



Appeal Decision

Site visit made on 8 September 2025

by K Reeves BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 October 2025

Section 78 Appeal Ref: APP/H5960/D/25/3369119

Proposal: Formation of a roof terrace at roof level at 16 John Hunter Avenue, Wandsworth, London, SW17 7FA

Application Ref: 2025/0406

Decision – dismissed

Preliminary Matter

1. For clarity, I have taken the description of development from the Council's decision notice and other appeal documents submitted by the appellant, as it is more precise than that given on the application form.

Reasons

Issue – The effect of the proposed development on the character and appearance of the area

2. The appeal site comprises a mid-terraced dwelling within one of two parallel rows of three storey residential properties that have stepped flat roofs. Despite the proposed roof terrace being set back from the edges of the flat roof, the balustrading, planters and the vegetation in the planters would be visible from Jupiter Way.
3. The roof terrace would be viewed as an uncharacteristic and visually intrusive feature that would be out of keeping with the local vernacular and would detract from the simple and uniform characteristics of the appeal building and the rest of the row of residential properties. These characteristics of the existing built form make a positive contribution to the overall street scene and, as such, the proposal would harm the character and appearance of the area.
4. I acknowledge that a three storey block of residential units, which form part of the planning permission¹ for a redevelopment phase of Springfield Hospital, would obscure public views of the appeal proposal from Jupiter Way. However, building works were not apparent to me at the time of my site visit and there is no guarantee that development will be completed as permitted. I am therefore only able to apply limited weight to the potential construction of the three storey block on Jupiter Way and this matter does not overcome my concerns.

¹ Planning application reference 2022/5288

5. I acknowledge that the approved block of residential accommodation could impact on the quality of the rear garden at the appeal site, and I understand that this has led to the appellant seeking to create additional outside space at the property. However, the impact on the rear garden is not certain as the block has not been constructed. Moreover, I have been provided with limited evidence to demonstrate that additional outside space could not be delivered in a less harmful way. As such, it does not alter my judgement on the appeal.
6. Consequently, the proposed development would cause unacceptable harm to the character and appearance of the area and would therefore conflict with the policies cited in the decision notice.

Issue – The effect of the proposed development on the living conditions of the occupiers of neighbouring properties, having regard to privacy and noise

7. The roof terrace being set back from the edges of the roof mean that the line of sight into the windows and rear gardens of nearby properties would be significantly limited. The proposal would therefore not result in a material loss of the privacy currently enjoyed by the occupiers of neighbouring dwellings.
8. The elevated position and open nature of the roof terrace would mean that noise created by people using the terrace would be likely to travel over the roofs of the neighbouring properties. Furthermore, I have no substantive evidence before me to demonstrate that noise would penetrate into the bedrooms located in the adjoining residential properties. I am therefore not convinced that the proposal would lead to an unacceptable amount of noise disturbance.
9. Consequently, the proposed development would not materially harm the living conditions of the occupiers of neighbouring properties, having regard to privacy and noise. The proposal would therefore comply with the policies cited in the decision notice.

Other Matter

10. The appeal site is within the setting of Springfield Hospital, which is a Grade II listed building. There would be limited views of the proposal from the listed building and there is minimal intervisibility between the site and the listed building. I am therefore satisfied that the proposal would preserve the character and appearance of the listed building's setting, and it would have a neutral impact on its significance and special interest.

Conclusion

11. There would be no material harm to living conditions. However, there would be conflict with the other policies cited in the decision notice and, therefore, conflict with the development plan read as a whole. Material considerations do not indicate a decision otherwise than in accordance with the development plan. Accordingly, the appeal should be dismissed.

K Reeves

INSPECTOR