
Appeal Decision

Site visit made on 1 February 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 17 February 2017

Appeal Ref: APP/T5720/W/16/3163481

Brook House, Cricket Green, Mitcham, Merton CR4 4LB

- 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 Java Asset Management Ltd against the decision of the Council of the London Borough of Merton.
 - The application Ref 16/P0080, dated 18 December 2015, was refused by notice dated 9 August 2016.
 - The development proposed is an extension to roof to provide 6 residential units (2x1 bed and 4x2 bed) and alterations to external elevations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development as it appears on the appeal form since the detail of the proposal was amended during its consideration by the Council. The same description appears on the Council's decision notice. I have proceeded on this basis.

Main Issue

3. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Mitcham Cricket Green Conservation Area (MCGCA).

Reasons

4. Brook House is of substantial scale and roughly square. It is of noticeably wide proportions with a strong horizontal emphasis and low floor to ceiling heights. The front is formed of two forward projecting blocks, flanking a tower. A large central round window accentuates the main tower as a feature of the front elevation and its roof extends clearly above the main roof of the building. The shallow fully hipped roof is very much recessive to the other design features but it plays no less a role in defining the form and proportions of the building. The roof spans the full width in sections and is covered a single plain smooth slate.
 5. The building is of an individual design and whilst more modern than some that surround it, is no less in quality terms. Whilst set back from the frontages of other buildings, it is highly prominent when viewed from the wide, open and
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flat cricket green that it faces. For these reasons, Brook House makes a positive contribution to the character and appearance of the MCGCA.

6. The proposed development would increase the height of the roof overall by a marginal degree. However, the increase in the angle of the pitch would give the appearance of a roof scape more prominent than it currently is. A prominence which would be exacerbated by the addition of a number of roof windows. In addition, it would also compete for visual dominance with the roof atop the feature front tower, diminishing its own design influence.
7. The result of this alteration would unbalance the proportions of the building and introduce a stronger vertical element which would be uncharacteristic of its overall design and appearance. It would therefore be to the detriment of the form and individual nature of the building. Given the degree of prominence of Brook House, the changes would be obvious in the MCGCA and as such cause subsequent harm to its character and appearance. The harm caused would be less than substantial. In accordance with paragraph 134 of the Framework¹ the harm caused should be weighed against the public benefits.
8. The proposed development would enable the roof space to be used as six flats. Whilst this would be beneficial in the provision of new housing, the scale of the benefit would be limited overall. Brook House is currently undergoing conversion into a significantly larger number of flats over its three main floors as a result of an extant scheme for its change of use. I am not therefore persuaded that the addition of the six further flats could be considered to be securing the optimum viable use of the building. Furthermore, I do not consider that the scheme before me would re develop previously developed land since it would be an extension to what has been approved previously.
9. In weighing the above matters, I conclude that the public benefits of the proposed development would not outweigh the harm that it would cause. Whilst Brook House is within easy reach of a range of local services, this would have to be the case to make the proposed development acceptable in any event. It would not constitute a benefit that can be weighed against harm.
10. For the above reasons therefore, the proposed development would fail to either preserve or enhance the character or appearance of the MCGCA. It would therefore conflict with Policies 7.6 and 7.8 of the London Plan 2015, Policy CS 14 of the Core Strategy² and Policies DM.D2, DM.D3 and DM.D4 of the Local Plan³. These Policies, along with sections 7 and 12 of the Framework, seek to ensure that new development is of a high quality and contextually appropriate design and appearance with particular regard to the preservation and conservation of the historic environment.

Conclusion

11. For the above reasons and having regard to all other matters raised, the appeal is dismissed.

John Morrison

INSPECTOR

¹ The National Planning Policy Framework 2012

² London Borough of Merton LDF Core Planning Strategy 2011

³ Merton Council Part of Merton's Local Plan Sites and Policies Plan and Policies Map 2014