



Appeal Decision

Site visit made on 26 April 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2023

Appeal Ref: APP/H5960/D/22/3308828

132A Sutherland Grove, Wandsworth, London SW18 5QN

- 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 James Brandon against the decision of London Borough of Wandsworth.
 - The application Ref 2022/2165, dated 17 May 2022, was refused by notice dated 11 August 2022.
 - The development proposed is the erection of the side and rear dormer, ground floor rear extension facade alterations, swimming pool, replacement of the boundary fences by brick walls, floor plan redesign and all associated works.
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Decision

1. The appeal is dismissed insofar as it relates to the rear and side dormers.
2. The appeal is allowed insofar as it relates to the rear extension, the below ground floor swimming pool in the rear garden and replacement of the north side boundary fences with brick wall to 1.8m high and planning permission is granted for these elements and associated works at 132A Sutherland Grove, Wandsworth, London, SW18 5QN in accordance with the terms of the application Ref 2022/2165, dated 17 May 2022, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: B135654-1100 Rev A, B135654-3100 Rev A, B135654-3000 Rev A, B135654-3101 Rev A, Site Location Plan, B135654-3102 Rev A, only so far as they relate to the rear extension, the below ground floor swimming pool in the rear garden and replacement of the north side boundary fences with brick wall to 1.8m high.
 - 3) The materials to be used in the construction of the external surfaces of the ground floor rear extension and boundary brick wall hereby permitted shall match those used in the existing building.

Preliminary Matters

2. I have taken the description from the appeal form as it more clearly states the nature of the works being allowed.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Sutherland Grove Conservation Area (CA).

Reasons

4. The appeal site is a two-storey, semi-detached dwelling located in a residential area, near the corner of an intersection and with the rear elevation facing towards a train line. Dwellings in the immediate vicinity predominantly comprise paired, semi-detached two-storey houses with hipped roofs which are similar to the appeal site, giving a consistent rhythm and pattern of development which has historical significance.
5. I have had regard to the statutory duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which require me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The National Planning Policy Framework (the Framework) further seeks the conservation of heritage assets, such as Cas, which are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.
6. The Sutherland Grove Conservation Area Appraisal & Management Strategy 2007 (CAA) states that "The special character of this conservation area is derived from the homely domestic 1920's-30s suburban housing with generous front gardens in a dramatic hilly streetscape...". I agree with the findings of the CAA in that roof extensions and the removal and replacement of original features are items of particular concern in this CA.
7. While the appeal site is not singled out in the CA, it does contribute to the character and appearance of the section of the street scene within which it is located, and has retained more of its historical features than many other areas within the CA.
8. The appellant notes that the CAA does not rule out roof extensions entirely, and suggests that any concerns are likely to refer to larger roof extensions such as hip to gable extensions rather than the additions of dormers. However, the CAA aims to resist any development which constitutes harm to the established character and appearance of the CA, including dormers.
9. The appeal scheme would add rear and side dormer roof extensions to the main roof. The side dormer would have a significant impact on the front elevation of the host building, causing a loss of balance and symmetry with its paired neighbour. Both the side and rear dormers would be substantial in size. They would be a dominating and awkward-looking addition to the roof which would be disproportionate and unsympathetic to the host property and an incongruous and unsightly addition to this section of the street scene. The choice of a zinc clad finish for the rear dormer compounds this issue by being different to the palette of materials used in existing properties in the area.
10. The appellant states that the rear dormer could be achieved through permitted development rights. However, due to the site's location within the CA such development would require planning permission.
11. Although the dormers would not involve the removal of any existing features of historical importance, the scale and design of the additions would dominate and

therefore diminish the features that remained, reducing their positive contribution to the CA.

12. The proposed changes to the front door would also lead to the loss of an historic door and side window feature. The door appears to be an original feature with a design and glazing style that contributes strongly and positively to the character and appearance of both the host dwelling and the CA. The replacement of the door would also further erode the symmetry with the host dwelling's paired neighbour. The presence of a range of front door styles further along the street and the fact that some of the symmetry between the appeal site and its paired dwelling have already been lost due to alterations at No. 132 Sutherland Grove does not justify further harmful development.
13. The appeal site has some prominence due to its location near the intersection and the lack of any screening to the front elevation. Elements of the scheme would be visible from the side of the property, from Granville Road and from the trainline. That such views would be fleeting does not remove the need for good design.
14. The appellant argues that the range of styles and alterations along the full length of the road should be taken into account in the determination of the appeal. However, the appeal scheme would be viewed within the specific context within which the host property sits, so greater weight is given to the character and appearance of dwellings in the immediate vicinity. The site and immediate vicinity have retained more of their historic features than elsewhere in the street scene. The presence of other examples of side dormers and other alterations in different sections of the street scene does not, on its own, justify harmful development elsewhere on the same road. The appellant has also cited two previous appeal decisions, however, no details have been provided for these cases and in any case, each scheme is considered on its own merits.
15. The appellant argues that weight should be given to the existence of the rear dormer at No. 132 regardless of its status in terms of planning consent. However, the appeal scheme is for a larger rear dormer which would dominate the roof scape of the host property and consist of a particularly large glazed element which differs from the scheme at No.132. Even if I were minded to approve the rear dormer, it would not be severable from the side dormer element of the scheme which also causes harm to the CA, so the presence of a rear dormer at No.132 does not lead me to a different conclusion.
16. I accept that a change to the appearance of a front elevation does not in itself constitute unacceptable harm to a CA. However, the size, scale and contrasting materials of the proposal, combined with the loss of the historical front door, the site's degree of prominence and the more consistent retention of symmetry and hipped roof forms in this section of the street scene would result in the appeal scheme causing less than substantial harm to the CA.
17. Accordingly, these elements of the proposal would fail to preserve or enhance the character or appearance of the Conservation Area, resulting in less than substantial harm to the significance of this designated heritage asset. The Framework indicates that such harm should be weighed against the public benefits of the proposal. Paragraph 199 of the Framework states that great weight should be given to the conservation of a designated heritage asset, irrespective of whether any potential harm amounts to less than substantial harm to its significance.

18. The appellant suggests that the public benefits would include the optimal use of the site, enhanced urban design which brings consistency to the street scene and the increased thermal performance of the property. The addition of a one-bedroom increase in habitable space and a small improvement in thermal performance are modest benefits which would not outweigh the harm identified above.
19. While there are other prominent side dormers along Sutherland Grove, there are none in the immediate vicinity of the site. Therefore, the development would introduce an inconsistency to the street scene, and one that would harm the CA.
20. The absence of Grade I or Grade II listed buildings in the vicinity of the site does not alter my conclusions.
21. The council does not find that the single storey rear extension, the below-ground swimming pool in the rear garden or replacement of the north side boundary fences with brick wall to 1.8m high will harm the CA. The council are also minded to accept the introduction of a roof light on the front elevation on condition of it being a conservation-type design.
22. Nevertheless, I have a statutory duty to consider whether all aspects of the development preserve or enhance the character or appearance of the CA. The single storey rear extension would not differ significantly from the existing built form and would be sufficiently screened by the host dwelling and neighbouring dwelling to avoid any harmful impact on the front elevation or the CA. The single storey extension would be subordinate to the host property and similar in scale to the existing rear extension.
23. Similarly, the below-ground swimming pool and the replacement of the rear garden timber fence with a brick boundary wall of the same height would not be visible from the public realm to a degree that these elements of the scheme would harm the host property nor the CA.
24. The installation of the roof light on the front elevation would also not cause harm to the CA if an appropriate conservation-type design was conditioned. However, the roof light forms part of the scheme involving the side and rear dormers and is not readily severable from those elements. Therefore, I do not consider that the roof light should be approved as part of the split decision.
25. I therefore conclude that the proposed development in respect of the rear and side dormer roof additions would fail to preserve or enhance the character or appearance of the host property and the Sutherland Grove Conservation Area. Consequently, it conflicts with policies DMS1, DMS2 and DMH5 of the Wandsworth Local Plan Development Management Policies Document 2016, Policy HC1 (C) of The London Plan, The spatial development strategy for Greater London 2021 and paragraph 199 - 202 of the 'The Framework'. These documents and policies seek to ensure, amongst other things, that extensions and alterations to existing dwellings are of a high design quality which is sympathetic to the existing dwelling and would sustain, conserve, and where appropriate, enhance the CA. They would also be contrary to guidance in the Wandsworth Local Plan Supplementary Planning Document Housing 2016 which advises that development should be of a high quality design and take into account the setting of a building and the wider public realm.

26. The proposed development in respect of the single storey extension, below ground swimming pool in rear garden and replacement of the north side boundary fences with brick wall, would preserve the character and the appearance of the host dwelling and the Sutherland Grove Conservation Area. These elements of the scheme therefore accord with policies DMS1, DMS2 and DMH5 of the Wandsworth Local Plan Development Management Policies Document 2016, Policy HC1 (C) of The London Plan, The spatial development strategy for Greater London 2021 and paragraph 199 - 202 of the 'The Framework'. These documents and policies seek to ensure, amongst other things, that extensions and alterations to existing dwellings are of a high design quality which is sympathetic to the existing dwelling and would sustain, conserve, and where appropriate, enhance the CA. They would also align with the guidance in the Wandsworth Local Plan Supplementary Planning Document Housing 2016 which advises that development should be of a high quality design and take into account the setting of a building and the wider public realm.

Other Matters

27. The appellant requested that a split decision be considered. As the proposed single storey extension, below ground swimming pool in rear garden and replacement of the north side boundary fences with brick wall are both physically and functionally severable from the other elements of the scheme, I consider a split decision would be a logical outcome.
28. I understand that the proposal in its entirety would provide more space for the appellant and the needs of their family, including the provision of areas for home working which has become increasingly important following the pandemic. However, this personal benefit does not outweigh the harm identified above. There is also nothing to indicate that these aims could not also be achieved through an alternative design.
29. Although there was only one objection to the proposal, this does not alter my conclusions on the main issue.
30. The evidence indicates that the proposal would not harm the living conditions of nearby occupiers, but this is a pre-requisite of such development, and is therefore a neutral matter.
31. The appellant states that the proposal is compliant with new London Plan policies which seek to optimise housing and ensure development meets minimum space standards. However, these policies do not remove the need for good and appropriate design, and the protection of the CA.

Conclusion

32. The appeal proposal includes a number of different elements. The ground floor rear extension, swimming pool, replacement of the boundary fences by brick walls, floor plan redesign and all associated works are acceptable, and comply with the relevant planning policies. These developments are clearly severable from the remainder of the scheme, as they are physically and functionally independent. Therefore, I conclude that the appeal succeeds in relation to these elements and shall issue a split decision in this case. However, in relation to the rear and side dormers the appeal is dismissed for the reasons set out above.

Conditions

33. In respect of the approved works, I have attached the standard time limit condition and a plans condition to provide certainty, and a materials condition to ensure a satisfactory appearance.

J Wellstead

INSPECTOR