



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/D/22/3299684

14 Victoria Avenue, Morden SM4 6DL

- 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 Laundon-Dean against the decision of the Council of the London Borough of Merton.
 - The application Ref 22/P0204, dated 20 January 2022, was refused by notice dated 17 March 2022.
 - The proposed development is a part single storey rear extension, double storey side extension and loft conversion with a rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for a part single storey rear extension, double storey side extension and loft conversion with a rear dormer at 14 Victoria Avenue, Morden SM4 6DL in accordance with the terms of the application, Ref 22/P0204, dated 20 January 2022, subject to the following conditions:

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Block Plans, A102 + A202; A103+A203; A104-A204; A105+A205; A106+A206; A107+A207; A108+A208; A109+A209; A110+A210; A111+A211

3) The external finishes of the development hereby permitted shall match in material and colour those of the existing dwelling.

Main Issues

2. The main issues are the effect of the development on a) the character of the dwelling and the surrounding area; and b) the living conditions of the occupants of 16 Victory Avenue in respect of light and outlook.

Reasons

Character and appearance

3. The appeal site relates to a semi-detached, two-storey house on Victory Avenue with off-street parking to the front. The surrounding neighbourhood is predominantly residential in nature.

4. Amongst other things, the proposal is for part single, part two-storey rear extensions, with the resultant scheme incorporating a modest projection at first floor level. To my mind, the extent of development would be sympathetic to the scale of the existing dwelling and those properties in the vicinity. The first floor element would visually connect with the overall appearance of the dwelling, lying flush with the roof pitch of the proposed side addition. It would not dominate the main house or result in an imbalance, and would respond to the original design features. The considerable variety in the appearance of houses in the area ensures that the additions would assimilate without causing undue harm to the spatial quality of the surrounds.
5. I note that the Council does not object to the other elements of the proposal, including a two storey side extension and rear dormer window, and I have no reason to disagree.
6. I conclude that the scheme would not result in harm to the character and appearance of the dwelling and the surrounding area. It would meet Policy CS 14 of the London Borough of Merton LDF Core Planning Strategy July 2011 (CS), Policies DM D2 and DM D3 of the Merton Sites and Policies Plan 2014 (SPP) and Policies D3 and D4 of the London Plan 2021 (LP), which cumulatively seek to secure new development of acceptable scale and appearance.

Living conditions

7. The rear elevations and patio areas of the appeal property and its neighbour at 16 Victory Avenue face north. Given the tight-knit relationship between the houses, the existing built form of both dwellings already cast a shadow over the rear amenity area of no.16. I consider that the development would not appreciably exacerbate this situation above and beyond that presently experienced.
8. The two-storey rear extension would lie in close proximity to the rear openings and patio area of no.16. Nevertheless, its depth of approximately 3 metres would be relatively modest, and at my site visit I saw that the back gardens of houses in the row have a general feeling of spaciousness. With these factors in mind, I am of the view that the appeal scheme would not have such an excessively overbearing impact upon the living conditions of the occupants of 16 Victory Avenue as to warrant a refusal of permission on this ground.
9. I conclude that the scheme would not be detrimental to the living conditions of the occupants of 16 Victory Avenue in relation to light and outlook. It would accord with Policy CS 14 of the CS, Policies DM D2 and DM D3 of the SPP and Policies D3 and D4 of the LP, which seeks to ensure that development does not prejudice the environment or amenity of the occupiers of adjacent properties.

Conditions

10. I have considered the imposition of conditions in light of advice in Planning Policy Guidance and the Framework. In addition to the standard implementation condition, a condition requiring the development to be carried out in accordance with the submitted drawings is reasonable and necessary for the avoidance of doubt and in the interests of proper planning (corrected plans showing the siting of 16 Victory Avenue have been provided by the appellant) .
11. A condition requiring external materials to match those on the existing dwelling would provide for a satisfactory appearance. I do not consider it necessary to

restrict the flat roof area for amenity purposes, as it would contain a skylight that would limit its use.

Conclusion

12. Based on the foregoing, the appeal is allowed.

C Hall

INSPECTOR