

Appeal Decision

Site visit made on 19 October 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th November 2020.

Appeal Ref: APP/T5720/D/20/3255869

19A Russell Road, Wimbledon, London SW19 1QN

- 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 Grant Lester of Showcase Media against the decision of the Council of the London Borough of Merton.
 - The application Ref 20/P0299, dated 15 January 2020, was refused by notice dated 4 June 2020.
 - The development proposed is erection of a two-storey extension to form a three-bedroom dwelling house.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Grant Lester of Showcase Media against the Council of the London Borough of Merton. This application is the subject of a separate Decision.

Procedural Matter

3. I have used the description of development in the appellant's appeal form in the banner heading above. This provides a more concise description compared to that used in the application form, while also accurately describing the development proposed.

Main Issues

4. The main issues of the appeal are:
 - the effect of the proposed development on the living conditions of the occupiers of No 19B Russell Road, with particular reference to outlook;
 - whether future occupiers would be likely to experience acceptable living conditions in terms of external amenity space provision; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

Living Conditions of No 19B Russell Road

5. The appeal property is one of five adjoining single storey dwellings contained within a former church building. The adjoining dwelling to the west, No 19B

Russell Road (No 19B) has a shallow rear garden that faces the flank elevation of No 23 Russell Road (No 23), which rises above the common boundary. The flank wall is taller where it faces the rear of the appeal site but, where it faces No 19B's rear garden it reduces in height while being stepped away from the boundary affording this neighbouring garden some relief and a reasonable outlook for its occupiers.

6. The height of the proposed development would be 8.4m and this would project substantially above the existing roof line of the appeal building, while also looming ominously over the garden area of No 19B. From this external neighbouring garden area, the physical proximity of the blank rear wall of the proposed development, would appear blunt and imposing. This would result in No 19B's rear garden being unacceptably enclosed, while having a dispiriting effect upon neighbouring occupiers using the space to the detriment of their living conditions.
7. The fact that the occupier of No 19B has not submitted any representations in respect of the proposal's effect on outlook does not alter my concerns, nor does it overcome the harm I have identified.
8. A daylight and sunlight assessment submitted by the appellant concludes that the proposed development would not harm the living conditions of neighbouring occupiers. Furthermore, the appellant does not consider there would be a loss of outlook from within neighbouring dwellings. Be that as it may, the harm I have identified in respect of neighbouring living conditions relates to the loss of outlook to the neighbouring garden area, and the lack of harm in respect of the matters raised by the appellant does not overcome my concerns.
9. The appellant has referred to a neighbouring development recently approved by the Council, which they consider has a similar effect on neighbouring properties as the appeal proposal. However, the appellant refers specifically to the effect on sunlight and daylight, which are matters that are not in dispute in this case.
10. The proposed development, would have a harmful effect on the living conditions of No 19B Russell Road, with particular reference to outlook, and therefore be contrary to Policies DM D2 and DM D3 of the Sites and Policies Plan and Policies Maps, adopted 9 July 2014 (the SSP). These, amongst other matters, require proposals to protect existing development from visual intrusion and ensure they do not diminish the living conditions of existing residents.

External Amenity Space

11. The amount of external private space allocated to the dwelling would be very limited for a 3-bedroom home that might house a family. The dimensions of the proposed amenity area would be restricted in terms of space to the extent that it would lack functionality. Additionally, the narrow configuration, with structures and boundary enclosures in close proximity, would impose a cramped and unappealing amenity area on future occupiers. This would be constrained further by the proposed bike/bin storage areas, that limit the amount of useable and practical space for garden paraphernalia such as tables and chairs. The substandard nature of the proposed amenity space would

therefore adversely affect the living conditions of future residents of the dwelling.

12. Whilst parks and recreation grounds nearby could be used for outdoor amenity purposes, I do not consider these would address the expectations that future residents of a 3-bedroom home would have for an area of private outdoor space.
13. I have been referred to a statistic that one in five household in London does not have a garden. Be that as it may, it does not make the proposed amenity space acceptable in this instance, nor does it overcome my concerns in this respect.
14. I conclude that the proposed external space arrangements would have a harmful effect on the living conditions of future residents in terms of the substandard dimensions. It would therefore fail to accord with Policy DM D2 of the SSP, which requires amongst other matters, that new developments have appropriate provision of outdoor amenity space.

Character and Appearance

15. Located close to the junction with The Broadway, the appeal site is located amongst buildings of varying styles and scale, including the substantial flank elevation of the New Wimbledon Theatre on the opposite side of the street. Pairs of semi-detached dwellings, that differ in their appearance, are located either side of the appeal property. Permission exists to demolish the pair, to the north at Nos 15/17 Russell Road (Nos 15/17) and its replacement with a four-storey apartment block. This would have a contemporary appearance, incorporate large windows, recessed balconies and a distinctive flat roof addition set behind the front roof parapet. This part of Russell Road contrasts with the southern half of the street, which is defined by a more coherent arrangement of dwellings that are largely uniform in terms of their scale, appearance and architectural detailing.
16. The proposed development would be set back from the road and behind the respective building lines of the pairs of semi-detached dwellings at Nos 21/23 and Nos 15/17, and also the approved but un-implemented apartment block. The proposal's position in the street and the narrow gaps it would maintain between the properties either side, including the apartment block, would conceal its sharp upward projection from the existing appeal building and the shallow depth of the proposed extension. Its height would be comparable with No 23 to the south, while incorporating a modern façade and a mansard roof that would not detract from the immediate vicinity's mixed character. Moreover, the host building, while having its single storey appearance changed, would assimilate well in the street without appearing discordant or out of place.
17. Therefore, the proposed development would have an acceptable effect on the character and appearance of the area and comply with Policies DM D2 and DM D3 of the SSP and Policy CS 14 of the London Borough of Merton LDF Core Planning Strategy, adopted July 2011. These, amongst other matters, require proposals to complement and reinforce the character and appearance of the wider setting using appropriate architectural forms and detailing.

Other Matters

18. The proposal would result in an additional family home in the area that would contribute to the mix of housing in the Borough. It would also increase the density of housing which is supported in areas with good public transport connections. Nevertheless, these matters would be at the expense of neighbouring living conditions, while resulting in a poor external amenity area for future residents, and accordingly they do not overcome my concerns.
19. The benefits to No 19B in terms of better sound and thermal insulation would be moderate, yet, these would not outweigh the significant harm I have referred to in the main issues.
20. The Council's officers report refers to the Grade II listed New Wimbledon Theatre located opposite the appeal site. This building's special interest is primarily derived from the four-storey corner tower with copper dome that rises above a colonnaded main entrance, and the historical detailing of its Broadway frontage. The theatre's immediate setting comprises commercial buildings along The Broadway, which have a more reduced height and allow the theatre to display itself prominently in the street. The appeal building would face the Theatre's Russell Road elevation which is primarily faced in brick and has limited historical detailing. The appeal proposal would not be readily seen in context with the ornate corner entrance and the historic detailing of the Broadway frontage; therefore, it would not harm the listed building's setting.

Conclusion

21. I have found that the proposal would not harm the character and appearance of the area. However, it would have a harmful effect on the outlook of neighbouring occupiers at No 19B and provide inadequate external amenity space for future residents. Accordingly, for the reasons given above and taking into account the other matters raised, I conclude that the appeal should be dismissed.

R. E. Jones

INSPECTOR