
Appeal Decision

Site visit made on 18 December 2017

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 10th January 2018

Appeal Ref: APP/T5720/W/17/3181730

Wood Lodge, 8 Lake Road, Wimbledon, London SW19 7EL

- 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 Newcourt Residential Ltd against the decision of the Council of the London Borough of Merton.
 - The application Ref 16/P0965, dated 29 February 2016, was refused by notice dated 4 April 2017.
 - The development proposed is demolition of 1-14 Wood Lodge and construction of 26 apartments.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Originally the planning application proposed 29 apartments. This was amended during the course of the application and was reduced to 26 apartments. Notwithstanding this, the Council's decision notice refers to 29 apartments. It is acknowledged that this is an error and I confirm that I have considered the revised scheme for 26 apartments, as considered by the Council.

Main Issues

3. The main issue raised by the Council's reason for refusal relates to the effects of the proposal on the setting of the adjacent conservation area and locally listed buildings. In addition, local interested people raise concerns in relation to the more general effects of the proposal on the character of the area and also its effects on neighbours; I also note that the Council has introduced this matter in its statement. In light of the substance of these matters, I identify the main issues as follows:
 - The effects of the proposal on the character of the area, including the setting of the conservation area and locally listed buildings
 - The effects of the proposal on the living conditions of neighbours.

Reasons

Character of the Area and Setting of Heritage Assets

4. The appeal site currently accommodates Nos 1-14 Wood Lodge which are arranged in 3 separate block of 2 storeys; 2 smaller blocks at the front and a

wider block towards the middle of the site. To the north sits a modern development of houses at Helme Close and a detached Victorian property at 10 Lake Road. To the south is a pair of semi-detached Victorian Villas at 6 and 7 Lake Road. Nos 6 and 7 and properties beyond to the south and west are within the Wimbledon Hill Conservation Area. Nos 6/7 and 10 Lake Road are locally listed buildings. Paragraph 132 of the National planning Policy Framework (the Framework) states that when considering the impact of a proposal on a designated heritage asset (in this case the Conservation Area), great weight should be given to the asset's conservation, which may be harmed by, amongst other things, development within its setting. Paragraph 135 of the Framework states that the effects of a proposal on a non-designated heritage asset (in this case the locally listed buildings) should be taken into account in determining development proposals.

5. The proposal would result in a 4 storey building (Block A) being sited at the front of the site and the 3 storey Block B to the rear. Both buildings would have the top floor set back from its edges. According to the Council's documents, Block A would be 32m in width and between 20-32m in depth, with a flat roof. Its southern flank elevation would face towards Nos 6/7 Lake Road and would be set forward of the neighbouring building, such that its flank wall would be prominent within the street views. To some degree, this repeats the existing relationship wherein the nearest block of Wood Lodge sits forward of Nos 6/7. However, the existing modest building is significantly lower and narrower than the proposal. I appreciate that some variation in siting here reflects the gentle curve in Lake Road but the proposal would replace the modest building at Wood Lodge with a much taller, wider and bulkier building.
6. I appreciate that the appellant has intended that the articulation within the front and side elevations would break up the visual effect of the frontage building. However, my view is that the much greater size and height of the building would be readily apparent from within the street. The long and tall south flank would be prominent as it would project forward of 6/7 Lake Road and the wide and tall front elevation would have a significant impact. I have carefully considered the proposed height of the building in comparison to the adjacent buildings and I can see that the proposal would be no higher than the adjacent locally listed buildings. However, the existing buildings have pitched roofs which reduce the bulk of the buildings at the higher levels whilst the proposal involves a considerable span of flat roof, notwithstanding the set-back of the upper floor. Furthermore, the proposed height would combine with a significant width and depth to result in a building which would appear unduly dominant and overbearing. For these reasons I consider that the proposal would have an unacceptable effect on the street-scene generally and due to its relationship with the locally listed 6/7 Lake Road and the Conservation Area, would appear unduly dominant and so fail to preserve the setting of these heritage assets.

Effects on Neighbours

7. The proposed Block B would be located within the rear of the site with its flank elevations 10m from the boundary with No 1 Helme Close and between 5-6m from the boundary with No 7 Lake Road. The elevation facing No 7 Lake Road would be over 16m in length and the second floor would be set back by 3m from the main face of the proposed block. At ground floor level any views from the proposed flats would be of the boundary treatment and would not be

intrusive in relation to the privacy of the residents at No 7. In order to prevent overlooking, the appellant states that the windows within the upper floors of this elevation could be of obscure glazing as they are 'secondary'. Whilst I can agree that the proposed dressing rooms and bathrooms would reasonably require obscure glazing, my view is that it would not be reasonable to require obscure glazing to the kitchens here and so I am concerned that overlooking would be likely from the kitchen of the first floor. In addition, I consider that the presence of this long 2/3 storey elevation so close to the garden boundary of No 7 Lake Road would have a significant effect on the outlook and enjoyment of the garden area for the neighbouring residents. The proposed block would appear dominating and overbearing in such close proximity.

8. In relation to No 1 Helme Close, whilst the effects of the proposed block would be reduced due to the greater distance involved, I remain concerned that the proposed kitchen in the flank elevation would give rise to the possibility of unreasonable overlooking as I see it as unreasonable to require obscure glazing in this part of the proposal, due to the effects on its intended occupiers.

Conclusions

9. I have taken account of all other matters set out, including the submitted Obligation, in the representation and objections but find no matters of sufficient weight to add to my findings. I have taken account of the fact that the proposal would result in additional homes within an accessible location. However, I find that this and any other benefits would be outweighed by the unacceptable effects on the character and appearance of the area and the effects on neighbours. As a consequence, the proposal is contrary to Policy CS 14 of the Core Strategy 2011 and Policies DM D2 and DM D4 of the Sites and Policies Plan 2014 and the advice in the Framework. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR