



Appeal Decision

Site visit made on 30 April 2025

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 May 2025

Appeal Ref: APP/H5960/D/25/3362830

18A Kenilford Road, Wandsworth, SW12 3PR

- 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 William Evans against the decision of The Council to the London Borough of Wandsworth.
 - The application Ref is 2024/3651.
 - The development proposed is described as first floor extension to match the adjoining neighbours property.
-

Decision

1. The appeal is allowed and planning permission is granted for alterations including erection of first floor extension and erection of single storey side extension at 18A Kenilford Road, Wandsworth, SW12 3PR in accordance with the terms of the application, Ref 2024/3651 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 24058_E1_SLP, 24058_E1_10, 24058_E1_11, 24058_E1_13, 24058_E1_21, 25058_E1_30, 24058_E1_31, 24054_E1_33, 24058_P1_10 Rev A, 24058_P1_11 Rev A, 24058_P1_13 Rev A, 24058_P1_21 Rev A, 24058_P1_30 Rev A, 24058_P1_31 Rev A and 24058_P1_33 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to the occupation of the development hereby permitted the window in the side elevation at first floor level of the development shall be obscure-glazed and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window shall so be maintained and retained as such.

Preliminary matters

2. As the description for the development given by the appellant does not include the proposed single storey side extension, I have used the description set out in the council's decision notice in this decision.

Main Issues

The first main issue is the effect of the proposal on the character and appearance of the rear garden environment. The second main issue is the effect of the proposal on

the living conditions of the occupiers of the neighbouring properties, with particular regard to visual impact and privacy.

Reasons

Character and appearance

1. Kenilford Road is characterised by Victorian terraced houses from a limited range of designs and palette of materials. They are set back from the street behind small front gardens. Whilst most of the rear gardens are modest in size, on the north side of Kenilford Road the terrace occupies a triangular parcel of land, where the gardens get progressively deeper towards Cavendish Road.
2. The appeal site comprises part of the site of a former Victorian workshop building and associated grounds which have been extended and converted into several residential properties. It is one of a number of 'backland' developments in the locality.
3. The appeal dwelling is sited at the rear of the original deep plot, where it backs onto the rear gardens of the adjacent dwellings in Cavendish Road and Dinsmore Road. To the south the appeal dwelling is attached to the adjoining dwelling. The appeal property has a modest sized garden to the front of the dwelling, which similarly abuts the rear gardens of the adjacent dwellings.
4. The appeal dwelling and the adjoining dwelling are traditionally designed and pick up on the detailing and materials of the host terrace. Their shared front facing gable is lower than the main terrace and the two storey rear projections within the rear garden environment, although it respects their proportions. Beyond the eaves line of the gable the main ridge height of the appeal dwelling is lower and its eaves sits just above the tall boundary brick wall. The front elevation of this part of the appeal building is rendered, whereas the taller gable end comprises buff coloured brick.
5. The whole of the appeal dwelling projects beyond the rear elevations of the adjacent dwellings in Kenilford Road, which reflects the deeper plot it occupies. It respects and blends in with its surroundings and sits comfortably on the larger and deeper site of the former commercial building.
6. To the north the appeal site borders onto Dinsmore Road Conservation Area (DRCA). The DRCA is a residential conservation area that comprises uniformly designed two storey terraced Edwardian houses with predominantly uniformly sized and designed projections to the rear. They have small front and rear gardens and front onto gently curving roads. The dwellings on the south side of Dinsmore Road comprise attached pairs of houses with shared front gables and small enclosed rear gardens, which include mature planting and a variety of outbuildings.
7. These features contribute to the strong sense of uniformity within the conservation area, both within the street scene and the rear garden environment. Collectively they also make a strong contribution to the character, appearance and significance of the DRCA.
8. Collectively paragraphs 212, 213 and 215 of the Framework state that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation. This is irrespective of whether any potential harm amounts to substantial or less than substantial harm to its significance. Any harm to a heritage asset or from development within its setting, requires clear and convincing justification. Where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
9. Together and amongst other things policies LP1 and LP5 of the Wandsworth Local Plan 2023-2038 (LP), seek to optimise the potential of sites and ensure a high level of integration with their surroundings. The scale, massing and appearance of developments should enhance and relate positively to the prevailing local character. Extensions should

be subservient to and respect and/or complement the form, setting, period and detailing of the host building.

