
Appeal Decision

Site visit made on 23 July 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2019

Appeal Ref: APP/T5720/D/19/3229185

2 Orchard Close, Raynes Park, London SW20 9HU

- 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 Andre Fagan against the decision of the Council of the London Borough of Merton.
 - The application Ref 19/P0658, dated 6 February 2019, was refused by notice dated 10 April 2019.
 - The development proposed is described as loft conversion requiring new dormer window to rear elevation of existing house, internal works require new staircase and installation of new bathroom.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council's decision notice includes an informative referring to their approach to discussions with developers on planning matters. Confusingly, this has (presumably) been misplaced under the 'Reasons for Refusal' section on the decision notice. On reading the officer report, it is clear to me that this was not intended to be a reason for refusal. The appellant has also provided commentary on discussions that took place in advance of the decision being made and it is evident that they feel frustrated at the process. These matters are not however pertinent to the planning merits of the appeal proposal nor is it my place to comment on them. I have determined the appeal on the basis of the main issue as outlined.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

4. The appeal property is a two-storey end of terrace property. It is situated in a residential area and is accessed from a cul-de-sac formed of two terraces of six properties each. The dwelling is located at the corner of the entrance to the cul-de-sac and is visible from the main road. Many properties in the area have been altered or extended, with a number of them having dormer windows installed. The surrounding area has a wide variety of residential architectural styles.

5. The proposed dormer window is located on the rear elevation of the property. The development would be highly visible to pedestrians and vehicular traffic on Grand Drive. The proposed dormer window would be made from dark grey powder coated aluminium and includes full height doors and glazing panels. The dormer window would be set back from the boundary with the roof of the neighbouring property and would not project beyond the ridge or the hip of the roof of the appeal property. A minimal set back from the eaves of the roof is incorporated.
6. The proposed dormer window does not follow the fenestration of the first floor which is broken into three windows, nor are any of the features of these windows, in relation to their size or glazing style, incorporated into the proposal. The design is clearly intended to take a different style from the appearance of the main dwelling.
7. In relation to the scale, form and bulk of the proposed dormer window, it would unreasonably dominate the roofscape and the rear elevation of the property to the extent that the appearance of the dwelling would be harmed. The lack of a sufficient set-back from the eaves results in the dormer window appearing as a continuation of the rear elevation to a second floor, rather than a roof alteration. It would appear excessive and prominent when viewed from the street.
8. In relation to the design of the dormer window, the use of full height doors and glazing at the roof-level would be out of character with the host property. The design approach is strikingly different to that of the host dwelling and creates a stark contrast with the traditional residential character of the dwelling which causes harm to its appearance.
9. A well-designed dormer window may successfully use materials that are not prevalent in the host building. However, in this instance, I find that, combined with the size of the dormer, the amount of powder coated aluminium, in the context of the siting and existing roof materials, would result in the proposal appearing incongruous and out of character with the host property.
10. The proposed dormer window would therefore have an unacceptable impact on the character and appearance of the host property and the surrounding area and be contrary to Policies DMD2 and DMD3 of the Sites and Policies Plan and Policies Map (Part of Merton's Local Plan) (adopted July 2014). These policies seek, amongst other things, to secure high-quality design, and in relation to dormer windows, that they are of a size and design that respects the character and proportions of the original building and surrounding context, and do not dominate the existing roof profile. The proposal would also be contrary to the design objectives of Policy CS14 of the London Borough of Merton LDF Core Planning Strategy (adopted July 2011) and Policies 7.4 and 7.6 of the London Plan (adopted March 2016).

Other Matters

11. The appellant outlines that the proposed dormer has been designed to be modern in appearance and sustainable in its design and materials. I do not doubt that a modern approach has been adopted and that sustainability has been a factor in the design and materials proposed, however these matters override the harm I have identified with the proposal.

12. My attention has been drawn to a number of other dormer windows in the surrounding area. I do not have full details in relation to the planning background of these installations. In any event, some of those that I saw served to confirm that poorly designed dormer windows do harm the character and appearance of the host property and the surrounding area. Although I have had regard to their presence, I have considered the appeal proposal on its individual merits.
13. The appellant has referred to the well-known 'Headington Shark' case in support of their appeal. Whilst the full details of the case have not been submitted, there is little similarity between that and the appeal proposal. Again, in any event, I have considered the appeal proposal on its individual merits.

Conclusion

14. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR