regard to overbearing impact and light. It would accord with policy DMS1 of the LP and the SPD, which seek to ensure that development does not harm the amenity of occupiers of nearby properties. It would also be consistent with the Framework, which advocates safe and healthy living conditions.

Conclusion

17. Based on the preceding and accounting for all matters raised, I conclude that the appeal should be dismissed.

C Hall

INSPECTOR