
Appeal Decision

Site visit made on 19 December 2016

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 12th January 2017

Appeal Ref: APP/T5720/D/16/3157730
49 Hillcross Avenue, Morden SM4 4AY

- 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 Steven Simpson against the decision of the Council of the London Borough of Merton.
 - The application Ref 16/P1704, dated 25 April 2016, was refused by notice dated 8 July 2016.
 - The development proposed is the erection of a rear roof extension with Juliette balconies and the installation of 4 x roof lights to the front roof slope.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have been provided with a range of plans for the proposal. The Council have referred to plan numbers SM44AY-03A A1 and SM44AY-04A A1. However, I also have copies of plans (SM44AY-04 B, SM44AY- 03B) which are referred to as being submitted prior to the decision. The revised plans involve alterations to the proposed rear dormers and I do not consider that any interested party would be prejudiced by me considering these plans as well. Therefore, for the avoidance of doubt I have considered both sets of plans in my decision below.

Main Issue

3. The main issue in this case is the effect of the proposed extension on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. No 49 Hillcross Avenue lies in a residential area characterised primarily by terraced and semi-detached dwellings. Many of the houses, including No 49 and its co-joined twin No 51, have attractive double height gabled circular bay windows to the front and separate canted upper floor bay windows to side. The two houses, in common with the majority of the surrounding area, have hipped roofs and are pebble dashed at first floor level. A public footpath runs adjacent to No 49 to Morden Park at the rear of the house.
 5. No 51 has been extended to the side in the past to build over an integral garage. Although not an entirely sympathetic extension, the hipped roof form of the original dwelling has been maintained over the extension, which remains subordinate in this way to the original dwelling. At the time of my visit No 49
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was in the process of being extended; evidence states that permission was granted in May 2015 for a demolition of garage and side store and the construction of a hipped roof side extension. The proposal would alter this hipped roof to a full gable and construct a rear dormer extension. The differing plans referred to above provide for an almost full length effectively flat roofed dormer in the first instance, with the second set of plans detailing a set-back section in the centre of the proposed rear dormer. Roof lights to the front roof are also proposed

6. The proposed hip to gable extension would bring the side of the roof closer to the adjacent footpath. Whilst not visible from further along the path due to intervening vegetation, this would appear overly bulky from views both from close to on the footpath, and from the road frontage, and would have the potential to dominate the original host dwelling. The removal of the hipped roof would erase the integrated approach of the approved side extension to the main property, and the mass of the extension in this respect would be harmful to the character and appearance of the area. On my visit I noted a number of houses in the locality which had had similar extensions, many of which are also referred to in the evidence. However, the predominating roof style of the neighbourhood remains hipped, and I do not consider that the nearby differing extensions constitute examples of sympathetic development in a residential area, and do not therefore justify the appeal proposal.
7. The Council's SPG¹ states that roof extensions should not be overlarge, and that a dormer which runs the full width between flank and party walls or comes to within 1m of either wall is almost always unacceptable. The original proposed dormer would come very close to both the flank and party walls of the property, and the roof of the dormer would be close to the roof ridge of the host property. Overall this design would dominate the rear elevation of the house and appear ungainly, harming the character of the host property and the surrounding area in close range views from the footpath.
8. The revised design featuring an inset central section would slightly reduce the dominating effect on the host dwelling; however, this central section would remain as a dormer, albeit as one reduced in depth to the surrounding sections. The vast majority of the existing rear roof would still be covered and the extent of the dormer would still come close to both the flank and party walls of the property. The visual effect of the central section would also be increased adversely by larger proposed French windows bearing little resemblance to the fenestration details below.
9. Photographs have been submitted of other similar extensions on the same road, and I viewed such examples where possible on my site visit. I also noted other unfortunate styles of roof extension nearby such as at No 47 Hillcross Avenue. The appellant expresses concern that such designs have been approved in the past whereas his scheme is deemed unacceptable. I have some sympathy with this view but consider that the referred to examples are of unfortunate appearance and are not necessarily therefore a good example to follow.
10. I therefore conclude that the proposed extension would have an adverse effect on the character and appearance of the host dwelling and the surrounding

¹ Merton Unitary Development Plan Supplementary Planning Guidance Note: Residential Extensions, Alterations & Conversions, November 2001

area. As well as to the SPG, the proposal would also be contrary to policies 7.4 and 7.6 of the London Plan², as well as to policy CS14 of the Core Strategy³ and policies DM2 and DM3 of the SPP⁴. These policies seek to ensure that development has a high quality design which makes a positive contribution to the streetscape and enhances the local character of the area, respecting and complementing the form, scale, bulk, and proportions of the original building.

Other matters

11. The appellant refers to issues over the registration of his application and difficulties with communication with the Council during the process. However, complaints over the Council's handling of the application should be made in the first instance through the Council's internal complaints service.

Conclusion

12. For the reasons given above, and having regard to any other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR

² The London Plan Spatial Development Strategy for London consolidated with alterations since 2011, March 2015.

³ London Borough of Merton LDF Core Planning Strategy July 2011.

⁴ Merton's Local Plan Sites and Policies Plan and Policies Maps July 2014.