

Appeal Decision

Site visit made on 24 September 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th October 2024

Appeal Ref: APP/H5960/W/24/3338774

Flat B 163 Burntwood Lane, Wandsworth, London SW17 0AL

- 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 Nathan Younger against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2023/3553 dated 21 September 2023 was refused by notice dated 8 December 2023.
 - The development proposed is Proposed loft outrigger, floor plan redesign and all associated works at 163b Burntwood lane, SW17 0AL.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal site is situated within the Magdalen Park Conservation Area (CA), special attention must be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the appeal property and surrounding area, including whether it would preserve or enhance the significance of the Magdalen Park Conservation Area.

Reasons

4. The appeal property is located within a short row of houses between Tranmere Road and Swaby Road along Burntwood Lane. The Council's Conservation Area Appraisal indicates that the area's special interest is derived from its architectural and historic merit arising from a high-quality suburban housing estate for the working class of society at that time. Although there is some variety in finished details, the character of the area is established by similar patterns and materials throughout the estate, a feature that positively contributes to the townscape of the area. The

character of the area is further distinguished by influences from the arts and crafts movement.

5. Number 163 is mid terrace and built around 1911 of red/brown brick with two storey cantered bay with bold cornice and projecting bay roof. The arts and crafts style is recognised along this terrace. The rears of the houses along this terrace are all enclosed by the rear gardens of both Swaby Road and Tranmere Road. Although the rear elevation may have less visual presence than the front elevation, nevertheless, rear elevations also add to the significance of the CA and the CA appraisal for the area seeks to preserve their characteristics.
6. The rear elevations along this terrace of Burntwood Lane have a pleasing cohesiveness and rhythm to their appearance with much symmetry derived from the subordinate outriggers and their steeply pitched roofs with many remaining substantially in-tact from their historic composition. Even with the modern roof additions visually present along this short terrace run, as well as to the surrounding locale which I observed, these are in the main limited in number and scale.
7. I could see that there are gaps between houses where they return along another street, and the rear gardens allow views across the back of this short terrace. This is true for the rear garden of 157 Bruntwood Lane that allows public sight of the rear elevations along part of the terrace. From this public vantage, and despite the landscaping to the rear garden, I could clearly see a considerable portion of the outrigger roof slope of the appeal site.
8. The proposal before me would encompass all the roof of the outrigger by way of a side facing mansard roof extension with a terrace extending from it and seating space below the remainder of the roof. I appreciate not all of it would be visible from public views due to the positioning between buildings. Nevertheless, largely due to the extent of the terrace space, what would remain of the original roof profile would be small given the proportion of its centre would be removed as a terrace.
9. Consequently, it would therefore change the overall composition of the roof to the extent that the original character would not be sufficiently preserved, as per Council guidance. Even with the use of matching materials, it would alter the homogeneity of the rear elevation of the existing terrace of houses that contributes positively to the character and appearance of the CA. As it would also be seen in private views from within the CA, the significance of the CA from this perspective would be weakened in a small way.
10. To that end, I find the character and appearance of the Magdalen Park CA would not be preserved or enhanced and as such be contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Balance

11. Paragraph 206 of the National Planning Policy Framework (the Framework) advises that any harm to the significance of the heritage asset should require clear and convincing justification. Also, with reference to the Framework and proposals affecting heritage assets, in finding harm to the

significance of designated heritage assets, the magnitude of that harm should be assessed. Given the impact of the proposal, I find that the harm to be 'less than substantial' in this instance. This harm should be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the Framework.

12. I appreciate the appellant seeks to achieve greater space to their home. However, this is not a public benefit and is a private benefit to the appellant.
13. Therefore, to conclude on this main issue, the proposal would not preserve or enhance the character or appearance of the CA. This would be contrary to the requirements of the Act and contrary to the broad design-led principles of Policies LP1 and LP3, or safeguard heritage assets in accordance with LP5 of the Local Plan. It would conflict with guidance in the Housing SPD, Policy HC1 of the London Plan and the National Planning Policy Framework that seeks to achieve good design and protect historic assets.

Other Matters

14. The appellant points to a number of other roof extensions approved by the Council in more recent times although these are located on a different street. In any event, the precise details are not before me to comment upon and as is my duty, I must consider the proposal before me at appeal.
15. Whilst the living conditions of local residents is not in dispute between the parties, this is neutral in the overall consideration of things and neither weighs for or against the proposal.

Conclusion

16. The proposal would conflict with the development plan as a whole and there are no other material considerations which lead me to determine the appeal otherwise than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR

