
Appeal Decision

Site visit made on 6 December 2016

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 December 2016

Appeal Ref: APP/T5720/W/16/3157500

1 Cromwell Road, Wimbledon, London SW19 8LE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Cole against the decision of the Council of the London Borough of Merton.
 - The application Ref 16/P0568, dated 28 January 2016, was refused by notice dated 5 May 2016.
 - The development proposed is the erection of a rear extension with 3 roof lights to the front roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a rear extension with 3 roof lights to the front roof slope at 1 Cromwell Road, Wimbledon, London SW19 8LE in accordance with the terms of the application, Ref 16/P0568, dated 28 January 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 16/04/01 and 16/04/02.
 - 3) The materials to be used in the external construction of the development hereby permitted shall be as specified in the application form and approved plans.
 - 4) Demolition or construction works or ancillary activities such as deliveries shall take place only between 0800 and 1800 on Mondays to Fridays, 0800 and 1300 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupants of No 3 Cromwell Road, with regard to light and outlook.

Reasons

3. The appeal property is a two-storey detached dwelling located on a residential street. Although detached, the building is within proximity of the adjacent property, No 3 Cromwell Road. The parapet wall of the two-storey outrigger to the rear of the appeal property forms the boundary between the two properties. As a result of the angled position of the appeal property in relation
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to No 3, the parapet wall cuts across the rear of No 3 at an angle, resulting in the rear garden of No 3 being triangular in shape.

4. No 3 Cromwell Road is a two-storey property with accommodation in the roof. The eastern most window in the first floor, which serves a study, is within proximity of the parapet wall of the appeal property's outrigger. The parapet wall rises above the height of this window. As a result, the wall dominates the outlook from this window, which is exacerbated by the positioning of the wall, with there only being a limited view of the skyline above the wall. Furthermore, due to the proximity and height of the wall and its eastern position, the amount of light serving the window is limited. The proposed extension would increase the height of part of the existing parapet wall. However, due to the limited depth of the extension it would only be visible from an oblique angle from within the study. Consequently, I do not find that it would significantly harm the outlook from the study to such an extent that it would have an unpleasant dominating and overbearing visual impact on the occupants of No 3 when using this room. Furthermore, by reason of the limited depth and height of the extension, I do not find that it would adversely diminish the amount of light serving the room.
5. On the rear of the roof is a similar dormer extension to that proposed on the appeal property and contains four windows. As with the first floor study, the eastern windows are within proximity of the parapet wall. As these windows are higher up, the effect on them would be significantly less than that of the study window. Moreover, the eastern most window serves an *en-suite*. Therefore, I do not find that any potential loss of light and outlook from this room as a result of the extension would materially affect the usability of the room and therefore would not significantly harm the living conditions of the occupants of the property.
6. The single-storey rear extension at No 3 comprises a kitchen/dining area with a large amount of glazing on the rear elevation and roof lights. Whilst some of the roof lights would likely receive less daylight as a result of the proposed extension, given the extent of glazing serving the overall room, I do not find that it would significantly harm the usability of this room. For the same reason, whilst the extension would be visible through the roof lights it would not adversely affect the outlook from this room.
7. I have also had regard to the effect of the development on the outlook from the rear garden of No 3 and the amount of light that would reach it. Whilst the extension would be orientated to the east of the garden, given its relatively limited size and height and that it would not extend beyond the rear single-storey extension at No 3, I do not find that it would significantly reduce the outlook from the garden or the amount of light that reaches it.
8. I find therefore that the proposal would not significantly harm the living conditions of the occupants of No 3 Cromwell Road. As such, it would comply with Policies DMD2 of the London Borough of Merton Sites and Policies Plan and Policies Maps 2014, which, amongst other matters, seeks to ensure that development provides appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens and protects existing development from visual intrusion so that the living conditions of existing and future occupiers are not unduly diminished. In addition, it would also comply with the Council's Residential

Extension, Alterations and Conversions Supplementary Planning Guidance Note 2001, which provides guidance on house extensions. Furthermore, it would accord with Policy 7.6 of the London Plan 2015, which seeks to ensure that development does not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings.

Conditions

9. I have had regard to the various conditions that have been suggested by the Council. For the avoidance of doubt it is appropriate that there is a condition requiring that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area conditions regarding materials are necessary. Furthermore, to safeguard residential amenity during the construction of the development, a condition restricting hours of construction and demolition is required.

Conclusion

10. For the reasons given above, having regard to all matters raised, the appeal is allowed.

Alexander Walker

INSPECTOR