
Appeal Decision

Site visit made on 8 September 2021

by David Fitzsimon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021.

Appeal Ref: APP/T5720/D/21/3276538

39 Graham Road, Wimbledon, London SW19 3SW

- 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 Tim Parfitt against the decision of the Council of the London Borough of Merton.
 - The application Ref 21/P0327, dated 15 January 2021, was refused by notice dated 15 March 2021.
 - The development proposed is 'extend existing loft conversion over the existing outrigger at second floor level'.
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Decision

1. The appeal is allowed and planning permission is granted to extend existing loft conversion over the existing outrigger at second floor level at 39 Graham Road, Wimbledon, London SW19 3SW in accordance with the terms of the application, Ref 21/P0327, dated 15 January 2021, 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 approved plan ref. 2022-2B.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those of the existing building.
 - 4) Before the extensions and alterations hereby permitted are substantially complete, a swift box shall be installed in a suitable position on the dwelling and shall be retained thereafter.

Main Issue

2. The main issue in this case is the effect of the proposed extension on the living conditions of the occupiers of the neighbouring property, No. 41 Graham Road, with particular regard to outlook and access to natural light.

Reasons

3. The appeal relates to a traditional mid-terrace house with a projecting outrigger which is shared with No. 37 Graham Road. The outrigger is set off the boundary with the attached property on the other side, No. 41 Graham
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Road, although a single storey addition runs along this boundary, projecting rearwards as far as the outrigger. No. 37 has a similar outrigger which is set off the shared boundary.

4. The proposal seeks to add an additional storey above the existing outrigger connecting into an existing, albeit slightly altered, mansard roof dormer which spans the full width of the rear roof profile of the appeal dwelling.
5. The two storey projecting outrigger at the rear of the appeal dwelling, along with the single storey addition which runs along the boundary with No. 41 Graham Road, already has some impact on the outlook from the nearest rooms at the rear of this attached property, along with the levels of natural light available to them and the nearest part of the courtyard at certain points of the day. However, two storey outriggers are an integral part of the design of many traditional terraced properties. As a result, the effect of this type of arrangement on the living conditions of the occupiers of neighbouring dwellings is generally considered to be within acceptable parameters, particularly in dense urban environments.
6. The proposed extension would noticeably increase the overall height and bulk of the outrigger. However, it would be set off the shared boundary, as is the outrigger at No. 41. Given the arrangement I have described, I am of the view that the enlargement of the outrigger in the manner proposed would not have a materially greater effect on the outlook from the ground floor rooms at the back of No. 41 or the nearest part of its courtyard than the existing two storey outrigger and single storey addition. There are no first floor windows on the flank elevation of the outrigger of No. 41 and the proposed extension would be a reasonable distance from the nearest first floor window located on the main rear elevation of this dwelling, whose main outlook is directly rearwards. On this basis, I am satisfied that the proposed extension would not materially worsen the outlook from this room either.
7. Given the relationships I have described, along with the fact that the rear of the appeal dwelling and No. 41 face north-west, I am also satisfied that the proposed extension would not have a significantly greater impact than the existing outrigger and single storey section on the levels of natural light available to the rooms at the rear of No. 41 or its courtyard.
8. One of the fundamental principles which underpins the planning system is that each planning application should be determined on its own individual merits. However, consistency of decision making is equally important. The appellant has referred to similar developments just a few doors along at Nos. 25, 27 and 29 Graham Road. The appellant has provided me with the Officer's Delegated Reports for the extensions at Nos. 27 and 29 Graham Road which, from what I can deduce, are very similar to the appeal proposal. The Council has not suggested otherwise. In granting planning permission for these developments, it is evident that the Council considered their impact upon the neighbouring properties to be acceptable and the proposals to be compliant with the same development plan policy referred to in this case. I attach significant weight to this factor, which reinforces my view that planning permission should be granted.

9. For the above reasons, I conclude that the proposal would not unduly harm the outlook from and levels of natural light available to No. 41 Graham Road. In such terms, I find no conflict with policy DM2 of the adopted Merton Sites and Policies Plan 2014.

Other matters

10. In reaching my decision, I am mindful that the application generated a letter from the Wimbledon Swift Group, explaining that the proposal provides an opportunity to assist swifts through the incorporation of artificial nest sites ie swift bricks or boxes within the build. Although this has not been raised as a specific requirement by the Council's Ecologist, I am mindful that the National Planning Policy Framework explains planning decisions should contribute to and enhance the natural and local environment by, amongst other considerations, providing net gains for biodiversity (paragraph 174). On this basis, I am satisfied that the request for an artificial nest site is reasonable and this could be secured by a suitably worded planning condition.

Conditions

11. In addition to the standard conditions which limit the lifespan of the planning permission and direct that development takes place in accordance with the approved plans, the Council has suggested one other condition in the event the appeal succeeds. I agree that the external finishing materials of the extension should match those of the host dwelling in order to ensure a visually acceptable development. In allowing the appeal, I shall impose these conditions.

David Fitzsimon

INSPECTOR