



Appeal Decision

Site visit made on 20 August 2021

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2021

Appeal Ref: APP/T5720/D/21/3274081

27 Blenheim Road, Raynes Park, London SW20 9BA

- 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 Ali Newaz against the decision of London Borough of Merton.
 - The application Ref 21/P0527, dated 03 February 2021, was refused by notice dated 31 March 2021.
 - The development proposed is 'erection of first floor rear extension'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form was amended following submission of the application. The amended description better reflects the development proposed and I have utilised it the purposes of this appeal.
3. The Revised National Planning Policy Framework (the Framework) was published on 20 July 2021. I am satisfied that the equivalent policies in the revised Framework have broadly the same approach as their counterparts, and they do not alter my conclusions on the matter in any case.
4. Building work was taking place at the time of my visit. It was not clear whether those works were to implement the appeal scheme, as there were inconsistencies with the proposed plans, including alternative fenestration arrangements at ground floor level. The first-floor windows within the rear elevation had been blocked up. The rear-facing roof dormer and a single-storey rear extension, both subject to a Certificate of Lawful Proposed or Existing Development, were almost complete, as was a further single-storey rear extension which is not shown on the proposed plans.

Main Issues

5. The main issues are the effect of the proposal on character and appearance of the host dwelling and surrounding area, and the effect of the proposal on the living conditions of occupiers of neighbouring property.

Reasons

Character of the host dwelling and surrounding area

6. The appeal site is an attractive detached dwelling (the host dwelling), situated in the predominantly residential area of Blenheim Road. The properties along

Blenheim Road are varied in type, style and design, however, they are typically large, detached dwellings with generous plots. The alignment of properties along the road is irregular and staggered; as such, no.29 is sited forward of the host dwelling and no. 25 is located rearward of the host dwelling.

7. The appeal scheme would introduce a full-width two-storey rear extension to the host dwelling. Whilst the ridgeline of the roof would be lower than the main roof of the host dwelling, the entire original rear elevation would be significantly extended. The lack of any further articulation or insets, combined with the overall massive scale of the scheme would fail to respect the architectural proportions of the existing dwelling. This would create a dominant, discordant and incongruous addition.
8. The proposed dual rearward gable roof would not be reflect the design of the host dwelling in respect of its scale, slope, alignment and detailed design. However, such roof-forms are an architectural feature of other buildings in the area, including the adjacent no. 25 (which features flank gables). The roof-form would not, therefore, be entirely out of keeping with the host dwelling and its immediate context.
9. Due to the alignment of buildings in the streetscene and orientation of the host dwelling; the dominant addition would be visible and prominent within the public realm. Where extensions are visible in the area, they are generally in keeping with the scale and proportions of the host dwelling. As such, the appeal scheme would be out of keeping with the context of neighbouring built form and therefore, the character of the area.
10. A two-storey rear extension could potentially be achieved by exercising permitted development rights. However, a permitted development 'fallback' must be realistic and not just a theoretical alternative prospect. A 'fallback' must be identified in sufficient detail that it may be compared to what is proposed. The Appellant has not identified a comparable detailed scheme which would realistically take place. Moreover, any such 'fallback' would not have the same projection or overall mass as the appeal scheme.
11. For these reasons, the appeal scheme represents a poor standard of design which fails to respect the character of the host dwelling and its surroundings, contrary to policy D4 of the London Plan (LP 2021), adopted 2021, policy CS14 of the Merton Local Development Framework Core Planning Strategy (CS), adopted 2011, and policies DMD2 and DMD3 of the Merton Local Plan: Sites and Policies Plan and Policies Maps (MLP), adopted 2014. These policies seek, amongst other things, development of a high-quality design which responds positively to the site and wider setting.

Living Conditions

12. There would be a gap of approximately 3 metres from the flank of the appeal scheme to the neighbouring properties and the appeal scheme would not 'interrupt' a 45 degree angle from the windows of adjoining properties. Whilst a 45 degree 'line' can provide helpful guidance regarding the likely overshadowing effects of development, the immediate context of the site should be taken into account.
13. No.29 is sited forward of the host dwelling. The two-storey mass of the appeal scheme would therefore project a significant distance beyond the rear elevation

of no.29. Moreover, no.29 is orientated at an acute angle towards the host dwelling. The siting of the appeal scheme would therefore dominate and overbear the outlook of no.29 and would likely cause overshadowing to the neighbouring property.

14. Conversely, no. 25 is sited behind the front plane of the host dwelling and therefore projects beyond its rear elevation. However, it is orientated at a right angle with the host dwelling and has side-facing windows at first floor level. Although those windows appear to be secondary windows, they nonetheless appear to serve habitable rooms. The proximity of the appeal scheme to those windows would dominate their outlook and create an overbearing and overshadowing relationship between the properties.
15. For these reasons, the appeal scheme would have an unacceptable adverse impact on the living conditions of neighbouring occupiers, contrary to policy DMD2 of the MLP. This policy seeks, amongst other things, to ensure the quality of living conditions for occupiers of neighbouring property.

Conclusion

16. For the reasons stated above, I find that the appeal proposal is contrary to the relevant policies of the Development Plan. The appeal is accordingly dismissed.

Kim Langford Tejrar

INSPECTOR