



Appeal Decision

Site visit made on 1 July 2019

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/T5720/W/19/3226515

118 Haydons Road, South Wimbledon, London SW19 1AW

- 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 M Timor against the decision of the Council of the London Borough of Merton.
The application Ref 18/P4218 dated 10 November 2018, was refused by notice dated 3 January 2019.
 - The development proposed is described as demolition of existing store/wc at rear of the property to be replaced by a two storey store, wc and office space.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has drawn my attention to discrepancies between the plans submitted. I am satisfied that I understand the proposal and whilst there are discrepancies between the plans due to my conclusion on the proposed development, I have not requested revised plans.

Main Issues

3. The main issues in this appeal are the effect of the development on (i) the character and appearance of the area; and (ii) the living conditions of occupants of 116 Haydons Road.

Reasons

Character and Appearance

4. The proposed development would be located within the rear yard of 118 Haydons Road. The proposal would replace a single storey outbuilding with a two storey building. There are a number of large extensions on neighbouring properties.
5. The proposed elevations detail that a single storey element which appears to link to 118A Haydons Road would be an intervening structure between the host building and the proposed development. The floor plans detail the proposed development in part would extend at two storey up to the rear of 118A Haydons Road, wrapping around the single storey element.

6. Notwithstanding this discrepancy plans both scenarios would result in large, bulky buildings which due to position, mass and height would not be subordinate to the main building. The proposed development would be dominant and out of keeping with the area. The use of sympathetic materials would not satisfactorily assimilate the proposal into the area.
7. I therefore conclude that the proposed development would harm the character and appearance of the area. There is no conflict with Policy CS14 of the London Borough of Merton, LDF Core Planning Strategy (2011) (the Core Strategy) and Policies DM D2 and DM D3 of Part of Merton's Local Plan, Sites and Policies Plan and Policies Map (2014) (the Local Plan) which amongst other things require developments to relate positively and appropriately to the local context and original buildings.
8. My attention has been drawn to approved developments by the appellant, however the details provided are not comparable to the proposed development. Kings Road and Cochrane Road detail developments extending from the rear elevation of a building, the proposed development is for a replacement building at the rear of a yard, separate from the host building. I note that Kings Road includes a detached single storey outbuilding, however this is not similar to the proposed development in terms of scale and site-specific constraints. Substantive details have not been provided for the approved developments at New Close and Blenheim Road to allow me to compare the approved developments to that of the appeal proposal. Notwithstanding this each proposal must be considered on its individual merits, and that has been the basis of my assessment in respect of this proposal.

Living conditions

9. No. 116 Haydons Road is a residential property which shares a boundary with the appeal site. The existing single storey building proposed for replacement on the appeal site has a flat roof and is set off the shared boundary. The existing building is relatively unobtrusive to the neighbouring property and screened to a degree by a high boundary fence.
10. To the rear of No. 116 is private amenity space serving the property, which is bounded to the south by an existing large part two storey/part single storey extension with roof terrace. There is an existing sense of enclosure due to the relationship with the existing adjacent extensions.
11. A small area to the rear of 118 Haydons Road would not be developed, notwithstanding this given the proximity of the works to the shared boundary and the constraints of the area the proposed development would be oppressive for the occupants of the neighbouring property No. 116. The proposed development would exacerbate the sense of enclosure which would be overbearing to the occupants of the adjacent property.
12. I conclude that the proposed development would harm the living conditions of occupants of 116 Haydons Road. There is conflict with Policies DM D2 and DM D3 of the Local Plan which amongst other things seek to protect living conditions of the occupants of neighbouring properties.
13. The first reason for refusal contends that there would be conflict with Policy CS14 of the Core Strategy in terms of the adverse effect the proposed development would have on 116 Haydons Road. However, this policy relates to

how a development should be designed to contribute to the function and character of the borough, it does not relate to the protection of living conditions of occupants of neighbouring properties.

Other Matters

14. The existing single storey building proposed for replacement is in a poor condition and whilst replacement of the structure would benefit the site visually this does not outweigh the harm I have identified in relation to the character and appearance of the area and the living conditions of occupants of 116 Haydons Road.

Conclusion

15. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR