



Appeal Decision

Site visit made on 22 October 2019

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th October 2019

Appeal Ref: APP/T5720/W/19/3231973

173a St Helier Avenue, Morden SM4 6JE

- 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 Stuart Nelhams against the decision of the Council of the London Borough of Merton.
 - The application Ref 19/P0392, dated 17 January 2019, was refused by notice dated 3 April 2019.
 - The development proposed is described as: 'Conversion of roof void with rear facing dormer structure to create additional bedroom and en-suite bathroom, with internal alterations to create stairwell. Dormer is 23.4 m2 in volume, set inside gable wall, not projecting beyond the eaves line and no higher than the existing roof. For a typical domestic dwelling, this would be permitted development'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. For clarity, I have taken the name of the appellant from the appeal form as it is more precise.

Main Issue

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

Reasons

4. The host property is a first-floor apartment / flat, located at the end of a row of a 2-storey terrace of dwellings. The host property is constructed out of brick with a tiled hipped roof and is located within an area of similar designed properties with hipped roofs, particularly with regard to properties on the same side of the road as the site.
5. Currently a high proportion of properties on St Helier Avenue have hipped roofs present and this makes for a distinctive feature of the street scene, as they are in a location and of sufficient number to have a material effect on the character of the road on which the appeal property is located. This includes the adjacent terraced block to the left of the host property when viewing the site from the front.
6. The appeal scheme, in comparison, by virtue of its size and design, results in a bulky addition that would dominate the roof, failing to appear as a subordinate addition to the host property. Furthermore, due to the proposed gable end and

the rear dormer extending over the extended roof slope, I find that it would be readily visible in the street scene, resulting in a discordant addition to the host property and therefore at odds with the prevailing character of the area. Consequently, there would be a significant adverse effect on the character and appearance of the host property and the surrounding area. It is noted that the facing materials on the side elevations of the dormer would consist of hung tiles and that the appellant would likely use similar brick to that present in the host property to create the gable end. These materials could be controlled through the imposition of a suitably worded condition, but I consider that this would not provide sufficient mitigation against the harmful effect to the form and appearance of the host property that would occur through the proposed development.

7. My attention has been drawn to 2no. properties¹ which are located close to the site and have hip to gable conversions with rear dormer windows. Whilst noting the presence of these extensions, relatively little detail has been provided regarding the particular planning background to these schemes. Without such information a full and detailed comparison between this development and the case before me cannot be drawn except insofar as I was able to observe and assess the site at my visit. In any event, the fact that apparently similar extensions may exist is not a reason, on its own, to allow otherwise unacceptable development.
8. For the above reasons, I therefore conclude that the proposed development would unacceptably harm the character and appearance of the appeal site and the surrounding area. This conflicts with the design, character and appearance aims of Policies DMD2 and DMD3 of the Council's Local Plan, Sites and Policies Plan and Policies Maps 2014, Policy CS14 of the Council's LDF Core Strategy 2011, Policies 7.4 and 7.6 of the London Plan 2016, and the National Planning Policy Framework.

Other Matters

9. I note reference to a failed application² to carry out similar works to the host property as proposed in the case before me, and that the appellant considers himself at an unfair disadvantage due to his property comprising a flat, but on the evidence before me this is not a reason to grant permission in the face of the harm identified.
10. In addition, I note that the Council raises no objections to the proposal in respect of living conditions. However, a lack of harm associated with living conditions is a neutral factor that weighs neither for nor against the development. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

Conclusion

11. For the reason given above, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR

¹ 11 Leominster Walk & 188 St Helier Avenue

² Refusal of Certificate of Lawful Use or Development 18/P3795 dated 6 December 2018