



Appeal Decision

Site visit made on 9 July 2024

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2024

Appeal Ref: APP/H5960/D/23/3334708

2A 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 Order).
 - The appeal is made by Mrs Ila Vashee against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2023/3034.
 - The development proposed was originally described as: to construct an additional storey on top of the 3-storey building at 2A 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.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

1. Under Article 3(1) and Schedule 2, Part 1, Class AA of the Order, planning permission is granted for the enlargement of a dwellinghouse by construction of additional storeys subject to limitations and conditions as set out within Paragraphs AA.1 and AA.2 of the Order.

Main Issue

2. The main issue is whether prior approval should be granted, with particular regard to the effect of the proposal on the external appearance of the dwellinghouse.

Reasons

3. Freshford Street is characterised by traditional two-storey terraced properties of a Victorian style. Nos 2A and 2B are also terraced forms, but with a more contemporary appearance, with 2A adjoining the more traditional form at No 2, and No 2B being near to Garrett Lane. Together Nos 2A and 2B share a flat roof and comprise three storeys and are much taller than the properties along Freshford Street.
4. The evidence before me indicates that Nos 2A and 2B were the subject of an allowed appeal decision ref: (APP/H5960/W/16/3149078), whereby that Inspector essentially found that the development would provide an acceptable transition in terms of scale, mass and height between the three storey buildings on Garrett Lane and the smaller and busier architectural character of Freshford Street. I find no reason to disagree with that finding, and in my view,

Nos 2A and 2B make a positive contribution to the varied architectural character of the street in this regard.

5. The proposed additional storey would be about 2.85m height, occupying almost all of the depth and width of the existing flat roof, save for the existing overhangs and the proposed small setbacks to the front and side elevation facing No.2. The additional storey would have a mansard style roof form and would be zinc clad, with glazing to the front and rear elevations.
6. While the appellant suggests the design would mimic an existing mansard roof form to the rear elevation, the proposal would introduce a mansard roof form to all elevations. This would be a significant departure from the existing flat roof form as seen within the public realm, despite the existing flat roof overhangs and proposed setbacks, as demonstrated in the appellant's montages. The proposal would therefore be highly discordant to its host.
7. As the appellant accepts, case law has held that matters pertaining to the external appearance of a dwelling must include an assessment of local character and is not confined to the subject dwelling alone. Due to its overall scale and siting, the proposal would result in a significant addition in terms of volume, bulk and mass above the existing dwelling. Consequently, it would result in a very dominant appearance in comparison to the prevailing character of two storey forms within Freshford Street, and the loss of the acceptable transition in height between No 2 and the taller buildings along Garrett Lane as found by the previous Inspector.
8. While the appellant advises that a similar application has been made for No 2B, such that each proposal would be joined, there is no proposed mechanism before me to ensure that the two separate developments would be undertaken in tandem. Without such a mechanism, there is a risk that the development proposed for No 2A would be undertaken in isolation from that proposed for No 2B, resulting in a highly discordant variance in height between the built forms at Nos 2 and 2B, and the loss of the symmetrical relationship between Nos 2A and 2B.
9. The appellant has provided an extensive range of other examples of developments for similar extensions. As each site has its own unique context, they are not directly comparable to that before me, and many examples are at a significant distance from the appeal site. I have considered the proposal against the requirements of the Order and with my own judgement in regard to the circumstances of the appeal site and its surroundings.
10. I therefore conclude that the external appearance of the dwellinghouse would fail to accord with the objectives of the Framework insofar as they relate to matters of character and appearance, and therefore prior approval should not be granted.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

J Moore

INSPECTOR