



Appeal Decision

Site visit made on 2 October 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2023

Appeal Ref: APP/H5960/W/23/3318474

346 Battersea Park Road, Wandsworth, London SW11 3BY

- 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 Mr Michael Laurie Kaye against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2022/3341, dated 8 August 2022, was refused by notice dated 21 February 2023.
 - The development proposed is roof extension to create three new apartments. New lift shaft.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Wandsworth Local Plan 2023-2038 (WLP) was adopted by the Council on 19 July 2023. This supersedes the Wandsworth Core Strategy 2016 and the Wandsworth Development Management Policies Document 2016. I have considered the appeal having regard to the newly adopted WLP and am satisfied that any references made to it within this decision would not be unreasonable to the parties.
3. The Council referred to policy LP1 of its Local Plan, amongst others, in the reason for refusal around waste storage. Having reviewed the policies I do not find that LP1 is related to this issue, but Policy LP2 requires that development be adequately served with utility infrastructure including waste management, amongst other considerations. I have therefore had regard to Policy LP2 in determining this appeal.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the host building and the area, and
 - whether or not the proposal would make adequate provisions for waste storage.

Reasons

Character and appearance

5. The appeal property is a predominantly three storey building, in mixed use, with commercial uses on the ground floor and residential accommodation on

the upper two floors. It faces Battersea Park Road, which is a mixed commercial and residential area with predominantly residential dwellings to the rear and is located at the junction with Simpson Street. The building is constructed from red brick with a gable roof and has bay windows to the first and second floor.

6. The neighbouring buildings are of varying heights and whilst the proposal would add an additional floor, the overall increase in height would be limited. However, the change from a gable ended building to a flat roof would significantly increase the bulk and massing of the building. This would be particularly prominent as the building occupies a corner plot and is visible for some distance along Battersea Park Road. The bulk of the roof would be exacerbated as there would be no set back from the existing external walls, as can be seen on the nearby buildings.
7. I acknowledge that the roof extension has been designed in so far as the proposed balconies would reflect the existing bay windows on the lower floors and would include a linking band as a transition between the existing and new elements of the building. However, the proposed metal grey cladding would be bulky and prominent in the streetscene and would not be in keeping with the character of the area.
8. Paragraph 120 of the National Planning Policy Framework (the Framework) encourages upward extensions of premises for housing. However, it qualifies this by indicating that such extensions should be well-designed and consistent with the prevailing height and form of neighbouring properties and the overall street scene. Whilst the height of the proposal would be similar to the nearby buildings, the proposal would harm the character and appearance of the street scene due to the additional bulk and massing of the proposed roof.
9. I conclude that the proposal would harm the character and appearance of the host building and the area. It would conflict with Policies D3 and D4 of the London Plan (2021) and Policies LP1, LP5 and LP7 of the WLP which together, amongst other matters, seek to ensure that the scale, massing and appearance of the development relates positively to the local character and that roof alterations are sympathetic to the style of the building. It would also conflict with the guidance in the Wandsworth Housing Supplementary Planning Document (2016) particularly in regard to the extension of corner buildings and with the Framework.

Waste storage

10. The appeal documentation included a waste strategy from the appellant. This would include moving the bin storage area and improving access to it by the occupiers of the flats. The residential waste would continue to be collected from a similar position as it is currently.
11. I conclude that the proposal would provide safe and accessible residential and commercial storage. It would therefore comply with Policies LP2 and LP13 of the WLP which together amongst other matters seek to ensure that development is adequately serviced with utility infrastructure. It would also comply with the guidance in the Wandsworth Refuse and Recyclables in Developments Supplementary Planning Document (2014) which seeks to ensure all developments comply with waste related requirements.

Other Matters

12. Opposite the site, within Christchurch Gardens, is a grade II listed building, the Citizens of Battersea War Memorial Shelter, approximately 27 metres from the host property. The Council do not consider that the appeal proposal would harm the setting of the listed building. From my observations on the site visit, I am satisfied that the proposal would not appreciably alter this existing setting.
13. The proposed development would create three apartments adding very modestly to the areas housing stock and supporting the Government's objective of boosting the supply of homes.
14. However, the appeal proposal would harm the character and appearance of the host building and the area. In this case, the harm that would result would outweigh the benefits arising from the proposed development.

Conclusion

15. The proposed development conflicts with the development plan as a whole and there are no other considerations that outweigh this conflict. I therefore conclude that the appeal is dismissed.

H Senior

INSPECTOR