10. With the proposal a second gable which would match the existing front gable would be introduced and the new eaves lines would follow those of the southern section of the host building. However, the proposed ridge line would be slightly lower than the existing, thus retaining the sense of stepping down in height. The proposed fenestration would match the design and proportions of the existing building and the materials would match those of the existing gable. It would respect the sense of uniformity and continuity within the terraces and the height would be seen as subservient to the existing building. It would also remain lower and subservient to the rows of terraces as a whole.
11. The proposed single storey rear extension would be visually discrete and its flat roof would sit just above the existing boundary walls. It would be readily assimilated into the rear garden environment where there are a number of low outbuildings within the gardens.
12. The resultant juxtaposition between the extended dwelling and the adjacent dwellings in Dinsmore Road, would not be dissimilar to that of the northernmost dwellings in Lammermoor Road and Hanson Close, as well as within the local area in general.
13. For these reasons I find that the proposal would respect and blend in readily with the host dwelling, the adjacent terraces and the rear garden environment. It would not be visible from the street scene and it would have a neutral impact on the adjacent DRCA. As such the proposal would not detract from the significance of the DRCA.
14. I agree with the council that the proposal would not impact on the significance of 220 Cavendish Road (No.220), which is locally listed. This is due to the distance and juxtaposition between both properties and that fact that the proposal does not impact on views of or from No.220.
15. Finally, the council has suggested the imposition of conditions which require the use of external materials that match the host dwelling and adherence to the submitted proposed drawings. I agree that these conditions are necessary to ensure the development respects the host dwelling and its surroundings and in the interests of certainty.
16. I conclude on the first main issue that the proposal would respect the host terrace and would be readily assimilated into the rear garden environment. Accordingly, it would comply with LP Policies LP1 and LP5.

Living conditions

17. Amongst other things LP policy LP2 and paragraphs 4.21 to 4.25 of the Wandsworth Local Plan Housing Supplementary Planning Document 2016 (SPD) seek to protect the living conditions of existing and future occupiers. Proposals should avoid unacceptable levels of overlooking and an undue sense of enclosure. They should not be visually intrusive or have an overbearing impact due to height, scale, massing or siting, including through creating a sense of enclosure. Ideally two storey extensions should be sited away from a neighbour's boundary.
18. The appeal property is located within a dense urban area and within a rear garden environment that is primarily characterised by small gardens. This results in a strong sense of enclosure and inter-looking between dwellings and gardens. As indicated in paragraph 13 above, the juxtaposition and distance between the proposed extended dwelling and the adjacent dwellings in Dinsmore Road is not unusual.
19. The appeal dwelling is already visible from the surrounding dwellings and is an integral part of the rear garden environment. The proposed two storey extension would be set in from the boundary with 54 and 56 Dinsmore Road No.54 & No.56), the proposed front gable would be set further away and the gable end facing No.54 & No.56 would reduce in width as it increases in height. The lower section of the resultant dwelling would be screened by a tall brick wall and the upper part would be partially screened by dense mature planting

beyond the boundary of the appeal site. The only proposed window that would face towards No.54 & 56 would serve a bathroom. As suggested by the council the privacy of the occupiers of No.54 & 56 could be secured by a condition which requires the window to be obscure glazed and have restricted opening.

20. There are garden sheds at the rear of 52 and 54 Dinsmore Road (No.52 & No.54), which are slightly taller than the tall brick boundary wall. Beyond these sheds the outlook is over the gardens of the appeal property and the garden to the rear of 17 Kenilwood Road. Whilst the upper part of the proposed gable extension would be visible, from the rear windows and gardens of these properties, it would be to one side and the outlook from these dwellings would remain comparatively open due to the depth of the adjacent gardens.
21. The proposal would include two additional first floor windows in the front elevation of the appeal dwelling. However, these windows would be sited away from the boundaries with No.52 and 54 and orientated away from those properties. The proposed windows would also be located within room recesses and would serve bedrooms as opposed to main living rooms. As such any views towards the rear first floor windows at No.52 & 54 would be at oblique angles. Views towards the rear gardens and ground floor windows of these dwellings would be largely screened by the existing garden sheds and again would be fleeting and at an oblique angle.
22. The proposed extension would be sited away from the adjacent dwellings at 15 to 17 Kenilford Road (Nos.15, 16 & 17). There are no windows in the flank wall of No.17 and all three dwellings face towards the rear of the adjacent dwellings in Dinsmore Road. The front garden to the appeal property is approximately 5/6 metres in depth and is separated from No.17 by a tall wall. Overall, due to the distance between and juxtaposition of the proposed first floor windows and the windows of the dwellings at Nos. 15, 16 & 17 any inter-looking would be at oblique angles. Views into the gardens of Nos. 15, 16 & 17 would be largely screened by boundary walls and planting.
23. The gardens to the adjacent dwellings in Cavendish Road are unusually large and benefit from mature landscaping which partially screens the appeal building. The proposal does not include any new openings in the rear wall which faces these properties.
24. For these reasons and having regard to the existing tight built environment the proposal would not result in an unacceptable loss of outlook, sense of enclosure, or a material loss of actual or perceived privacy of the occupiers of the adjoining and adjacent properties.
25. I conclude on the second main issue that the proposal would not result in an unacceptable impact on the living conditions of the occupiers of the adjacent dwellings due to visual impact or loss of privacy.

Conclusion

26. Having regard to the conclusion on both main issues and taking all other matters raised into consideration the appeal is allowed.

Elizabeth Lawrence

INSPECTOR