



Appeal Decision

Site visit made on 27 September 2024

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 October 2024

Appeal Ref: APP/H5960/W/24/3343465
15A Melrose Road, London SW18 1ND

- 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 Keith Hawkins against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2024/0115.
 - The development proposed is the installation of an external spiral staircase with access from the existing roof terrace.
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Decision

1. The appeal is dismissed.

Main Issues

2. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. As the Council's reason for refusal refers to "visual amenity" I consider the main issues to be:
 - (i) whether the proposal would preserve or enhance the character or appearance of the West Hill Road Conservation Area, and
 - (ii) the effect of the proposal on the living conditions of the occupiers of neighbouring properties, with particular regard to privacy.

Reasons

Character and Appearance

3. The appeal property occupies parts of the lower and upper ground floors of a handsome semi-detached villa. The lower floor provides access to a small rear garden and the kitchen/dining area on the upper level leads out onto a small terrace from which there are views over neighbouring gardens. The property is situated in the West Hill Road Conservation Area (CA), the heritage significance of which is derived from the high-quality 19th century houses and their relatively verdant settings. Whilst the rear of 15 Melrose Road has been altered and extended it retains a handsome rear elevation that makes a positive contribution to the character and appearance of the CA, a matter to which I attach significant weight.

4. The appeal proposal would comprise the installation of an external metal spiral staircase and metal walkway at the rear of the property. This would provide access from the upper-level terrace to the garden with the walkway extending over the roof of the lower ground floor extension. The proposal also includes the installation of a 1.8m high opaque screen above the side of the rear extension next to Flat 15B Melrose Road.
5. Due to its size, materials and elevated position the screen would be a prominent and alien element that would detract from the appearance of the host property and would fail to preserve the appearance of the CA. Whilst I recognise that spiral staircases can be characterful elements on period properties the metal walkway across the flat roof of the rear addition would not be and would exacerbate the harm identified above.
6. For these reasons the proposal fails to preserve the character and appearance of the CA. It is therefore contrary to Policies LP1 and LP2 of the Wandsworth Local Plan (2023) which, amongst other matters, seek to ensure that developments provide a high-quality design that contributes positively to local character.
7. Whilst the proposal would result in harm to heritage assets, this harm would be less than substantial. In these circumstances Paragraph 208 of the National Planning Policy Framework (2023) requires me to weigh the harm against the public benefits of the proposal. As the proposal simply provides extra private space for the occupiers of the appeal property there would be no public benefits arising from it.

Living Conditions

8. The proposed walkway and stairs would be sited next to the boundary shared with the Coach House and the latter would be a significant distance beyond the main rear wall of No.15. Whilst I note that users of this route are unlikely to linger on the walkway, its sporadic use would allow views over the gardens to either side exacerbating what is already a relatively poor situation due to the narrowness of the gardens, the existing terrace and the expanses of glazing at the rears of the neighbouring dwellings.
9. Due to its elevated position and siting I therefore conclude that the walkway and staircase would lead to unwarranted levels of overlooking that would have an unacceptable effect on the living conditions of occupiers of the neighbouring dwellings. Consequently, the proposal is contrary to LP Policy LP2 which states that new developments should not be visually intrusive or result in unacceptable levels of overlooking.

Other Matters

10. I note the pre-application advice provided by the Council but attribute limited weight to it in the light of the subsequent refusal of planning permission.

Conclusion

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole INSPECTOR