



Appeal Decision

Site visit made on 23 May 2023

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2023

Appeal Ref: APP/H5960/W/22/3312634

944 Garratt Lane, Wandsworth, London SW17 0ND

- 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 Company Director, Liddell Holdings Limited against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2022/3469, dated 17 August 2022, was refused by notice dated 8 November 2022.
 - The development proposed is erection of a dormer roof extension to both main building and existing back addition, removal of existing chimney stacks.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Wandsworth Local Plan (the emerging LP) has not yet been adopted, and so while it appears to be at a very advanced stage in its preparation, I cannot yet accord it full weight. When referring to the emerging LP policies, I have referred to the Wandsworth Publication Version Local Plan 2022, as referred to in the Council's reasons for refusal. The development was under construction at the time of my site visit.

Main Issues

3. The main issues are the effects of the development on:
 - the character and appearance of the host building and area; and
 - the living conditions of nearby residents with regard to outlook and light.

Reasons

Character and Appearance

4. The appeal site is a mid-terrace dwelling which is divided into two flats. The development comprises the erection of a dormer extension to the main rear roof, an extension above the two storey back addition and roof lights to the front.
5. Amongst other matters, Policy DMS1 of the 2016 adopted Wandsworth Local Plan Development Management Policies Document (the DMP) requires development to contribute positively to local character through its scale, massing and appearance. Policy DMH5 of the DMP allows for an extension of residential properties where it is not so large that it dominates and competes

with the original building. The 2016 Housing Supplementary Planning Document (the SPD) sets out a number of principles to avoid dominant back additions that would give a top heavy appearance and upset the hierarchy of the rear addition. It advises that, in order to reduce the overall bulk, both the side and rear elevations should be pitched to 70 degrees.

6. The dormer on the main rear roof takes up virtually the full width of the rear roof plane and would extend almost up to the ridge point of the front facing roof slope. It therefore occupies almost the entirety of the rear roof plane and appears as an additional storey on the property. The extension on the back addition effectively extends to its full depth and has vertical sides. As a result, the development, rather than being subordinate to the host building, is of a disproportionate size and scale, representing an overly dominant feature.
7. The roof extensions are not visible from the front of the property along Garratt Lane. However, they are visible in glimpsed views between the built form from public vantage points along Garratt Terrace to the rear and from nearby properties. A number of the properties on Garratt Lane have extensions on their main rear roof and/or back additions. Based on the submitted evidence and what I saw on my site visit, a number of these rear dormer or mansard roof extensions on the main rear roofs are not dissimilar in scale to the appeal proposal. However, most of the extensions to the back additions include sloping side elevations and do not extend to the full depth. In this case, the combination of the large dormer extension on the main rear roof together with the form and scale of the extension over the back addition results in an incongruous addition that would be harmful to the character and appearance of the host building and area.
8. The materials integrate with the host property. Nevertheless, this would not adequately mitigate the harm caused.
9. For the reasons given above, the development would cause unacceptable harm to the character and appearance of the host building and area. It would therefore conflict with Policies DMS1 and DMH5 of the DMP and the guidance in the SPD, as summarised above. It would also be contrary to Policies LP1 and LP5 of the emerging LP, which includes similar requirements, and the design objectives of the National Planning Policy Framework.

Living Conditions

10. The SPD advises that the depth of extensions over back additions may have to be restricted to the area closest to the main house to avoid harming the amenity of neighbouring residents. The SPD advises that leaving up to 50% of the back addition unaltered is a good rule of thumb in such cases.
11. The evidence before me advises that the adjoining property at 946 Garratt Lane is divided into four flats. The ground and first floor flats each have a window in the rear elevation close to the boundary with the appeal property that the submitted evidence indicates serve habitable rooms.
12. There is a boundary fence that runs between the two properties. Both nos. 944 and 946 have existing two storey back additions that project outwards close to the ground floor window of no. 946. These features will restrict the outlook from, and amount of light to, the ground floor window of no. 946 to an extent. Nevertheless, the extension would materially increase the height of the back

addition of no. 944 with a vertical wall for virtually its full depth. This would make the room gloomier and increase the sense of enclosure.

13. The first floor window in the rear of no. 946 is less restricted in terms of outlook and light given its height in relation to the eaves height of the back addition of no. 946 and what was the existing height and sloping nature of the back addition of no. 944. However, the form of the extension to the back addition, with the increase in height, its projection and its vertical wall, combined with its proximity, would result in an overbearing feature when seen from the nearest first floor window of no. 946. The positioning and orientation of the extension in relation to no. 946 would also be likely to reduce light to this window especially during afternoon hours. No evidence has been submitted to demonstrate otherwise.
14. The loss of light and outlook to these two windows of 946 Garratt Lane is significant enough to cause material harm to the living conditions of the residents of these flats.
15. The appellant contends that an extension to 960 Garratt Lane would have failed the '45 degree approach' referred to by the Council in its officer report in terms of establishing loss of light to a property. However, from the submitted evidence, the neighbouring property in that case did not have a nearby ground floor window and one of the applications related to a Certificate of Lawful Use in which effects on living conditions are not part of the assessment. In any event, I have considered the appeal proposal on its merits.
16. I therefore conclude that the development would cause unacceptable harm to the living conditions of nearby residents with regard to outlook and light. Accordingly, it would conflict with the residential amenity requirements of Policy DMS1 of the DMP. It would also be contrary to Policy LP2 of the emerging LP, which includes similar requirements, and the guidance in the SPD as summarised above.

Other Matters

17. While the development may be acceptable in terms of privacy for neighbouring residents, a lack of harm is neutral in the planning balance. I appreciate the appellant's desire to maximise the space available on developed land, but this would not outweigh the harm caused. Although there are no objections from residents of 946 Garratt Lane, the absence of objection does not in itself render the scheme acceptable.

Conclusion

18. The development would conflict with the development plan taken as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with the development plan. The appeal should therefore be dismissed.

F Wilkinson

INSPECTOR