
Appeal Decision

Site visit made on 26 July 2022

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19TH August 2022

Appeal Ref: APP/T5720/W/22/3299397

87 Commonsides East, Mitcham CR4 2QB

- 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 and Mrs Harinder Grewell against the decision of the Council of the London Borough of Merton.
 - The application Ref 21/P3946, dated 2 November 2021, was refused by notice dated 3 March 2022.
 - The proposed development is an extension to the front of house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on 1) the character of the dwelling and the surrounding area, including the siting within the Mitcham Cricket Green Conservation Area (CA); and 2) the living conditions of the occupants of neighbouring houses in respect of light and outlook.

Reasons

3. The appeal site relates to a two-storey, end terrace dwelling sited on the Commonsides East with off-street parking to the front. The local neighbourhood is predominantly residential in nature.
 4. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
 5. The special architectural and historic interest of this part of the CA derives from finely grained short terraces of small cottages with narrow building plots, set back from the pavement behind narrow front garden areas. There is a strong building line close to the edge of the pavement which is in stark contrast to the openness of the public space opposite.
 6. The appeal site forms part of a terrace of three cottages, with a similar set of three units on the opposite side of a driveway to the rear that runs in between. All the dwellings have pitched roofs, with the appeal property and its mirror on the other side of the driveway having distinctive chamfered hip-roof forms. These create a pleasing sense of symmetry to the two terraces when viewed from Commonsides East.
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7. The proposal would interrupt this pattern, projecting into the front and side of the appeal site and resulting in the formation of a large and uncharacteristic gable-ended roof form. The scheme would be clearly evident from the public domain within the vicinity of the site and would be a prominent incursion within the context of the locality, resulting in a discordant feature when considering the cottages as a group, removing the chamfered roof design and disrupting the symmetry between the units.
8. I am aware that local topography and landscape features would remain unchanged, the overall height of the development would not exceed that of the existing building, external materials would match those of the host property, and there would be no loss of trees. However, these matters do not counterbalance the detriment I have identified above.
9. Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The harm would be less than substantial, on account of the fact that the proposal would only affect part of the character of the CA. Nevertheless, taking account of the statutory duty to have special regard to enhancing or preserving the character and appearance of a Conservation Area, importance and weight must be attached to the harm identified. I appreciate that the proposal would enhance the living arrangements at the residence and improve the standard of accommodation, but this benefit does not outweigh the harm.
10. I conclude that the scheme would be deleterious to the character of the surrounds, including the siting within the CA. It would fail to adhere to Policy CS 14 of the London Borough of Merton LDF Core Planning Strategy July 2011 (CS), Policies DM D2, DM D3 and DM D4 of the Merton Sites and Policies Plan 2014 (SPP) and Policies D3 and HC1 of the London Plan 2021 (LP), which cumulatively seek to secure new development of acceptable scale and appearance.

Living conditions

11. The proposal would increase the size and scale of development facing 95-97 Commonsides East. Nevertheless, I observed at my visit the driveway that separates the appeal property from this neighbouring unit, and to my mind this represents a reasonable distance between built form.
12. Consequently, although it would be visible from a number of windows in the adjacent house, I consider that the scheme would not dominate the outlook from, or result in a loss of light to, these openings such that it would be materially worse than the existing state of affairs. Any impacts would be limited in nature and would not be sufficiently unneighbourly as to warrant dismissal of the appeal on this ground.
13. There would be no adverse harm to the living conditions of the occupants of neighbouring houses in respect of light and outlook. The development would meet Policy CS 14 of the CS, Policy DM D2 of the SPP and Policy D3 of the LP, which collectively seek to ensure that development does not prejudice the environment or amenity of the occupiers of adjacent properties.

Conclusion

14. Based on the preceding and having regards to all matter raised, the appeal is dismissed.

C Hall

INSPECTOR