The Planning Inspectorate

Appeal Decision

Site visit made on 3 February 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2020

Appeal Ref: APP/T5720/D/19/3237109
150 Melrose Avenue, Wimbledon Park, London SW19 8AX

- 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 George Wilcox against the decision of the Council of the London Borough of Merton.
- The application Ref 19/P1079, dated 7 March 2019, was refused by notice dated 21 June 2019.
- The development proposed is demolition of the existing side garage and replacement with a two-storey side extension plus internal alterations.

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing side garage and replacement with a two-storey side extension plus internal alterations at 150 Melrose Avenue, Wimbledon Park, London SW19 8AX in accordance with the terms of the application Ref: 19/P1079, dated 7 March 2019 subject to the following conditions:

   1) The development hereby permitted shall begin 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 plan; Proposed Plan Layouts, Elevations & Section, Drawing Number BD657.PL01.01.

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

   4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows, doors or other opening other than those expressly authorised by this permission shall be constructed in the north side facing elevation without planning permission first being obtained from the Local Planning Authority.

Main Issues

2. The main issues are the effect of the proposed development on 1) the character and appearance of the surrounding area and 2) the living conditions of the occupants of 135, 137 and 139 Revelstoke Road.

Reasons

Character and appearance

3. The appeal property is a two-storey end of terrace dwelling house. It is situated in a predominantly residential area that is largely made up of two-storey terraced properties. The appeal property has an existing attached single storey garage.

4. The proposed extension would be broadly sited on the same footprint as the existing garage which would be demolished. It would be two-storeys in height and due to the triangular shape of this part of the site it would taper towards the rear of the property.

5. Melrose Avenue is made up of a variety of styles of terraced properties. Many properties have been altered through rear extensions and roof alterations. Side extensions are uncommon, however this appears to be due to the terraced nature of the properties and the lack of available space at the side of end terraces.

6. The Council consider that the proposal would be large in scale and combined with its width, and ridge being set down from the main ridge, would make the dwelling overall appear disproportioned. I find that the proposal, due to its height being set below the ridge of the property and its width being no greater than the existing garage, would not be large in scale to the extent it would dominate the dwelling or appear disproportionate. The width of the extension, when compared to that of the host dwelling, would sit comfortably with it.

7. I do not find that the shape of the site and the resulting shape of the extension would lead to it being any more prominent. The building-line and angle of the roof slope would be consistent with that of the host dwelling. Whilst the form of the extension would be relatively exclusive in the street, I do not find that it would cause harm overall for this reason given that its design would be compatible with the host dwelling in terms of materials, window design and its pitched roof.

8. The Council consider that the street displays a sense of uniformity and rhythm, which they see as positive aspects of its appearance. I find that such uniformity and rhythm is predominantly confined to the terraced nature of the layout of similar sized properties rather than a continuous appearance as such. Whilst the extension would depart from the uniformity and rhythm, given that side extensions are rare, it would not include bay windows and it would be at a lower ridge level, I do not find that harm would be caused for these reasons. I find that the uniformity and rhythm that does exist would not be unreasonably harmed by the proposal which in the context of the whole terrace would be a relatively minor addition.

9. The Council comment on the apparent consistency in the use of materials adding to the distinctive character of the area. I do not wholly agree. I observed that dwellings were faced in brick, render, or pebbledash with a variation in roof tiles. A condition could be imposed to require the use of materials to match those of the host dwelling in the interests of character and appearance.

10. The Council consider that the proposal, set at a different height, would interrupt an otherwise consistent ridgeline. I find that, whilst the ridge would

be at a lower level, as the extension would be positioned at the end of the terrace it would not be overly disruptive to any established rhythm. The lower ridge of the proposal reflects the fact that it would form an extension to the property, subordinate and not dominant. I do not find that the lower ridge of the extension would cause harm to the street-scene.

11. I find that contrary to the Councils view, the extension would fit neatly on the side of the property without dominating the property or harmfully disrupting the terrace overall. Its design and materials would reflect that of the host dwelling. For these reasons, it would not appear incongruous.

