

Appeal Decision

Site visit made on 6 December 2016

by Debbie Moore BSc (HONS) MCD MRTPI PGDip

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

Decision date: 29 December 2016

Appeal Ref: APP/T5720/W/16/3158913

Gorringe Park, 29 London Road, London SW17 9JR

- 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 David Broadhurst of Charles Wells Pub Company against the decision of the Council of the London Borough of Merton.
 - The application Ref 12/P2367, dated 18 August 2012, was refused by notice dated 22 March 2016.
 - The development proposed is described as "Change of use - Basement floor storage area to trading area and toilets. Change of use - First floor tenant's accommodation to trading area. Awnings to front / bonded gravel to front. New Kitchen extract to rear. New Summer houses to rear. External alterations to doors and windows".
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Decision

1. The appeal is allowed and planning permission is granted for "Change of use - Basement floor storage area to trading area and toilets. Change of use - First floor tenant's accommodation to trading area. Awnings to front / bonded gravel to front. New Kitchen extract to rear. New Summer houses to rear. External alterations to doors and windows" at Gorringe Park, 29 London Road, London SW17 9JR in accordance with the terms of the application, Ref 12/P2367, dated 18 August 2012, and the plans submitted with it, subject to the following condition:
 - 1) Within three months of the date of this decision, the ductwork and extractor shall have been painted in a colour that has been agreed in writing with the local planning authority, and the paintwork retained as such thereafter.

Procedural Matter

2. The application included a number of elements, as listed in the description of development above. The Council's main objection, as stated in the reason for refusal, relates to the extraction ductwork. However, the Council is also concerned about the removal of the recesses on the side elevation, the replacement of the obscure glass to the front and side ground floor windows with clear glass and the re-painting of the exterior. I have confined my consideration of the appeal to these matters of contention between the parties.
 3. I saw from my site visit that the extraction ductwork has already been installed, although the ductwork on site differs in design from that shown on the plans. I also saw that two former doors on the side elevation have been
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filled-in, the windows now contain clear glass, and the ground floor has been painted pale green, although it appears that it was previously painted yellow.

4. A pergola has been built in the rear courtyard, but, like the ductwork, this differs from the proposals shown on plans. Despite the differences, I am obliged to consider the plans submitted, not what has been built. I have, therefore, determined the appeal on this basis.

Main Issue

5. The main issue is the effect of the development on the setting of the host building, and the character and appearance of the wider area.

Reasons

6. The appeal property is a public house located on the corner of London Road and Grenfell Road. The building is locally listed by the Council and is considered to be a non-designated heritage asset. The building dates from the 1880s and its significance, as described in the Council's Character Study, is attributed to its construction materials and its distinctive curved windows surrounded by decorative render with keystone at first floor and corbels beneath eaves.
7. The extraction ductwork has been installed at first floor level and extends beyond the eaves of the building. It is finished in galvanised metal and, at the time of my site visit, was not painted. During my site visit, I looked at the building from several points along London Road and Grenfell Road. As the ductwork is located at the rear of the building, it is only visible from Grenfell Road and the adjoining properties. Although relatively large, the ductwork is not overly prominent due to its siting and because it is not visible from the main road. The frontage of the building is preserved and the design detailing, as described in the Character Study, remains unaffected.
8. I have also considered the alterations to the recesses and the windows. Whilst two of the side door openings have been filled-in, there are slight recesses remaining, so the historic features are not totally lost. The obscure glazed windows have been replaced, but there is no evidence of how these contributed to the significance of the heritage asset. Overall, the combined effect of these alterations to the appearance of the building is marginal.
9. It appears that the building has been repainted in a more muted colour which addresses the Council's concern about the yellow paint.

Conditions

10. Despite the requests from internal consultees, the Council has not suggested any conditions. However, I have imposed a condition requiring the ductwork to be painted, as offered by the appellant, as this will improve its appearance.

Conclusion

11. To conclude, I find that the development does not have an adverse effect on the significance of the non-designated heritage asset, and it preserves the setting and appearance of the original building in accordance with Policies DM D3 and DM D4 of the Sites and Policies Plan¹, Policy CS14 of the Core Planning

¹ Merton Local Plan: Sites and Policies Plan and Policies Maps (July 2014)

Strategy² and Policy 7.8 of the London Plan. The development does not adversely affect the character and appearance of the wider area and meets the aims of Policy DM D1 of the Sites and Policies Plan which requires development proposals to impact positively on the character and quality of the public realm.

12. For the reasons given above, the appeal is allowed.

Debbie Moore

Inspector

² London Borough of Merton Local Development Framework: Core Planning Strategy (July 2011)