



Appeal Decision

Site visit made on 29 June 2023

by P Storey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2023

Appeal Ref: APP/H5960/W/23/3314101

15 Maisonette First and Second Floors C, Brussels Road, Wandsworth, London SW11 2AF

- 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 Gareth Edwards against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2022/2145, dated 23 May 2022, was refused by notice dated 28 October 2022.
 - The development proposed is roof extensions and alterations, including the enlargement of the mansard and a single storey upward extension on the rear outrigger (resubmission following approval of 2021/1974).
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Decision

1. The appeal is allowed and planning permission is granted for roof extensions and alterations, including the enlargement of the mansard and a single storey upward extension on the rear outrigger (resubmission following approval of 2021/1974), at 15 Maisonette First and Second Floors C, Brussels Road, Wandsworth, London SW11 2AF, in accordance with the terms of the application, Ref 2022/2145, dated 23 May 2022, 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:

Block & Location Plans – 1060_15CBR_X000

First Floor Plan PROPOSED – 1060_15CBR_D100

Second Floor Plan PROPOSED – 1060_15CBR_D101

Third Floor Plan PROPOSED – 1060_15CBR_D102

Roof Plan PROPOSED – 1060_15CBR_D103

Section AA & BB PROPOSED – 1060_15CBR_D104

Elevations PROPOSED – 1060_15CBR_D105
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The Wandsworth Local Plan 2023-2038 (the LP) was adopted following the Council's decision. The Council has reported the policies it considers to be relevant and both main parties have been able to consider any implications arising from the change to the development plan during the appeal process.
3. The appeal site is within the St John's Hill Grove Conservation Area (the CA). Accordingly, the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) applies, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, the area and the setting of the locally listed former St Peter and St Paul Church, and whether it would preserve or enhance the character or appearance of the CA.

Reasons

5. The appeal site appears to have originally been constructed as an end-terrace dwelling spread over 4 floors of accommodation including a lower ground floor level. It is currently split into flats and incorporates a mansard roof extension to provide an additional level of accommodation.
6. The CA is formed predominantly of buildings dating from throughout the Victorian period. Although it is a largely residential area, there are some commercial properties along the main thoroughfare of St John's Hill and some community uses spread throughout, including the locally listed former St Peter and St Paul Church, currently a nursery, which sits adjacent to the appeal site.
7. The CA contains a variety of dwelling types including streets of relatively uniform, tall terraced townhouses, such as Brussels Road, and streets of lower height dwellings comprising a broader mix of semi-detached and terraced properties displaying a range of architectural styles. There is a broad consistency in the use of materials, with yellow stock brick and stucco being used most widely. Various other materials appear more sparsely on period properties, along with some later development. The significance of the CA is derived primarily from the architectural quality of its traditional streets which, by and large, remain well preserved despite many properties being subject to later alterations.
8. Although they are predominantly later additions, roof mansard extensions are a characteristic feature of dwellings in the CA. This is particularly true of the terraced row containing the appeal site, which were built with traditional 'butterfly' roofs with a pitched roof hidden behind a parapet. The majority of properties within the terraced row, including the appeal property and its adjoining property, feature existing roof mansard extensions.
9. The existing mansard features a sloping flank wall and is set in slightly from the flank wall of the building. The appeal scheme proposes to extend across the full width of the property and include an upward extension to the existing brick flank wall of the property, topped by a parapet.

