



Appeal Decision

Site visit made on 20 May 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2024

Appeal Ref: APP/H5960/D/23/3335623

2B Freshford Street, Wandsworth, London SW18 3TF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mrs. Ila Vashee against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2023/3037, dated 9 August 2023, was refused by notice dated 16 October 2023.
 - The development proposed is Proposal is to construct an additional storey on top of the 3-storey building at 2B Freshford Street. This proposal is to build one additional bedroom and one bathroom to the property in line with the London Plan (2021) accommodation standards.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Development is permitted under Article 3 and Schedule 2, Part 1, Class AA of the GPDO for the enlargement of a dwellinghouse by construction of additional storeys, subject to limitations and conditions, as set out at paragraphs AA.1 and AA.2.
3. The Council's decision notice differs from the banner heading as it describes the development as 'Determination as to whether prior approval is required for the erection of additional storey to dwellinghouse'. I concur this accurately and succinctly describes the proposal before me.

Main Issue

4. The main issue is whether prior approval should be granted for the external appearance of the dwellinghouse.

Reasons

5. The site lies in a residential street that is characterised predominantly by two-storey terraced dwellings. The appeal site is part of an identical pair of three-storey dwellings over a basement attached to the end of a terrace of houses and located close to the junction with the local amenities along Garratt Lane. To the same side as the appeal dwelling, Freshford Street consists of traditional Victorian terraces of the same rhythm and style, built in pairs. The opposite side of the street is built as a terrace of houses that share the same archetypal design characteristics but are of a later possibly mid-20th Century construction.

6. The appellant has provided evidence with the appeal of the planning history behind the pair of houses for me to understand. The appeal site and its attached neighbour, Number 2A Freshford Street are notable in the street scene as they are a pair of new-build houses built to a contemporary style. They are symmetrical in design. I could see that the appeal site and its attached new build neighbour have been intentionally designed as, broadly speaking, a modern interpretation of the terrace of older houses that it adjoins. They are visually distinctive from the other houses along Freshford Street but in the words of the previous Inspector, he concluded that the houses 'In this context, it would not appear excessive in scale or height'.
7. Overall, despite the different house types and styles seen to both sides of the street, and even with the addition of these new builds, to my mind it has a cohesive appearance and rhythm which makes a positive contribution to the character of the area.
8. Paragraph AA.2.(3)(a)(ii) of Class AA requires prior approval to be sought for 'the external appearance of the dwellinghouse, including the design and architectural features of (aa) the principle elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway.' The use of the word 'including' means that the lists that follow are not exhaustive and that other factors could affect the external appearance of the dwellinghouse. Furthermore, the wording of (aa) and (bb) suggests that some assessment should be made of how the dwellinghouse would appear in the street scene, as otherwise alterations could be made to the design and architectural features that could be considerably at odds with the surrounding area.
9. The proposal would add an additional storey to No. 2B at approximately 2.85m in height and nearly the full width of the dwelling. The extension has been designed in a mansard style with a combination of glazing and zinc cladding to its elevations.
10. The upper three floors of this dwelling share proportionality to their scale and height. The extra storey proposed would sit atop the flat roof adding further scale, mass and bulk. Even if the dwelling already incorporates a mansard design, this is not highly visible, but this mansard roof at approximately 2.85m in height and its width at nearly the full width of the dwelling with its unusual set-back would, as a combination, create uncharacteristic additional height and massing to the dwelling. Consequently, it would be a new and incongruous feature to a prominent part of the dwelling. It would negatively alter the proportions of the building to such an extent that it would adversely detract from the external appearance of the appeal site.
11. It is demonstrated by the submission that the extension would be visible from street level. The proposed extension would unacceptably change the external appearance of the dwelling and therefore negatively affect how the dwelling appears within the street scene where it would take on the characteristics of appearing detrimentally taller and out of scale with the other adjoining houses.
12. The appellant points to no conflict raised by the Council in all other areas of criteria to which the proposal has been assessed against. The appellant has gone to lengths to demonstrate examples of other similar style extensions locally where they consider there is a precedent for this type of extension. However, there is limited information before me on their precise details but nevertheless, as is my duty, I have assessed the proposal in line with the

requirements of the Schedule and reached my own judgment and decision on the matter. Each decision is determined on its own individual merits.

Conclusion

13. The proposal would fail to satisfy the broad aims of the National Planning Policy Framework in so far as they relate to character and appearance. Therefore, prior approval is refused.

Alison Scott

INSPECTOR