
Appeal Decision

Site visit made on 15 October 2019

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th November 2019

Appeal Ref: APP/T5720/D/19/3234232

319 Durnsford Road, Wimbledon Park, London SW19 8EF

- 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 A Akhlaq against the decision of the Council of the London Borough of Merton.
 - The application Ref 19/P1614, dated 23 April 2019, was refused by notice dated 4 July 2019.
 - The development proposed is the erection of a rear single storey 6 metre extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed extension on the living conditions of the occupiers of 317 and 321 Durnsford Road with particular regard to outlook and (ii) the effect of the proposed extension on the character and appearance of the area.

Reasons

Living Conditions

3. In common with neighbouring dwellings, the rear elevation of the appeal dwelling is at a higher level than the rear garden and there are currently steps down to a raised patio. The development proposed comprises a single storey rear extension together with a raised patio area and steps down to the garden. The extension would be built across the full width of the dwelling to be set on the boundaries with the adjoining dwellings at 317 and 321 Durnsford Road. The rear elevations of Nos. 317 and 321 align with that of the appeal dwelling, and as a consequence the proposed extension would project significantly deeper than these neighbours.
4. Although it would be a single storey with a flat roof, the extension would be raised to enable access from the ground floor level of the host dwelling. It would therefore project substantially higher than the existing boundary treatment to the neighbouring sites. While there are raised patios to the rear of these neighbours, the patio to No. 317 is set down from the ground floor level within the appeal dwelling. In any event, the extension would be of greater depth than the neighbouring patios and as a consequence, it would be of considerable height as viewed from within the neighbouring gardens and would be a dominant and overbearing feature.

5. Furthermore, the height and proximity of the proposed extension to the boundaries, as well as its significant depth beyond the rear of these neighbours, would combine to result in a dominant and visually intrusive feature that would be overbearing to the occupiers of both 317 and 321 Durnsford Road and which would result in a significant enclosing effect to the ground floor windows at their rear. The impact would be particularly notable given that these dwellings are relatively narrow which limits the opportunity for outlook from their rear elevations.
6. The appellant has referred to a consented extension at 321 Durnsford Road. However, I have not been provided with full details of the neighbouring proposal and at the time of my site visit there was no indication of construction work taking place. I have therefore considered the appeal on the basis of the existing circumstances as I cannot be sure that the neighbouring development would be implemented, or any change that would arise to the impact of the appeal proposal on the occupiers of No. 321. Moreover, my concerns in relation to harm to the occupiers of No. 317 would remain.
7. I therefore conclude on this main issue that the proposed development would result in unacceptable harm to the living conditions of the occupiers of 317 and 321 Durnsford Road with particular regard to outlook. This would be contrary to Policy DM D2 of the Sites and Policies Plan and Policies Maps 2014 (SPPPM) which includes requirements that development ensures an appropriate quality of living conditions and that it protects development from visual intrusion so that living conditions are not unduly diminished. The development would also conflict with paragraph 127 of the National Planning Policy Framework which seeks a high standard of amenity for existing and future users of development.

Character and Appearance

8. While neither of the immediate neighbours to the appeal site have been extended, single storey rear extensions of varying designs are evident to the rear of other dwellings nearby. The addition of an extension at the appeal site would not therefore be an incongruous feature. Moreover, the runs of terraces on Durnsford Road are relatively long, and gaps between these are narrow which significantly limits opportunities for views of rear gardens from the street. Given the mid-terrace position of the appeal dwelling, the development would not be readily visible from the street scene of Durnsford Road or public viewpoints, limiting any impact on the character and appearance of the area.
9. The proposed extension would be relatively deep in comparison to the host dwelling. However, given the terraced form of the dwelling and its alignment with neighbouring properties, the comparative depth would not be readily apparent so as to appear excessive or conspicuous. The extension would have a flat roof form which would be set well down from the first floor windows to the rear of the dwelling, and a long garden would be maintained to its rear. As such, the extension would not appear disproportionate or out of scale in relation to the host dwelling or appeal site and overall it would be a subservient addition to the dwelling.
10. I therefore conclude on this main issue that the development would not be harmful to the character and appearance of the area. In this regard it would comply with Policies 7.4 and 7.6 of the London Plan - The Spatial Development Strategy for London Consolidated with Alterations Since 2011, Policy CS 14 of the Core Strategy 2011 and Policies DM D2 and DM D3 of the SPPPM. Together,

these policies seek well-designed proposals that respect and enhance the local character of the area and require, amongst other things, extensions that respect the form, scale, bulk and proportions of buildings.

Other Considerations

11. While I note the appellant's comments that the Council did not discuss the application until the target determination date had passed and that an officer of the Council did not visit the site prior to the issue of the decision, these are not matters which alter my assessment of the planning merits of the proposal.
12. I acknowledge references by the appellant to planning permission and prior approval given for other extensions nearby. However, I have not been provided with full details of these examples to ascertain how the circumstances compare with those which apply in this appeal. I have in any case determined the appeal before me on its own merits.
13. Notwithstanding that the proposed floor plans do not reflect this layout, the appellant has advised that the extension is required to provide accommodation for a family member requiring a bedroom and bathroom at ground floor level. While I have given the appellant's circumstances careful consideration, the proposed development would remain long after the current personal circumstances cease to be material. I therefore find that this factor is not sufficient to outweigh the harm that would be caused to the living conditions of the occupiers of adjoining dwellings and the conflict with the development plan.

Conclusion

14. Although I have found that there would be no harm to the character and appearance of the area, this does not outweigh the harm that I have identified to the living conditions of the occupiers of 317 and 321 Durnsford Road.
15. Accordingly, and for the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR