



Appeal Decision

Site visit made on 27 November 2024

by Victor Callister BA(Hons) PGC(Oxon) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2025

Appeal Ref: APP/H5960/D/24/3351174

90 Roseneath Road, Wandsworth, London SW11 6AQ

- 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 Tim Mickley against the decision of the London Borough of Wandsworth Council.
 - The application Ref is 2024/1847.
 - The development proposed is alterations including erection of two storey rear extension at first floor level and formation of roof terrace with obscure glazed screening to 1.7m from floor level. Alterations to dormers of mansard roof extension to provide access doors to terrace. Replacement of windows.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Subsequent to the decision made by the Council on the application to which this appeal relates, the Government published a revised National Planning Policy Framework (December 2024) (the Framework). I consider that there have been no major changes relevant to the main issues in this appeal. It will therefore not prejudice any party by making my decision with regard to the revised Framework.
3. As the description of development varies in documents submitted, I have used that of the Council's decision notice, as this is an accurate and concise description of the proposal.

Main Issues

4. The main issues are the effect on:
 - The character and appearance of the appeal building and that of the local area; and
 - The living conditions of neighbouring residential occupiers.

Reasons

Character and Appearance

5. The appeal dwelling is a three storey detached house located at the junction of Roseneath Road and Baldwin Road, in an area of similar detached and 2 storey

terraced houses of traditional design. To the rear is an existing flat roofed full width single storey extension with central rooflight. This extends rearward by approximately 4.2 metres into the rear garden that has a relatively tall brick boundary wall to Baldwin Road.

6. The proposed additional 2 storey rear extension would sit above and extend rearward to the same extent as the existing rear extension and would also be the full width of the original house. In combination with the existing single storey extension, the proposal creates a three storey extension that would be approximately 9.2 Metres in height. To its roof there would be a terrace surrounded by a short parapet, with a 1.7 metre tall obscure glazed balustrade on three sides, which would be set in approximately 1.5 metres from the rear wall of the proposed extension. The terrace would be accessed from 1 of the 3 enlarged dormers proposed to the existing rear mansard roof of the appeal dwelling.
7. Unlike the existing single storey rear extension, which is set down below the brick boundary wall to the rear garden, the proposed two storey extension and balustrade would be particularly apparent in views of the appeal dwelling from Baldwin Road and longer views along Roseneath Road. In these views the scale and box like massing and obscured glazed balustrade of the proposed rear extension would appear to dominate the appearance of the appeal dwelling.
8. This would result in the proposed rear extension appearing as incongruous and unsympathetic to the existing more traditional design of the appeal dwelling. Further, the excessive scale and box like massing of the proposed rear extension would also result in it failing to appear as a secondary or subservient addition to the appeal dwelling in views of the appeal dwelling that I have identified above.
9. In these views, the scale and massing of the proposed rear extension would also result in it appearing as dominating, incongruous and unsympathetic to the scale and design of neighbouring properties. This would have a detrimental effect on the streetscene of the local area, particularly when viewed from Baldwin Road.
10. The appellant has drawn my attention to examples of other full width multi storey rear extensions with roof terraces in the local area. These however are to mid terrace properties, with very different contexts to the appeal dwelling. These would have been considered on their own individual merits and I have done likewise in my consideration of the appeal proposal. As such, I have afforded these only limited weight in my considerations.

Living Conditions

11. The proposal would maintain the existing separation gap of approximately 1.1 metres between the appeal dwelling and the neighbouring three storey house at 92 Roseneath Road (No. 92). The rear main wall of this neighbouring house is set approximately 2.5 metres further rearward than the appeal dwelling. The proposed rear extension would extend approximately 1.8 metres further rearward than this neighbouring property. This would reverse the existing situation with regard to the effect of the presence of a tall flank wall on occupiers of these dwellings.

12. Given the scale of these neighbouring properties and their gardens, the 1.8 metres rearward projection of the proposed rear extension and the 1.1 metre separating gap between them, I do not find that, despite it being set slightly below the appeal dwelling, the proposal would result in an overbearing sense of enclosure to No.92 and certainly not to the extent that it would be experienced by its occupiers as oppressive.
13. The proposed roof terrace would be accessed via a bedroom, rather than through more communal living and entertaining spaces. If in normal domestic use, I find that a roof terrace in this context by users of the terrace would be similar to that of the use of a garden or patio space. Any nuisance beyond this falls within other legislation and the Council's other duties. As such I do not find that the proposed rear extension with roof terrace would inherently result in noise nuisance to the extent that it would result in any significant harm to the living conditions of neighbouring residential occupiers.
14. For these reasons, I find that the proposal would not result in any significant harm to the living conditions of neighbouring residential occupiers. As such the proposal accords with policy LP2 of the Wandsworth Local Plan 2023-2038 (2016) (the Local Plan) in this regard, which seek development that is not overbearing and does not result in an undue sense of enclosure or detrimental effects on amenity of neighbouring occupiers through undue noise. Lack of harm in this regard is a neutral factor in my considerations.
15. The appellant has set out their concerns with regard to communication with the Council during the planning application process. There are, however, other procedures in place that relate to such matters, and these are not for me to consider as part of this appeal.
16. For the reasons given above, I find that the appeal proposal would result in substantial harm to the character and appearance of the appeal dwelling and that of the local area. This would fail to accord with policies LP1 and LP5 of the Local Plan. These collectively seek development that is of high quality design and relate positively to prevailing local character.

Conclusion

17. For the reasons given above, and with consideration of all other matters raised, the appeal is dismissed.

Victor Callister

INSPECTOR