

Appeal Decision

Site visit made on 11 January 2022 by A Coombes

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2022

Appeal Ref: APP/T5720/D/21/3286779

Site Address: 56 Springfield Avenue, Wimbledon Chase, London SW20 9JX

- 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 Andrew McKie against the decision of the London Borough of Merton Council.
 - The application Ref 21/P2355, dated 17 June 2021, was refused by notice dated 1 October 2021.
 - The development proposed is demolition of existing garage and outbuilding. Construction of new garage with replacement ancillary outbuilding accommodation with pergola, for recreational use, ancillary to the use of the existing dwelling house.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed development on:
 - The character and appearance of the surrounding area, and;
 - The living conditions of neighbouring occupants, with regard to outlook.

Reasons for the Recommendation

4. The appeal site is a two-storey mid-terraced dwelling with bay windows. The property has a landscaped rear garden, which leads into an outbuilding situated at the end of the curtilage. Vehicular access is possible via the rear access lane, which runs between the properties on Springfield Avenue and Buckleigh Avenue and is lined with outbuildings on either side. The development seeks to replace the existing outbuilding with a single-storey timber clad outbuilding with mono-pitched roof.

Character and Appearance

5. On the site visit it was observed that the outbuildings of neighbouring properties are of a similar size or smaller than that which currently exists at 56 Springfield Avenue. Although the footprint of the new outbuilding would not result in a significant increase from that of the existing building, the adoption of a higher, mono-pitched roof would mean that the cumulative scale of the new outbuilding is significantly larger. Therefore, the size increase would cause the

proposed development to appear out of keeping with the prevailing character of outbuildings in the area. Furthermore, due to the siting of the development, which is visible on approach from the rear access lane as well as from neighbouring properties, it would be visually intrusive and therefore would be harmful to the character and appearance of the area.

6. The highest point of the mono-pitched roof, which would incline towards the rear garden of 48 Buckleigh Avenue, is higher than that of the existing outbuildings at both the appeal site and abutting property. The additional bulk at this height would appear dominant from the neighbouring curtilage and would be disproportionately sized within its immediate setting. Furthermore, surrounding outbuildings are generally pitched or flat roofed and the mono-pitched design would appear incongruous.
7. For the reasons given above, the proposed development would cause harm to the character and appearance of the area. Therefore, it would not comply with Policy CS 14 of the London Borough of Merton LDF Core Planning Strategy (CS), adopted 2011, and Policy DM D2 of Merton Council's Sites and Policies Plan (SPP), adopted 2014. Together these Policies promote high-quality sustainable design that relates positively and appropriately to its setting.
8. The Council have cited Policy DM D3 of the SPP, but this relates specifically to alterations and extensions to existing buildings and is therefore not directly relevant to this appeal, given the detached nature of the outbuilding. The Council have also cited Policy D4 of the London Plan, adopted 2021, in their reason for refusal. However, this Policy is strategic in nature with a focus on matters of process and design scrutiny rather than site specific issues. Any lack of direct conflict with these Policies does not weigh in favour of the development.

Living Conditions

9. The properties on Springfield Avenue and Buckleigh Avenue have back-to-back rear curtilages and, with the exception of the appeal site, a rear access lane between boundaries. The existing structures at the rear of the properties do not cause harm to outlook. Although the proposed development would increase the height of the existing building, it would still be located at a significant distance from nearby habitable windows to avoid additional loss of outlook to any substantive degree. Therefore, outlook would not be unduly affected as a result of this development.
10. For the reasons given above the proposed development would not cause harm to the living conditions of neighbouring occupants. It would therefore comply with Policy DM D2 of the SPP which seeks to ensure that development provide an appropriate quality of living conditions to both proposed and adjoining buildings and gardens.

Conclusion and Recommendation

11. Although no harm has been found to the living conditions of neighbouring occupants, this would not mitigate or outweigh the harm that has been found to the character and appearance of the area. The proposal would not accord with the development plan when taken as a whole. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

A Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR