
Appeal Decision

Site visit made on 11 June 2019

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th July 2019

Appeal Ref: APP/T5720/W/19/3224043
206 Lavender Avenue, Mitcham CR4 3HP

- 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 Joe Ball against the decision of the Council of the London Borough of Merton.
 - The application Ref 18/P3177, dated 12 August 2018, was refused by notice dated 10 October 2018.
 - The development proposed is described as a rear dormer by way of a hip to gable conversion plus 3 no. roof lights on front slope.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Joe Ball against the Council of the London Borough of Merton. This application is the subject of a separate Decision.

Procedural matter

3. The development is described on the application form and title page of the appellant's statement as including 3 roof lights to the front slope. Elsewhere, including on the submitted plans considered by the council, only 2 roof lights are described or shown. I will consider the appeal on the basis of the submitted plans and details.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and street scene.

Reasons

5. 206 Lavender Avenue is the upper maisonette within a two-storey residential property, at the end of a short terraced block of four similar pairs. Its corner location means that it has a relationship with the street scene of Western Road and Mount Road as well as Lavender Avenue. The block has a pitched tiled roof which is hipped at each end, while each pair of maisonettes has bay windows at ground floor level with pitched roofs which also act as a covered porch for the front doors. These features combine to give the block a strong sense of order and symmetry. To the rear two-storey outriggers project from the main block,

with pitched tiled roofs rising to a lower ridge height than the main roof. Several similar blocks repeat eastwards along the same side of Lavender Avenue. The wider area is largely residential and although there are a variety of ages and styles of building, in general homes are arranged in a way which uses repetition or symmetry to give an orderly look and feel to the area. The appeal property is not listed, nor does it lie within a conservation area.

6. The proposed development would add new roof lights to the front roof slope, convert the existing hip roof to a gable, and add a new dormer extension to the rear roof slope.
7. The front roof lights would be discreet and, taken on their own, would not be detrimental either to the appearance of the host building or the street scene. However, the hip to gable conversion required to facilitate this would accentuate the prominence of the host property by substantially increasing its roof massing. It would also undermine the balanced appearance of the whole block as described above and, in so doing, I find it would cause considerable harm to the character and appearance of the host property, the terraced block within which it sits, and the street scene along Lavender Avenue.
8. The proposed rear dormer would be set slightly below the main roof ridge and up from the eaves line, and be separated by a small amount from both the new gable end wall and the common boundary wall with the neighbouring property at Nos 200/202. It would occupy almost the whole of the extended rear roof slope above No 206, and would straddle the perpendicular pitched roof of the rear outrigger. It would therefore add significant bulk to No 206 at roof level. It is proposed that the dormer would be clad in tiles to match the existing roof, its windows designed with an appropriate solid-to-void ratio and aligned as far as possible with those below. In spite of these details, because of both its scale and overall appearance the dormer would be an incongruous addition to the host property and the block as a whole.
9. The proposed dormer and gable to No 206 would be screened to some extent in distant views along Western Road to the south by the trees along the boundary of Liberty Primary School and within the garden of School House at 184 Western Road. However, from closer range on Western Road views of the rear of the appeal property open up considerably – the full extent of the dormer would be prominent in and dominate this part of the street scene. The gable end and dormer cheeks would also be prominent in views both along Mount Road and at its junction with Western Road. The combined effect of the gable and dormer would be to make an incongruous feature dominant in short and medium distance views of the appeal property. I therefore find that the proposal would cause considerable harm to the character and appearance of the surrounding area.
10. Some examples of other gable roof ends in the wider area have been brought to my attention – although none within the block of the appeal property – but these are not generally comparable to that proposed in this case. Those in the newer housing on the north side of Lavender Avenue and Western Road, including some three-storey blocks, have their visual impact softened significantly by being half-hipped. Those on the other side of Western Road from the appeal property, including along Mount Road, are part of front bays and so present a different character and contribution to the street scape. Those of the housing development further along Lavender Avenue are generally

slightly smaller and in much less prominent positions than that proposed in this case. In any event, I have considered this proposal on its own merits.

11. For these reasons I conclude that the proposed development would be harmful to the character and appearance of both the host dwelling and the street scene of the wider area, along Lavender Avenue, Western Road and Mount Road. Consequently, it would conflict with Policy CS14 of the Merton Core Strategy (adopted in July 2011) and with Policies DMD2 and DMD3 of the Merton Sites and Policies Plan (adopted in July 2014). Taken together these policies seek to improve overall design standards in the borough, to ensure that new developments respond positively and appropriately to the rhythm, scale and massing of surrounding areas, and to ensure that extensions to existing dwellings are not unduly dominant and respect the prevailing positive characteristics of the area. For the same reasons the proposal would conflict with Policies 7.4 and 7.6 of the London Plan (adopted March 2016) which seek to protect and enhance local character and to encourage high quality architecture and design, as well as the February 2019 National Planning Policy Framework (the Framework), in particular paragraphs 127 and 130, which seek to achieve well-designed places.

Other matters

12. As the appeal property is a maisonette it does not have permitted development rights allowing extensions of the type proposed in this case to be carried out without planning permission. I accept that developments of this type may be allowed by government policy in other situations, but as the proposal here would increase the size of the host property by more than the threshold for permitted development, this is something of an academic argument however it is approached. Again, I have considered the appeal on the basis of the evidence and information in front of me.
13. The appellant has referred to the provisions of paragraph 11 of the Framework, but I have no information which suggests that this is a consideration to be given any significant weight in this case. As described above, I find that the appeal proposal does not accord with the relevant development plan policies. Although the Council is currently preparing a new Local Plan, I have no evidence before me which suggests the existing relevant policies referred to above should be considered out of date.
14. Other provisions of the Framework referring to good design and making efficient use of land have also been cited in support of the appeal. In respect of design, I have already addressed paragraphs 127 and 130 above. None of the evidence before me suggests that the proposed development would meet either the 'outstanding' or 'innovative' criteria of paragraph 131. As regards making effective use of land, I have not been presented with any information which persuades me that the maisonette use in its current form either under-utilises the land (Framework paragraph 118) or represents an inappropriately low density or inefficient use of land for its suburban location (Framework paragraph 123). I have addressed issues relating to improving the environment (Framework paragraph 117), and maintaining an area's prevailing character and setting, and securing well-designed, attractive places (Framework paragraph 122) under the main issue above.
15. I accept that there would be some private benefit to the householder from being able to extend the property in the manner proposed, that the site is in a

location which has reasonably good access to local community, commercial, educational and transport services, and I also recognise that no neighbour objections to the proposal were forthcoming. However, none of these factors is sufficient, either alone or in combination, to outweigh the significant harm to the character and appearance of the appeal property and the wider street scene which I have identified.

16. Finally, the appellant raised in their statement a number of concerns about the information contained within the Council's decision notice. These are unrelated to the planning merits of the proposal, and have had no bearing on my determination of the appeal. These matters are dealt with in the separate costs decision related to this appeal.

Conclusion

17. For the reasons given above, and taking into account all other relevant matters raised, I conclude that the appeal should be dismissed.

M Cryan

Inspector