



Appeal Decision

Site visit made on 6 June 2025

by **S Poole BA(Hons) DipArch MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 June 2025

Appeal Ref: APP/H5960/W/24/3357416

94 Bolingbroke Grove, London SW11 1DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs Ann Nealon against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref is 2024/2462.
 - The development proposed is a three storey side & rear extension, single storey rear at lower ground floor level, roof extension, alterations to existing 4 self-contained flats to create 3 x 3-bedroom flats and 1 x 1 bedroom flat.
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Decision

1. The appeal is dismissed.

Procedural Matters and Main Issues

2. The appeal is against the failure of the Council to give notice within the prescribed period of a decision on an application for planning permission. As such, there is no decision notice. However, the Council has submitted a written statement which advises that planning permission would have been refused had a decision been made.
3. In the light of the Council's submission, I consider the main issues to be:
 - (i) the effect of the proposal on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the Wandsworth Common Conservation Area, and
 - (ii) whether the proposal would provide adequate fire safety measures.

Reasons

Character and Appearance

4. The appeal property is a 4-storey semi-detached house with a 3-storey half-width wing to the rear and a single-storey addition to the side. It has been divided into 4 flats and forms part of a group of 6 handsome symmetrically arranged houses that face Wandsworth Common on the opposite side of the road. The appeal property forms one end of this group next to the junction between Bollingbroke Grove and Bennerley Road. Its flank elevation is therefore a prominent feature in the street scene.

5. The appeal property is situated in a residential area that forms part of the Wandsworth Common Conservation Area (CA). The significance of the CA is derived from the Common and the handsome Victorian properties that face it. The appeal property and the group of which it forms part make a clear and substantial positive contribution to the character and appearance of the CA. In particular, the symmetry between the appeal property and its attached pair is a positive aspect to which I attach significant weight.
6. The proposal would comprise the erection of a 3-storey side and rear extension, single-storey rear extension at lower ground floor level and a roof extension. These additions would comprise London stock brick and aluminium framed windows and would result in a substantial increase in the footprint and bulk of development within the appeal site. In particular, the side addition would extend to the back edge of the pavement in Bennerley Road and wrap around the rear elevation of the property. As a consequence of its siting and size this element would be an overly prominent feature in the street scene that would also severely disrupt the symmetry of the attached pair at both the front and rear. The impact of this addition would be exacerbated by the protruding glazed stair element which would be a wholly incongruous addition in this context.
7. Due to its siting, size and design I therefore conclude that the proposal would have an unacceptable effect on the character and appearance of the host building and would fail to preserve, and result in substantial harm to, the character and appearance of the CA. For these reasons the proposal fails to accord with Policies LP1, LP3, and LP5 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.

Fire Safety

8. Policy D12 of the London Plan (2021) (LP) requires all development proposals to achieve the highest standards of fire safety. This includes ensuring that they identify suitable outdoor space for fire appliances and assembly points; incorporate appropriate fire safety features; minimise the risk of fire spread; provide suitable and convenient means of escape (including a robust strategy for evacuation); and suitable access and equipment for firefighting.
9. The appellant has failed to demonstrate through the submission of an appropriate fire strategy that the proposal would achieve adequate standards of fire safety. As such the proposal conflicts with LP Policy D12.

Conclusion

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

S Poole

INSPECTOR