10. Unlike many other similar end-terrace properties in the area, the flank elevation and existing roof mansard are not highly visible due to being screened by adjacent development, in particular the former church. Whilst some oblique views of the flank elevation are afforded from Brussels Road, these are only fleeting glances that are visible from limited viewpoints. Some views of the rear of the property are available from Plough Terrace, although these views afford limited visibility of the existing mansard. The extended mansard would become slightly more prominent in these views, although its scale would be comparable to the existing mansard at the adjoining property. Furthermore, the extension to the rear outrigger would screen the proposed development, including the flank wall and parapet, to a greater extent than currently exists.
11. My attention has been drawn to a recent planning permission granted at the appeal site incorporating a slightly smaller roof mansard extension than is currently proposed. Even though the outrigger extension formed part of the approved scheme, the Council is concerned with the cumulative effect of this together with the enlargement of the flank elevation at top floor level. In my view, the extensions would be discretely sited, and the additional mass created would be sympathetically finished in matching materials. Overall, the proposals would represent modest additions to the overall mass of the existing flank elevation.
12. The Council refers to the Wandsworth Local Plan Supplementary Planning Document, 'Housing', Adopted November 2016 (the SPD). Whilst this does not form part of the statutory development plan, it is a material consideration, although the weight attached to it is limited given its role as guidance.
13. A mansard extension incorporating an upward extension to the flank wall, such as that proposed, has been undertaken at the opposite end of the terrace. The Council distinguishes the proposals by noting that the neighbouring example did not include an extension to the rear closet wing outrigger. However, the appeal proposal would also be more discretely located and screened to a far greater extent than the neighbouring example, as I have previously noted. As such, I do not consider the proposal would damage the appearance of a unified terrace and it would thereby reflect the aims of the SPD.
14. The SPD notes that at the end of a terrace, mansard roof extensions should be hipped on the non-attached side, i.e. should slope upwards in two steps from the eaves to the ridge. The SPD sets out illustrations as to how this should be achieved. Whilst the proposal would not fully adhere to this detailed design guidance, it should be noted that, neither would the previously approved scheme. Whilst it was slightly set in from the flank elevation, its flank wall was proposed to extend upwards in a straight line to the ridge of the roof, rather than being sloped.
15. Whilst not making a direct comparison between the current and previously approved schemes, the proposals would, as set out above, be modest in scale and discretely sited. As such, whilst there would be some minor inconsistencies with the SPD guidance, the proposals would broadly reflect its key aspirations.
16. Policy LP3 of the LP states that proposals affecting non-designated heritage assets (including locally listed buildings), will be assessed on the scale of harm relative to the significance of the asset, in accordance with national policy and guidance. Paragraph 203 of the National Planning Policy Framework (the

Framework) advises that when considering the effects on such assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

17. The building of the locally listed former St Peter and St Paul Church sits tight to the side boundary of the appeal property. Whilst there is a visual gap between the two neighbouring buildings, the proposals would not in any way reduce this. Although there would be a slight increase in the massing of the flank elevation of the appeal property, this would not be strongly discernible in views of the two properties from the street. Accordingly, these modest additions would not adversely affect the relationship between the two properties and would not harm the setting of the locally listed building.
18. Paragraph 199 of the Framework sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Even when considering the great weight to be given to the conservation of the CA, for the reasons given above, the proposals would result in no harm to its significance.
19. For the above reasons, the proposed development would not harm the character or appearance of the host dwelling, the area, or the setting of the locally listed former St Peter and St Paul Church. Accordingly, it would preserve the character and appearance of the CA, and would not harm its significance as a designated heritage asset. The proposals would therefore accord with Policies LP1, LP3 and LP5 of the LP, which together seek, among other objectives, to ensure that the scale, massing and appearance of development provides high quality and sustainable design that relates positively to local character, that extensions and alterations to existing residential properties respect and complement the form, setting, period and detailing of the host building, that development proposals sustain, preserve and, where possible, enhance the significance of designated and non-designated heritage assets. The proposals would also accord with the provisions of the Framework and would broadly accord with those of the SPD, which have similar aims.

Other Matters

20. An interested party has noted that, as a shared owner of No 15 Brussels Road, they were not served notice of the planning application. Certificate B of the submitted application form has been completed with the interested party's details. Because they have submitted comments, I am satisfied that the interested party was aware of the proposals, and they have not been deprived of an opportunity to comment.
21. The total area of the appeal site, as stated on the appeal application form, has been queried by an interested party. However, because the issues relevant to this appeal are limited to its visual effects, this would not be a determinative matter.
22. Whilst construction works have the potential to cause an element of noise and disturbance for neighbouring occupiers, given the scale and nature of the development proposed, these effects are unlikely to be so significant to require any specific controls to be imposed through the planning system. Other

regulatory regimes exist to protect the living conditions of neighbouring occupiers.

Conditions

23. The Council has provided a list of suggested conditions which I find to be broadly acceptable. Where appropriate, I have amended the conditions to ensure consistency with the provisions of paragraph 56 of the Framework and the Planning Practice Guidance.
24. Conditions relating to the statutory time limit and a list of approved plans are necessary in the interests of certainty. A condition requiring the external materials to match closely with the existing building is necessary to ensure the development delivers a high standard of design and reflects the character and appearance of the area.

Conclusion

25. For the reasons given above, I conclude that the appeal should be allowed subject to the conditions listed in my formal decision.

P Storey

INSPECTOR