
Appeal Decision

Site visit made on 15 October 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2019

Appeal Ref: APP/T5720/D/19/3230891

6 Greenoak Way, Wimbledon, London SW19 5EN

- 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 and Mrs S Burgess against the decision of the Council of the London Borough of Merton.
 - The application Ref 19/P0796, dated 19 February 2019, was refused by notice dated 29 April 2019.
 - The development proposed is a single storey detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey detached garage at 6 Greenoak Way, Wimbledon, London SW19 5EN in accordance with the application Ref 19/P0796, dated 19 February 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 scale plan, Block plan at 1:500 scale, 6.GW.GP3.302, 6.GW.GP3.303 and 6.GW.GP3.304.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the main dwelling.
 - 4) The roof area of the garage hereby permitted shall not be used as a roof garden, terrace, patio or similar amenity area.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area and the setting of the Wimbledon North Conservation Area (CA).

Reasons for the Recommendation

4. The appeal property accommodates a large detached dwelling located on the corner of Greenoak Way and Calonne Road. The site's corner position renders it visually prominent in both the Greenoak Way and Calonne Road streetscenes, though long distance views of it from the west are limited by the large dwelling and significant boundary vegetation at the property on the opposite corner of Greenoak Way.
5. Due to the angle of the dwelling on the plot, a large undeveloped area within the site on the corner of the junction, provides a 'splay'. The proposed garage would be positioned partly within this splay. However, although undeveloped, this splay is well vegetated and though the proposal would result in the loss of some of the vegetation, much of it would be retained. As such open views across the splay are limited. The garage would have a crown roof design which limits its height. It would provide a gradual transition of built form on the site reducing in height as the buildings reach towards the corner of the site.
6. When seen from Greenoak Way, the development would project into the undeveloped splay. However, due to its modest height, particularly in the context of other built form nearby, and when seen against the backdrop of the bushes and the boundary railings and pillars along the Calonne Road frontage, it is not considered that it would appear excessively prominent from here.
7. Furthermore, due to the modest height of the building combined with the slightly lower land level on the site compared to that of Calonne Road, and the softening effect of the planting, its effect on the Calonne Road street scene would be limited. It is acknowledged that in winter this planting would not provide as dense a screen as in summer, and even in summer the garage may not be completely hidden. Nonetheless its presence in the street scene would not be harmful.
8. There is concern that it would project beyond a building line on Calonne Road. The line suggested is derived from the positions of the neighbouring property at Langholm Cottage and its neighbours to the east. Though No 6 currently respects this line, I do not consider it actively contributes to it as the house faces Greenoak Way. Also the dwelling on the opposite corner of Greenoak Way does not respect this building line and so, overall, I do not consider the building line to be a strong characteristic of the immediate area. In any case the garage's projection beyond such a line would not be significant.
9. There is an existing gap between the appeal property and the neighbouring property on Calonne Road, Langholm Cottage, which is most apparent when directly in front of the properties. The gap adds a degree of spaciousness between the two dwellings allowing views of mature landscaping in the gardens at the rear of the properties. A previous proposal for the site involved a garage extension would have blocked this gap and was dismissed at appeal accordingly. The proposal before me however is distinctly different to that as it maintains a gap of around 3m between the two dwellings and is of a much lower height.
10. The appeal property and neighbouring property, Langholm Cottage, are not located in the CA, but are immediately adjacent to its boundary which runs along Calonne Road and to the east of Langholm Cottage. The CA is characterised by large detached dwellings set within spacious plots and verdant

gardens. Generally, there are open areas or gaps between the properties in the CA and in this regard the retained gap between the appeal property and Langholm Cottage, and the sustained verdant nature of the site, will continue to have a positive effect on the setting of the CA.

11. On the basis of the above, the proposal would comply with Policy DM D2 and DM D4 of the Sites and Policies Plan and Policies Maps (2014), Policy CS14 of the LDF Core Planning Strategy (July 2011) and Policy 7.4, 7.6 and 7.8 of the London Plan (2016) which all seek, amongst other things, to ensure development respects, reinforces and enhances local character and heritage assets.

Other Matters

12. Concerns have been raised from a neighbour that the development would merely increase the living accommodation on site and that this could lead to increased noise and disturbance being caused to them. I have no substantive evidence before me to demonstrate this would be the case nor that the development would result in harm, in any other respect, to the living conditions of the neighbouring occupier.
13. Also concern is raised that the proposal would result in an overdevelopment of the site in combination with previous extensions to the dwelling, or may lead to even more development. However, there is no arbitrary limit on the quantum of development at a property providing that it is not harmful in planning terms. As I have found no material harm in this case, there is no reason why planning permission should be withheld.

Conditions

14. I have considered the conditions suggested by the Council against the advice in the National Planning Policy Framework and the Planning Practise Guidance. I have imposed the standard conditions relating to the commencement of the development and the approved plans, in the interest of certainty. I have also included the condition requiring the materials match those of the main dwelling in order to maintain the character and appearance of the area, and a condition preventing the use of the roof for recreational purposes to protect the privacy of neighbouring occupiers.
15. I have not imposed the suggested condition preventing the insertion of further windows and doors as I do not consider that the provision of such features could affect the privacy of the neighbours given the solid common boundary.

Conclusion and Recommendation

16. For the above reasons, and having had regard to all other matters raised, I recommend that the appeal is allowed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR