

Appeal Decision

Site visit made on 29 December 2016

by D Cramond BSc MRTPI

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

Decision date: 19 January 2017

Appeal Ref: APP/T5720/D/16/3161634

62 Grasmere Avenue, London, SW19 3DX

- 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 Mo Karim against the decision of the Council of the London Borough of Merton.
 - The application Ref 16/P2517, dated 25 January 2016, was refused by notice dated 15 August 2016.
 - The development proposed is the erection of a single storey front extension; first floor side infill extension; a single storey rear/side extension; erection of an extension to roof slope and a rear roof extension; remodelling of existing garage; installation of a window to the rear elevation.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of a single storey front extension; first floor side infill extension; a single storey rear/side extension; erection of an extension to roof slope and a rear roof extension; installation of a window to the rear elevation.
2. The appeal is allowed and planning permission granted insofar as it relates to the remodelling of existing garage at 62 Grasmere Avenue, London, SW19 3DX in accordance with the terms of the application, 16/P2517, dated 25 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 solely insofar as they directly relate to the approved works: 4041-PL-005, 4041-PL-006_D & 4041-PL-010_A.

Application for Costs

3. An application for costs has been made by the Appellant against Council of the London Borough of Merton. This application is the subject of a separate decision.

Procedural Matters

4. I use the Council's description of development which is more precise than the planning application form; I note the appeal form also uses this description.
 5. I consider that there are two principal and distinct parts of the proposal; alterations to the dwelling itself and planned new garaging arrangements. I therefore would be able to issue a split decision in this case.
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Main Issues

6. The main issues are firstly, the effect of the proposal on the character and appearance of the host property and the locality and secondly, the effect on living conditions for neighbours.

Reasons

7. The appeal property is a mid terrace, two storey, bay fronted, dwelling of pleasing proportions and elevations. It lies within an established neighbourhood of suburban residential character with broadly similar properties which come together to form an area of agreeable appearance. A generous rear garden runs down to a service lane with rear access and garaging. The proposal is as described above.

Dwelling extensions and alterations

Character and appearance

8. The appeal property's front elevation presently has a pleasing symmetry to No 64 and this comprises a large two storey gable fronted bay, a modest hipped roof porch and a small free self supported ground floor bay under a minimal hipped roof on a part of the building which is set back from the main elevation. The appeal scheme seeks to enlarge the porch, remove the small bay, bring the set-back wall forward, and roof the whole in a mono-pitch with a gable end on the common front side boundary. The whole structure would come forward of the main bay window. The overall effect would be of an over-developed front elevation using a design approach which would take no cues from the existing structure and which would harm the good quality existing elevations and the well-defined symmetry with the adjoining home. The overall effect would be incongruous and jarring on the eye.
9. The Appellant cites another example of similar extension and I have considered this and the fact that there was some common policy basis at the time of its determination. This is a 2001 Supplementary Guidance document which remains extent albeit cannot be expected to cover every eventuality. However the context is somewhat different in that the frontage elevational symmetry to a neighbouring dwelling was not the same to start with, a garage intervened. I am not persuaded that this example of an extension makes a positive contribution to the streetscene in any event, and nor should it set a benchmark for replication. Furthermore I do have to determine the appeal scheme on its own merits.
10. In terms of relevant planning policies there are; Policy CS.14 of the Merton LDF Core Planning Strategy (2011) (CS) and Policies DM D2 and DM D3 of the Merton Sites & Policies Plan (2014) (MSPP). Taken together, and amongst other matters, these policies seek to ensure development is well designed; being sympathetic to the scale, form and character of a host building, respectful of its setting, and having regard to local distinctiveness generally. Given the nature of the appeal scheme, I conclude that the proposal would run contrary to these policies; these reflect objectives embodied in the Council's Supplementary Planning Document: Residential Extensions, Alterations and Conversions (2001) (SPD) and there would also be conflict in this regard.
11. I note that while it does not feature in the Decision Notice the Council Officer's report expresses concern over the form of the very large upper level roof

extension which is planned and that there has been some neighbour comment on this. From my perspective I would deem this addition to be over-sized and unduly 'box-like' and harmful to the aesthetics of the host property and wider area. This adds to my concern over the front elevational change which is the main element under this heading.

Living conditions

12. The planned works to the frontage would be in very close proximity to the neighbouring small bay ground floor window and near to the main entrance to the house. The extension would run to the shared boundary and with its forward projecting blank side wall, its scale, its southern orientation and its relationship to the neighbouring window in particular, and the frontage in general, it would lead to a sense of visual dominance for the neighbours and a reduction in outlook from the window. The scheme would be an uncomfortable proposition for these residents who would continually sense intrusion upon their space, loss of elevational quality and diminished openness at their frontage.
13. MSPP Policies DM D2 and DM D3, amongst other matters, also seek to prevent harm to the amenities of neighbours. I conclude that the appeal scheme would run contrary to these policies which share a similar objective of protecting living conditions with the SPD.
14. I mention above the planned large roof level rear extension. This would have very extensive glazing and a balcony rail arrangement. A neighbour has raised concern over reduction of privacy stemming from this extension work and I would have sympathy with that opinion. This adds to my concern over the neighbourliness of the overall proposal and the principal objection I have to the frontage works under this heading.

Other matters

15. I have carefully considered the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issue identified above.
16. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Conclusion

17. For the reasons given above I conclude that the appeal proposal in relation to works to the house would have unacceptable adverse effects on character and appearance of the host property and the locality as well as on the living conditions of neighbours. Accordingly the appeal is dismissed in respect of the proposed alterations and extensions to the dwelling.

Garaging

18. The Council raises no objection to this element which is sought at the end of the rear garden alongside a service lane that is occupied by a range of garages and outbuildings. To my mind there are no residential or visual amenity issues associated with these intended remodelling garage works and I conclude that there would be development plan policy compliance and thus the appeal should be allowed in this regard.

19. The Council suggests the standard commencement condition along with a requirement for works to be carried out in accordance with listed, approved, plans. I agree with this as it provides certainty. Materials are specified by the Appellant and the building would not be habitable accommodation and thus other conditions suggested relating to matching materials and window restrictions would not be applicable to this element of the appeal scheme.

D Cramond

INSPECTOR