



Appeal Decision

Site visit made on 1 December 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th December 2020

Appeal Ref: APP/T5720/W/20/3247342

219 Manor Road, Mitcham CR4 1JH

- 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 Amin against the decision of the Council of the London Borough of Merton.
 - The application Ref 19/P2163, dated 28 May 2019, was refused by notice dated 6 November 2019.
 - The development proposed is described as 'demolition of the existing rear garage and stores and the construction of a rear extension to the existing retail unit and 2x new 2 storey, 2 bedroom, 3 person dwellings with associated amenity, parking areas and refuse stores'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the banner heading above is taken from the planning application form, although I note it has been expressed differently including on the appeal form and the Council's decision notice.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of the existing dwelling on the appeal site with particular regard to outlook.

Reasons

Character and Appearance

4. The appeal site is located at a crossroads and includes an end-of-terrace building fronting Manor Road, together with land to its rear and side which runs along Rowan Road. There are a mix of projections to the sides of buildings around this junction, and the street scene of Rowan Road includes some outbuildings and the sides of dwellings which front joining streets. These contribute some variety including in the positioning of built form around the site. Nevertheless, along Rowan Road there remains a distinctive sense of uniformity overall which results from the prevalent terraced dwellings fronting the street which are of similar appearance and arranged on strong building lines behind gardens.
5. The single-storey extension to the side and rear of 219 Manor Road would be set back from the front of the host building and would be of fairly modest scale.

Given also similar single-storey projections to other buildings around this junction, I am satisfied that this element would sit comfortably on the site.

6. The appellant advises that the dwellings proposed to the rear part of the site fronting Rowan Road have been designed to appear as single storey plus roof. Be that as it may, from their overall scale and the design and arrangement of fenestration, I consider that they would be read clearly as dwellings fronting the street. As a result, they would not be comparable to instances of buildings set on streets joining Rowan Road or examples of outbuildings. Instead, they would have a much stronger relationship and visual connection with the dwellings fronting the street which characterise Rowan Road.
7. The minimal separation between the front of the dwellings and the boundary of the site with Rowan Road means that they would project significantly forward of the side of No 219 in a prominent location visible from both Rowan Road and Manor Road. Notwithstanding some variation in the overall building line, the dwellings would be set noticeably closer to the pavement than others fronting Rowan Road. This would be uncharacteristic, and I find that the development would relate poorly to its surroundings as a result.
8. The lack of space to the front of the dwellings would further deprive them of a suitable setting, and their somewhat elongated footprint would also fill much of the width of the site frontage to Rowan Road. Irrespective of the external materials, the inclusion of large flat roof sections would further add significant bulk to the dwellings, and despite the intervening sloping section of roof, the nearest dwelling would still be very close to the host building. Taken together, these factors would cause the dwellings to appear oversized and cramped on the site. There would be some increase in openness through removal of existing fencing closest to Manor Road, but this would affect only a fairly small part of the site and would do little to offset the visual impact of the proposal as a whole given the much greater scale of the proposed dwellings behind.
9. Moreover, while the fencing indicated along the boundary with Rowan Road would be similar to that already on the site, it would be at odds with the low walls or open frontages which are typical forward of nearby dwellings. There is some variety in the form and appearance of buildings in the vicinity. Even so, the unusual appearance of the dwellings and considerable areas of flat roof would further contrast with the generally sloping roofs of nearby buildings of more than one storey, exacerbating their incongruous nature. Existing and proposed trees would provide some screening, but this would be partial at best, and the discordant relationship of the dwellings with No 219 and the Rowan Road street scene would remain clear.
10. For all of these reasons, the development would be unduly prominent and intrusive in the street scene and would be detrimental to the character and appearance of the area. It would therefore conflict 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 Planning Strategy 2011 and Policy DM D2 of the Sites and Policies Plan 2014 (SPP). Together, these policies broadly require well designed development which relates positively to the surrounding area and which is sympathetic to local character.

Living Conditions

11. The sloping section of roof would provide for greater space between the first-floor window to the appeal building which serves a bedroom, and the upper part of the closest proposed dwelling. However, separation to the flat roof section would still be fairly minimal, and this highest part of the roof would also sit above the level of the top of the existing window. I acknowledge the appellant's comment that the dwellings would only take up around a third of the width of the window, but the differing orientations mean that the window would be angled towards the development, and I find that the dwellings would in reality make up a substantial proportion of views from it.
12. Light to the window may not be harmfully reduced and I note views are currently towards the adjacent road. However, I consider that the height and bulk of the development in such close proximity would be a visually dominant and overbearing feature and would combine to result in a significant loss of outlook. This loss would occur irrespective of the materials used and would not be offset or mitigated by landscaping enhancements or the removal of existing low-level buildings, and would be detrimental to the quality of life of occupiers.
13. I therefore conclude on this main issue that the proposal would unacceptably harm the living conditions of occupiers of the existing dwelling on the site. This would conflict with Policy DM D2 of the SPP which includes a requirement that development ensures quality of living conditions for adjoining buildings.

Other Matters

14. The proposal would result in 2 additional dwellings, but the contribution to the supply of housing locally and to meeting targets for delivery would be fairly limited given the small scale of the development. The removal of existing fencing closest to Manor Road may offer some increased visibility for traffic, but I have not been provided with firm evidence of an existing highway safety issue that would be improved and this limits the weight that I give to this factor. Even taken together, I find that the benefits of the proposal would not outweigh the significant harm that would be caused to the character and appearance of the area and to the living conditions of occupiers of the site.
15. I note the appellant's comments regarding the Council's approach to the planning application including the time taken to receive a decision, conflicting or misleading advice, and a failure to work in a positive and creative way as sought by the National Planning Policy Framework. However, these are not factors which alter my conclusions on the planning merits of the proposal.

Conclusion

16. Although the development would comply with a number of policies within the development plan, it would cause significant harm to the character and appearance of the area and to living conditions for occupiers of the appeal site. I therefore find that the proposal would be contrary to the development plan when it is read as a whole, and there are no material considerations which indicate that a decision contrary to the development plan should be reached. Accordingly, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR