



Appeal Decision

Site visit made on 25 June 2024

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2024

Appeal Ref: APP/H5960/W/24/3337837

1A Acris Street, Wandsworth, London SW18 2QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Saj Malhi against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2023/1787.
 - The development proposed is a first floor extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the appeal building and whether it would preserve or enhance the character and appearance of the Wandsworth Town Conservation Area (Conservation Area), and (ii) the living conditions of neighbouring occupiers with regards to outlook and light.

Reasons

Character and Appearance

3. The appeal property is situated in a Conservation Area that comprises of a historic street pattern with terraced rows set back a short distance from the highway behind front garden areas. This layout, as well as the attractive townscape, where properties contain a rich level of architectural detailing, contribute to the traditional character of the Conservation Area.
4. The proposed extension seeks to add an additional storey to a single storey dwelling which is of a smaller scale than surrounding buildings. In this regard the proposal would introduce an element of consistency with properties in the area. However, whilst the proposed first floor would reflect the materials, roof form and general design of the existing extension to No. 4 Huguenot Place, this existing structure, which has a mansard roof form, does not reflect the general style of other properties in the Conservation Area. As such, the proposal, by enlarging the size of this structure would increase its prominence and result in an addition that would not be sympathetic to the traditional vernacular of properties which make a positive contribution to the Conservation Area.
5. I therefore conclude that the proposal would have an unacceptable adverse effect on the character and appearance of the appeal building and it would fail to preserve the character and appearance of the Conservation Area. In terms

of the Framework, I assess the harm to be less than substantial. Even so, great weight should be given to an asset's conservation. Paragraph 208 of the National Planning Policy Framework (Framework) advises that the harm should be weighed against the public benefits of the proposal.

6. The appellant has set out that the proposal would provide two-bedroom accommodation for which there is an identified local need. The Wandsworth Local Housing Needs Assessment also sets out the need for 1 bedroom accommodation which the appeal property currently provides and as such, this amounts to a public benefit of limited weight.
7. Consequently, the public benefits that would arise from the proposal do not outweigh the harm that would be caused to the heritage asset, to which the Framework states great weight should be afforded. Accordingly, the proposal conflicts with the Framework in terms of its aims to sustain and enhance the significance of heritage assets.
8. As such, the appeal development would conflict with Policies LP1, LP3 and LP5 of the Wandsworth Local Plan 2023-2038 (Local Plan), which seek, amongst other matters, for development proposals to sustain, preserve and wherever possible, enhance the significance of any heritage asset.

Living Conditions

9. The proposed extension would adjoin the garden area to the neighbouring property, No. 3 Huguenot Place. Although it would not have a vertical wall to the rear, at a pitch of 70 degrees, it would have a vertical orientation. Given the length the proposal would extend along the boundary to this neighbouring garden, and its height, it would have an overbearing impact as well as resulting in the loss of light to this neighbour's outdoor amenity space.
10. I note the concerns in relation to 1 Acris Steet, but as this neighbouring property is to the side of the appeal property and beyond a passageway, I do not consider there would be an unacceptable loss of light or outlook arising from the proposed development to this particular neighbouring property's occupiers.
11. Nevertheless, I conclude that the proposed development would have an unacceptable harmful impact on the living conditions of neighbouring residential occupiers with regard to outlook and light. As such, it would be contrary to Policy LP2 of the Local Plan, which requires, amongst other matters, development proposals to not adversely impact the amenity of neighbouring properties. It would also be contrary to Paragraph 135 of the Framework which seeks a high standard of amenity for existing and future users.

Other Matters

12. The proposal would provide a thermally efficient residential unit and the site is well served by public transport and is close to open space areas and town centres. These matters, whilst they weigh in favour of the proposal, would not however outweigh the harm that I have identified in relation to the main issues. The lack of harm in relation to privacy is a neutral matter and not one which weighs in favour of the proposal.
13. The appellant has referenced the lack of dialogue with the conservation team during the course of the application. There is no evidence that this influenced

the Council's decision-making process, and in any event, I can confirm that I have dealt with the appeal on its own merits.

Conclusion

14. The proposed development would not accord with the development plan as a whole and there are no other considerations, that indicate that I should take a different decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR