



Appeal Decision

Site visit made on 7 August 2019

by Michael Wood RIBA

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2019

Appeal Ref: APP/T5720/D/19/3222453

4 Benedict Road, Mitcham, CR4 3BQ

- 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 Asif Ahmad Naqvi against the London Borough of Merton Council.
 - The application Ref 18/P3472 dated 13 September 2018 was refused by notice dated 22 November 2018.
 - The development proposed is the construction of part single storey, part two storey rear and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of part single storey, part two storey rear and side extension at 4 Benedict Road, Mitcham, CR4 3BQ in accordance with the terms of the application Ref 18/P3472 dated 13 September 2018, subject to the conditions contained in the attached Schedule.

Main Issues

1. The main issues are, firstly; the effect of the development on the character and appearance of the host dwelling and the area within which the application site is located and, secondly; the effect of the proposal on the living conditions of the occupiers of neighbouring properties.

Reasons

Character and appearance

2. The Appellant seeks permission to further extend the rear of a house facing Belgrave Walk beyond the size approved but not yet implemented under permission Ref 18/P1303. The Council argues that this would be unduly prominent and intrusive with a detrimental effect on the character of the host dwelling.
3. The appeal property is in an area of mixed character and variety. There are nearby housing developments of two and three storeys. The host property is within a group of traditional, brick built and largely semi-detached properties on long narrow plots.
4. The footprint of the proposal is the same as the previously permitted scheme. It is at first floor level where the proposal is increased in size. There are two enlargements and additional window insertions to the east elevation and some adjustments to the fenestration in the north elevation.

5. The appearance of the extension, from the Belgrave Walk, would be subservient both to the host property and to the attached No 5 Benedict Road where the outrigger has been extended upwards by an additional storey. There are a number of varying roof shapes and pitches in the vicinity and, in this context, the appearance of the proposal would be visually acceptable. The proposal would be in character with the immediate area, which already has a variety of extensions to existing houses and would not be unduly prominent or intrusive in the streetscene. It would respond positively and appropriately to local context in terms of form, detailing and materials.
6. I note that the design of the extension has been simplified from the previous approval by the introduction of a consistent detail to the new roof edges. This detailing would reduce the bulkiness and prominent form of the extension and would complement and enhance the character of the group of houses in which it is located. The development is in accordance with the objectives of policy CS 14 of the Merton LDF Core Planning Strategy of 2011 which seeks to improve Merton's overall design standards and to provide functional spaces and buildings with adequate internal amenity. I conclude that the development would be in accordance with policies DM D2 and DM D3 of the Merton Sites and Policies Plan of 2014 (the Sites and Policies Plan) which seek a high quality of design and enhancement to the character of the wider setting and with policies 7.4 and 7.6 of the London Plan of 2016 which encourages new buildings which would have regard to local character and local context.

Living Conditions

7. There have been objections on behalf of the owner of No 3 Benedict Road that concern overlooking, loss of light and overshadowing. There are access spaces to each side of the shared boundary with No 3 and I was able to assess on site that the rearward extension would result in only marginal loss of loss of light and no significant overshadowing. The Council have indicated that obscured glazing and opening height restrictions would make the window openings to the side elevations acceptable.
8. The extension at first floor level would be set back from the rear of No 5 Benedict Road by approximately 4 metres. I found that, in common with all of the nearby houses, No 5 Benedict Road has a relatively open aspect to the rear over its garden and across a broad swath of land at Belgrave Walk and that there would not be undue shading and loss of light. I conclude that the proposal would accord with Policy DM D2 of the Sites and Policies Plan.

Conditions

9. The conditions reflect those suggested by the Council which have been amended in the interests of clarity and precision.
Conditions 1) and 2) are for the avoidance of doubt.
Condition 3) is to ensure the satisfactory appearance of the development.
Condition 4) and 5) is to safeguard amenity of neighbours.

Conclusion

10. For the above reasons the appeal should be allowed.

Michael Wood

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be begun not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1; 4A; 5; 6; and 7.
- 3) The facing materials used in the development hereby permitted shall match those of the existing building in materials, style, colour, texture and, in the case of brickwork, bonding, coursing and pointing.
- 4) The extension hereby approved shall not be occupied until the first floor window on the north east elevation has been fitted with obscure glazing, and no part of the window that is less than 1.7m above the floor of the room in which it is installed is capable of being opened. Details of the type of obscure glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscure glazing shall be retained thereafter.
- 5) No demolition or construction work or construction related dispatches from or deliveries to the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday, 08.00 to 13.00 hours on Saturdays and no construction works, collection or deliveries shall take place on Sundays, Bank or Public Holidays.