



Appeal Decision

Site visit made on 22 March 2022

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2022

Appeal Ref: APP/T5720/D/21/3285979

118 Pepys Road, Raynes Park, London SW20 8NY

- 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 Mrs Selina Sufraz against the decision of the Council of the London Borough of Merton.
 - The application Ref 21/P2793, dated 9 February 2021, was refused by notice dated 16 September 2021.
 - The development proposed is the erection of a first-floor side and rear extension and a wraparound roof extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposed development was originally described on the planning application form as "construction of new roof extension to match neighbouring properties". The description of development used in the banner heading above is that used on the Council's decision notice, and subsequently the appeal form, as it provides a more accurate description of the proposal.

Main Issues

3. The main issues are the effect of the proposed development on:
 - The character and appearance of the area; and
 - Living conditions for occupiers of the neighbouring property at No 116 Pepys Road, with particular regard to whether or not it would be harmfully overbearing or would lead to an unacceptable loss of outlook.

Reasons

Character and appearance

4. The appeal property is a two-storey detached house, in a residential neighbourhood at a point on Pepys Road where the land falls gently from north to south. The wider area contains a variety of types and styles of housing, although the immediate surroundings are predominantly made up of detached and semi-detached two-storey dwellings. There is also some variety of roof forms on display throughout the area, although the appeal property's nearest

- neighbours mostly have hipped pitched roofs, often with rooflights or dormer windows.
5. No 118 itself has, essentially, an L-shaped hipped main roof at present; this has a front-facing bay with its ridge perpendicular to the street, with a broader “wing” behind it, the ridge of which is parallel to the street. There is a dormer on the north-facing side roof pitch, with a larger box dormer on the rear roof slope. There is also a smaller two-storey wing projecting at the north-east corner of the rear of the building; this too has a hipped pitched roof, although its ridge is set at a somewhat lower height than the main L-shaped ridge. A single-storey flat-roofed extension infills the south-eastern rear corner.
 6. The proposed development is the construction of side and rear extension, infilling the corner above most of the existing single storey part of the house, and the creation of a “wraparound” roof extension, with a dormer around the entire rear of the building. The proposed wraparound dormer would be a very substantial extension, adding considerable mass to the rear two thirds or so of the building. While I saw that some of the neighbouring properties already have dormers, these are mostly narrower and set higher up the roof slope than that proposed. As a result of its bulk, the proposed roof dormer would be at odds with the much smaller prevailing style of rear roof extensions nearby. However, the impact of the proposed development would not be limited to the rear of the building.
 7. At the front, the existing main north-south roof ridge would be subsumed into the roof extension; the front roof slope of the side “wing” would be truncated, and instead of continuing to a ridge it would end at a vertical wall of the large rear extension. This would make the rear extension visible from and prominent within the street, emphasising its presence and giving the appeal property a cumbersome, boxy and top-heavy appearance. The bulk of the roof extension would be particularly apparent in oblique views along Pepys Road, because of the gentle curve of the street and the changing topography of the area.
 8. I acknowledge that, as the appellant has pointed out, the existing “non-uniform” design of the appeal property roof is, at least in part, a consequence of previous extensions and alterations to the dwelling. Nevertheless, in scale and form the property retains a fair degree of visual integrity, and the existing roof form is consistent with others nearby. However, this consistency and integrity would be eroded by the prominence of the proposed roof extension. The submitted Design and Access Statement referred to other rear dormers in which have been permitted or constructed nearby; however, on the basis of my observations on site none of the other examples provided is as prominent in the streetscene as would be the case here. They do not therefore provide support for the appeal proposal.
 9. The Council considered that the proposed use of zinc for the external cladding of the roof extension would complement the existing slate roof and would be acceptable. I agree; however, that the proposal would be acceptable in this respect would not outweigh the other harm I have found.
 10. I conclude that, because of its bulk and prominence in the streetscene, the proposed roof extension would be harmful to the character and appearance of the appeal property and the wider area. The proposal therefore conflicts with Policy CS14 of the 2011 Merton Core Strategy, Policies DM D2 and DM D3 of the 2014 Merton Sites and Policies Plan (“the SPP”) and Policy D4 of the 2021

London Plan. Among other things, these policies seek to ensure that development (including extensions and alterations) is well-designed, and respects the form, scale, bulk and proportions of the original building, and that roof forms are not unduly dominant.

Living conditions

11. There is approximately 2.5m between the side elevation of the appeal property and that of No 116 Pepys Road to the south. The proposed extension at the south east corner would, effectively, add two storeys to No 118, projecting beyond the rear elevation of No 116 close to the neighbouring property's patio. However, given the separation distance between the two dwellings, and the relatively short amount by which the extension would project beyond the rear of No 116 (although I was not provided with a precise measurement), based on my observations on site I am satisfied that the extension would not be overbearing to an extent which would significantly harm living conditions for occupiers of No 116 using the patio or other parts of the rear garden. Given the separation distance, and the distance by which windows on the rear elevation of No 116 are set in from the side, I am also satisfied that there would be no significantly harmful loss of outlook.
12. I note the comments made by the occupier of No 116 in response to the planning application consultation, that there would potentially also be a harmful loss of daylight, either to an upstairs hallway on the side elevation, or to the rear garden. However, the appeal property is to the north of No 116, and the Council's officer report stated that "the loss of natural light [...] would be minimal" and while "there may be some loss in the late summer evening, [this would not be] enough as to warrant a refusal". None of the evidence leads me to a different view on this point.
13. I conclude that the proposed development would not be harmful to living conditions for the occupiers of No 116 Pepys Road. The proposal would therefore comply with Policy DM D2 of the SPP, inasmuch as it requires development to (among other things) protect the living conditions of existing and future occupiers, including by preventing harmful visual intrusion, and ensuring the provision of appropriate levels of sunlight and daylight.

Other Matters

14. The appellant has drawn my attention to an earlier grant of planning permission for a development described as "proposed first floor rear extension" at the appeal property¹. I do not know the full details of that permission, although it dates from 2011 and appears to have expired without having been implemented. Although the earlier decision pre-dates the existing development plan, the Council acknowledge that "the first floor side and rear extension has previously been approved and there is nothing to suggest that this element should be viewed differently, given existing relevant planning policy". However, the scheme before me appears to be much larger, especially at roof level, than that previously permitted. While my decision has concentrated on the points of dispute between the main parties, given the differences between the two schemes, I consider that the previous permission does not carry significant weight in favour of the current proposal.

¹ LPA Ref: 10/P2926

15. The appellant has also referred to the possibility of adding an additional storey to the building using permitted development rights. However, the construction of additional storeys permitted by Part 1 Class AA of the GPDO requires prior approval from the local planning authority in respect of impact on amenity and external appearance. While it is not for me to attempt to address any hypothetical future application for such prior approval which might come forward, taking into account my conclusions on the first main issue in this appeal I cannot be certain that it would be granted. This is not therefore a fallback position which adds significant weight in favour of the scheme before me.

Planning Balance and Conclusion

16. I have found that the proposal would not cause significant harm to neighbours' living conditions. However, it would be harmful to the character and appearance of the area. The proposal would therefore conflict with the development plan taken as a whole.
17. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector