



Appeal Decision

Site visit made on 22 November 2023

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 January 2024

Appeal Ref: APP/H5960/W/23/3322256

159B Latchmere Road, Wandsworth, London SW11 2JZ

- 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 B Stannard against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2023/0135, dated 13 January 2023, was refused by notice dated 16 March 2023.
 - The development proposed is described as "construction of rear roof extension".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Wandsworth Local Plan (WLP) was adopted on 19 July 2023. The new WLP supersedes previously referenced policies PL1 and IS3 of the Core Strategy 2016, and policies DMS1, DMS2 and DMH5 of the Wandsworth Development Management Policies Documents 2016. I have determined the appeal based on the current applicable policies in the WLP.
3. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) in December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
4. The description of development as stated on the application form is set out above. However, the Council on the Decision Notice has described the development as "alterations including erection of a roof extension to the main rear roof; Installation of PV Solar panels to main flat roof; Erection of an extension above part of the three-storey back addition and formation of a roof terrace with 1.1 metre high glazed screen surround above the three-storey back addition". The appellant has also used this amended description on the Appeal Form. As this description more accurately describes the proposals as shown on the plans, I have considered the appeal on this basis.
5. The Council has raised no concerns in relation to the proposed rooflights in the front roof slope and inclusion of Solar PV panels on the flat roof. Based on the evidence before me and my own observations of the site, I see no reason to disagree with this assessment.

Main Issue

6. The main issue of the appeal is the effect of the proposed development on the character and appearance of the area including whether it would preserve or enhance the Town Hall Road Conservation Area.

Reasons

7. The appeal site 159b Latchmere Road, comprises a second floor flat within a three-storey, end terrace property, which is a highly visible corner building that can be viewed from the side and rear along both Heathwall Street and Latchmere Road.
8. There is a statutory duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 205 of the Framework makes it clear 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.
9. The significance of the Town Hall Road Conservation Area (THRCA) is as a contemporary mixed townscape group within which the Battersea Arts Centre, formerly Battersea Town Hall, a Grade II* Listed Building and an important arts recreation facility in Clapham Junction town centre is noted as being a key building. The THRCA lies on a slope, which descends steeply from Lavender Hill down to Heathwall Street. This results in a dramatic articulation of the terraces which descend Theatre Street, Town Hall Road and Latchmere Road turning fairly ordinary terraces into distinctive townscape, with the strong lines of the different roof slopes visible in the surrounding area.
10. The appeal site forms part of a terrace of late 19th century tenement flats on Latchmere Road, which are three storey and built in red brick with two different variations of projecting bays. They are noted as being architecturally modest. The significance of the THRCA in so far as it relates to the appeal site is that the terrace provides a strong visual emphasis to the steepness of the slope as it steps relentlessly up the hill.
11. The proposed development would involve the construction of a large rear dormer extension, which would extend almost the full width of the building. As such, it would be a substantial addition to the modest rear roof slope. Whilst I acknowledge that the dormer extension would be set back from the side elevation by approximately 0.3 metres, the overall bulk and scale of the proposed dormer extension would still result in a dominant and visually obtrusive addition. Additionally, the dormer extension would obscure some views of the stepped roof line character which contributes to the significance of the THRCA.
12. The proposed extension above the existing outrigger, would also by virtue of its mass, scale and design appear at odds with the character of the rear elevations of the terrace, creating a harmful visual interruption. Although the side elevation has two prominent chimney stacks, these would do little to absorb the proposed development, which would appear as a bulky and dominant addition when viewed from the side elevation and Heathwall Street.

13. The proposed roof terrace would wrap around the extension above the back addition and be flushed with the side elevation. As a result, the pitched roof of the back addition would be lost with only a shallow parapet wall retained at the rear. The roof terrace, would therefore, by virtue of its height, degree of projection, and location represent an obtrusive and incongruous addition. This would result in harm to the character and appearance of the host building and the surrounding area.
14. The existing roof structure is of a modest scale and the introduction of such a large extension together with a roof terrace would in combination result in a harmful and unsympathetic addition to the host property. The proposed extensions would fail to reflect the character and appearance of the host property, surrounding area and the THRCA. Therefore, whilst I accept that the proposal would not increase the ridge height of the property, it would nevertheless involve substantial alterations to the roof form and profile. This would result in harm to an architectural feature of the host property which contributes positively to the significance of the THRCA in this location.
15. The appellant has drawn to my attention to a number of examples of approved extensions and/or terraces at roof level in the area, including 60A Prince of Wales Drive¹, 67 Clapham Common North Side², 7 Kersley Street³, 79 Clapham Common West Side⁴ and 61-80 Cambridge Mansions⁵. However, whilst I acknowledge that the design of the proposed extension has taken cues from other extensions within the surrounding area, including Battersea Arts Centre, the location, design, and context of the above examples are considered materially different from this property and proposal and therefore they are not directly comparable to the appeal site. Furthermore, the appellant recognises that the prominent, corner location of the appeal site means that proposals for roof extensions to mid-terrace properties, including the visible extension at 167b Latchmere Road will not be directly comparable.
16. Consequently, I find that the proposal would cause unacceptable harm to the character and appearance area, and it would therefore fail to preserve or enhance the THRCA. The proposal would be in conflict with Policies LP1, LP3 and LP5 of the WLP, which amongst other things, require development to add to the overall quality of the area and be of a layout, scale, materials, detailing and design that would complement the locality. The proposal would also be contrary to the guidance contained within the Housing Supplementary Planning Document 2016, for the reasons set out above.
17. In failing to preserve the character and appearance of the THRCA, I find that the development would, in the words of the Framework, result in less than substantial harm to the significance of a designated heritage asset. In such circumstances, the Framework requires that the less than substantial harm should be weighed against the public benefits. In this instance, the proposal would be solely for the benefit of the dwelling's occupants and therefore it would not result in any identifiable public benefits. Therefore, there are no public benefits in this instance that outweigh the less than substantial harm to the significance of the conservation area.

¹ Planning Application Refs: 2008/2494 and 2012/0931

² Planning Application Ref: 2014/3532

³ Planning Application Ref: 2011/2208

⁴ Planning Application Ref: 2014/6830

⁵ Planning Application Ref: 2003/4303

Conclusion

18. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations, including the Framework of sufficient weight that indicate the appeal should be determined other than in accordance with the development plan. The appeal is therefore dismissed.

K Lancaster

INSPECTOR