12. The proposal would therefore not be harmful to the character and appearance of the surrounding area and would comply with Policy CS14 of the London Borough of Merton Core Strategy (2011) and Policies DM D2 and DM D3 of the Merton Sites and Policies Plan and Policies Map (2014). Collectively, these policies seek to ensure that new development, amongst other things, achieves high quality sustainable design, relates positively and appropriately to the siting, rhythm, scale, proportions, height, materials and massing of surrounding buildings and existing street patterns. For alterations and extensions to existing buildings, these policies seek to ensure, amongst other things that development: respects and complements the design and detailing of the original building; respects the form, scale, bulk, and proportions of the original building; uses external materials that will be appropriate to the original building and to its surroundings; and, ensures that roof forms and materials are of an appropriate size, type, form and materials for the existing building, such that they are not unduly dominant, and respect the prevailing positive characteristics of the area.

13. The proposal would also comply with Policies 7.4 and 7.6 of The London Plan (2016) which seek to ensure, amongst other things, that the design of new development should enhance the character of the area and be of high-quality design.

Living conditions

14. The Council consider that, in relation to living conditions, the proposal would be unneighbourly and represent a form of visual intrusion for the occupants of 135, 137 and 139 Revelstoke Road.

15. The extension would be sited approximately 10m from the rear windows of the aforementioned properties on Revelstoke Road. Occupants of those properties would look onto the side/gable elevation of the extension, which would be two-storeys in height. The Council consider that this would be an unneighbourly and visually intrusive form of development.

16. The appellant has drawn my attention to similar arrangements in the locality where the side/gable elevation of end terrace properties face onto the rear of the perpendicular terrace at a similar distance, or less than, the current proposal.

17. I find that the distance that would be maintained between the extension and the rear of the residential properties on Revelstoke Road, combined with the height and scale of the proposal, would be such that it would not result in an unreasonable impact in terms of visual intrusion. It would be consistent with

the separation that exists in the surrounding area and as I find that it would not cause unreasonable harm, it would not be unneighbourly.

18. I therefore find that the proposal would not have an unacceptable impact on the living conditions of the occupants of 135, 137 and 139 Revelstoke Road. It would comply with Policy DM D3 of the Merton Sites and Policies Plan and Policies Map (2014) which seek to ensure, amongst other things, that extensions and alterations to buildings do not diminish the living conditions of residents in relation to visual disturbance resulting from the development.

Other Matters

19. I note objection was received in relation to the intrusion of natural daylight and sunlight to surrounding residential properties. On this matter, the appellant submitted a sunlight assessment which shows that the development would not have any unduly detrimental effect on neighbouring properties. The Council accepted these findings and I do not have any evidence before me to the contrary, additionally these matters are not pertinent to the main issues.

20. Objection was received on the basis that the proposal would be over-development of the site. I find that the proposal which would be largely positioned on the site of the existing garage and within the front and rear building lines of the existing property, would not represent overdevelopment.

21. Objection was received in relation to the overshadowing of the rear gardens to Revelstoke Road properties that would be caused by the proposal. Residential extensions in dense urban areas such as the appeal site seldom occur without some element of overshadowing. I find that in this instance, as demonstrated in the sunlight assessment, that the small increase in overshadowing that would occur as a result of the proposal would not be across the whole day and would not be unreasonable in its extent.

22. Objection was also received on the basis that granting planning permission for the proposal could set an undesirable precedent for future similar developments in the area. Each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not justify withholding permission in this case. Given that I have concluded that the proposal would be acceptable, I can see no reason why it would lead to harmful developments on other sites in the area.

23. Reference is also made in relation to a preference for roof extensions to be carried out to such properties in the area rather than side extensions. I find that this is likely to be the case due to the confines of terraced properties, and in any event the appeal must be considered on the basis of the proposal before me, rather than the existence of a preferred alternative.

Conditions

24. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, this is in the interest of certainty. In the interests of the character and appearance of the area and the host property, it is necessary to impose a condition requiring the use of matching materials.

25. The Council have also requested a condition removing permitted development rights that would allow windows, doors or any other opening to be formed in

the north side facing elevation. This is in the interests of protecting surrounding neighbouring amenity. I consider that such a condition is necessary to protect the living conditions of occupants of surrounding properties and is therefore imposed.

Conclusion

26. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should succeed.

A M Nilsson

INSPECTOR