
Appeal Decision

Site visit made on 21 June 2022

by Robert Naylor BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2022

Appeal Ref: APP/T5720/D/21/3288313

139 Galpins Road, Thornton Heath CR7 6EU

- 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 Hanif Raidhan against the decision of the Council for the London Borough of Merton.
 - The application Ref 21/P2671, dated 7 July 2021, was refused by notice dated 10 September 2021.
 - The development proposed is described as "front and rear dormer and rear first floor extension".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect on living conditions for occupiers of adjoining properties with regard to outlook and light.

Reasons

Character and appearance

3. The appeal site is located in Galpins Road, which is a suburban area, with a distinct character made up of terraced properties exhibiting gable and hipped roofs toward the street. Whilst there is variation in the materials used on the external facades, there is nevertheless a cohesive and rhythmic pattern to the properties in Galpins Road. The front of the properties on both sides of the road are visible from the street. The rear of the properties situated on the south side of the road are also highly visible from public views from the Mayfield Road recreational ground.
4. The development proposed includes a front and rear dormer roof extension and a first-floor rear extension that sits over an existing single storey rear extension. In respect to the rear dormer, the Council and appellant agree that there is no harm to the character, given other examples constructed in the vicinity, possibly built utilising permitted development rights. I concur with the assessment that this part of the proposal would be appropriate given that this type of development is a defining characteristic along the rear of the terrace.

5. However, even though the proposed small first floor extension would not extend far to the rear of the property and would be set in from the boundaries, it would be highly visible from public vantage points in the Mayfield Road recreational ground. This would be the case even if the rear dormer could be constructed under permitted development rights as suggested by the appellant. Whilst I could see several properties with rear single storey extensions and dormers, there were no obvious examples of extensions at first floor level or with prominent flat roofs at this level. Given this context, the introduction of a rear first floor extension at the appeal site would go against the high degree of uniformity along the rear of this terrace.
6. With regard to the front dormer roof extension, the front roof slopes of properties on Galpins Road can be seen easily from the street and are predominantly uninterrupted by any significant alterations. However, I have noted there are several large front dormers within the front roof slopes at several properties along Galpins Road including Nos. 164, 211, 307 and 318, to which the appellant draws my attention. These limited examples do not provide an overriding influence over the character of the street scene in my view, but do detract from it, and the current proposal would exacerbate that impact.
7. These limited examples do not preclude the need to achieve good design as confirmed by policy D4 of the London Plan (LP) adopted March 2021 that amongst other things, seeks to maintain design quality. I consider that the proposed front dormer would be out of proportion and a dominant form of development, that would not respect, reinforce or enhance the local character. Furthermore, such development would detract from the mainly unbroken front roof lines which exist on the street scene.
8. I note that the materials proposed would be similar to that of the host property. Nevertheless, this is insufficient in itself to overcome the adverse effects of the design that I have described.
9. In relation to the first main issue, the proposal would harm the character and appearance of the area. This would not respond to the distinctiveness of the area. As a consequence, it would be contrary to the policy D4 of LP; Policy CS14 of the Merton Core Planning Strategy adopted July 2011 (MCS) and Policies DM D2 and DM D3 of the Merton Sites and Policies Plan adopted July 2014 (MSPP). The proposal would also be inconsistent with the National Planning Policy Framework (the Framework) 2021, which amongst other things, seeks high quality design.

Living conditions

10. There is an existing ground floor extension at the rear of the appeal site, and the proposal is to provide an additional storey at the first-floor level with a flat roof treatment. The proposal at first floor is "set in" from the boundaries with Nos. 137 and 141 Galpins Road, in an attempt to maintain existing light levels for these adjoining properties.
11. The proposed first-floor extension would be in close proximity to the boundaries of the adjoining properties despite the proposed gaps on each side. No. 137 Galpins Road does not benefit from any extensions, and in my view, the close proximity of the first-floor extension would loom over people using the garden and ground floor room of the property. This would have a

detrimental impact on the outlook, the ground floor rooms and garden space at that property. Consequently, the proposal would be overbearing in this regard.

12. With regard to No. 141 Galpins Road, this differs to No. 137 in that there is an existing single storey rear extension of similar scale to the appeal site. Nevertheless, the first-floor extension, despite being set in from the boundary, would provide an overbearing and incongruous addition to the detriment of living conditions this neighbour, with regard to the use of their garden space.
13. The appellant draws my attention to the daylight, sunlight and overshadowing assessment, submitted with the application. I am told, and it is not disputed that the assessment highlights that there would be no impact on overshadowing, and at worst negligible impact on daylight and sunlight to the adjoining properties. There is no evidence before me to the contrary. Nevertheless, this does not override the harm identified to the outlook of the ground floor living conditions at Nos. 137 and 141.
14. In relation to this main issue, the proposal would have a harmful impact upon the living conditions for occupiers of both adjoining properties. The proposal would conflict with MSPP Policy DM D2 in that the living conditions would be unduly diminished. It would also be contrary to the Framework which, amongst other things, also seeks a good standard of amenity for all existing and future occupants of buildings.

Other Matters

15. I recognise that the modest rear first floor extension is required to create an en-suite serving the master bedroom which would help the expanding family have more practical living conditions. However, I have very limited evidence about the significance of this or why it is critical to the household. As such therefore, this does not outweigh my conclusions on the main issues.

Conclusion

16. For the reasons given above I conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR