
Appeal Decision

Site visit made on 7 March 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th March 2022

Appeal Ref: APP/T5720/D/22/3290739

98 Graham Road, Wimbledon, London SW19 3SS

- 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 Ms Xiaodong Xie against the decision of the Council of the London Borough of Merton.
 - The application Ref 21/P3034, dated 14 August 2021, was refused by notice dated 27 October 2021.
 - The development proposed is 1.8 metre high privacy screens around the edges of the existing first floor flat roof to have a 12 square metre roof terrace due to the shortage of outdoor space for this house currently.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effects of the proposal on:
 - i) Neighbours' living conditions; and
 - ii) The character and appearance of the building and the local area.

Reasons

Living conditions

3. 98 Graham Road is a very narrow, deep plan detached house set within a residential area, with other dwellings and their gardens to both sides and the rear. The house at No 98 fills its plot so completely that it has no usable external space. The proposal would create a first floor level roof terrace at the back, by enclosing an existing flat roof section.
4. This is a tightly developed area on the inside of a sharply angled street junction, so that neighbouring properties are very close together. Although the screen would be obscure glass rather than masonry or timber, it would still create an almost 2 storey height structure, looming over the directly adjoining gardens of neighbours. As proposed it would go the full depth of the existing flat roof, making it an overbearing feature in views from these gardens. Without it, however, people using the roof terrace would have very close range

views of their neighbours' gardens and windows from an elevated position, intruding greatly on their privacy. Either way, the impact on neighbours' living conditions would be distinctly harmful.

5. I conclude that the proposal to enclose the whole of the roof for use as a terrace would unduly harm neighbours' living conditions in terms of either loss of outlook or loss of privacy. It would therefore conflict with the aims of London Plan (LP) Policy D3, and Sites and Policies Plan (SPP) Policies DMD2 and DMD3, to deliver appropriate outlook, privacy and amenity.

Character and appearance

6. No 98, perhaps due to its prior history as an office building, is of a more contemporary design than the surrounding residential dwellings. The inclusion of a glazed screen with steel railings would not look out of place in this context. It would only be seen in glimpsed views from Graham Road. Although it would be clearly visible from Herbert Road to the rear, the existing building would be in the background in these views, so that the contemporary design and materials would not look out of place.
7. I conclude that the proposal would not harm the character or appearance of the building or the local area. In this respect it accords with the aims of LP Policies D3 and D4, Core Planning Strategy Policy CS14 and SPP Policies DMD2 and DMD3, to ensure that development is of a high quality that respects, reinforces and enhances local character, with extensions complementing both the building and the wider setting.

Other matters

8. I sympathise with the appellant's wish to provide outdoor amenity space for this house, particularly in the wake of the recent lockdowns. Policies, including SPP Policy DMD2, seek to ensure adequate provision of outdoor amenity space for dwellings and No 98 has none. This is an important issue, but is insufficient justification for this proposal due to the degree of harm identified.

Conclusion

9. The overriding consideration here is the effect on neighbours' living conditions. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR