
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/16/3161105

Birchwood, 7 Ellerton Road, West Wimbledon, London SW20 0ER

- 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 Ashgrove Homes Ltd and C and R Whitfield-Jones against the decision of the Council of the London Borough of Merton.
 - The application Ref 16/P1621, dated 15 April 2016, was refused by notice dated 27 July 2016.
 - The development proposed is the demolition of existing single dwelling house and erection of 2 detached dwelling houses of ground, 1st and attic floors together with alteration of the existing cross-over.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Drax Avenue Conservation Area (DACA).

Reasons

3. The appeal site is formed by a substantial detached and wide fronted dwelling finished in a mix of red and brown brick shades and a low rise hipped roof. It is set back from the road in a wide plot. The existing dwelling is very much in keeping with the common theme for the majority of buildings in the DACA by virtue of the individual nature of its design and detailing. The majority are detached, plot sizes are substantial but not uniform in their shape or size. Form and detailing includes varying roof shapes and feature elements, grand entrances, many variants of dormer windows as well as a mix of materials from contrasting brick colours to timber cladding.
 4. The existing dwelling therefore has a degree of charm about it and notwithstanding clear evidence of changes that have been made to it over time; the front elevation appears to be largely original. This, when coupled with its prominent street frontage location means it makes a positive contribution to the character and appearance of the DACA. This is not to necessarily say however that the existing dwelling is sacrosanct and harm would be caused by its loss, providing of course that any treatment of the land afterwards, in terms of buildings or otherwise, would in itself serve to preserve or enhance the character and appearance of the DACA.
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5. With this in mind, the proposed development would replace the existing dwelling with two. They would be detached, of substantial scale and be afforded reasonable curtilages. However, save for the dormer window type and projecting bay window at ground floor, they would appear for all intents and purpose a mirror image of each other. This would be despite the proposed use of contrasting brickwork. Their widths and building shape would be very similar, the positions, designs and detail of the attached garages and porches, window types and headers, decorative quoins and cornice work would all combine to give the general appearance of matching architecture.
6. Whilst I acknowledge that this approach has been taken elsewhere in the DACA, further use of it would, to my mind, further dilute one of the defining characteristics of it. Specifically, and amongst other things, a group of buildings those are of obvious quality in their own right, and clearly of differing design and appearance.
7. The proposed development would therefore cause harm to the character and appearance of the DACA. Harm that would be less than substantial and therefore, as per paragraph 134 of the Framework¹, should be balanced against the public benefits. I have not been provided with any public benefits to the proposed development beyond the fact that it would result in the provision of an additional dwelling. As a single dwelling, this addition would be of limited benefit.
8. I can only conclude therefore that the public benefits of the proposed development would not outweigh the harm that it would cause. It would therefore fail to either preserve or enhance the character or appearance of the DACA. As a result, there would conflict with Policies 7.4, 7.6 and 7.8 of the London Plan 2015, Policy CS 14 of the Core Strategy² and Policies DM D2 and DM D4 of the Local Plan³. These Policies, amongst other things and 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.
9. I note the Council's reference to Policy DM D1 of the Local Plan but have not been provided with a copy. This does not however change my conclusions on either the effects of the proposed development or how it would conflict with the other policies mentioned above.

Conclusion

10. For the above reasons and having regard to all other matters raised, including those by local residents, 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