



Appeal Decision

Site visit made on 30 November 2022

by J Wellstead BA (Hons), MA, MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2023

Appeal Ref: APP/T5720/D/22/3303038

133, Durham Road, West Wimbledon, London SW20 0DF

- 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 & Mrs Sumner against London Borough of Merton.
 - The application Ref 22/P0481, is dated 19 January 2022, was refused by notice dated 21 April 2022.
 - The proposed development was originally described as *'squaring off an existing two storey extension together with some internal layout alterations including adding side facing windows at ground, first and second floor level. The development will also include a roof conversion which will allow for the addition of two bedrooms and shower room at second floor level. Materials are to match the existing'*.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. For clarity, I have used the description of the development from the decision notice: 'Erection of Two Storey rear infill extension to building corner, extensions of the roof, including a rear dormer. Installation of windows and bifold door. This was agreed between both parties at the planning application stage.'

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and area, including the setting of the Durham Road Conservation Area.

Reasons

Character and appearance

4. The appeal property is a two-storey detached dwelling within a residential area. It is set back from the road behind a front driveway mirroring that of adjacent properties, with mature trees lining the road to the front which add to the verdant, green character of the street scene.
5. The appeal site adjoins the boundary of the Durham Road Conservation Area (CA) on the opposite side of the road. Therefore, it is closely related to the setting of the CA. The significance of the CA is that the streetscape and dwellings are of a high architectural and historic value which make a positive contribution to the CA as a whole. The pattern of development in the immediate urban area is predominantly uniform in terms of layout, following

clearly defined building lines, and the roofscape within the CA is principally pitched in style, so its original rhythm and form remains largely intact.

6. The front of the appeal property is largely unaltered, with the existing pitched roof contributing towards the uniformity of the pitched roofscape of neighbouring dwellings. The proposed roof conversion would include a hip to gable extension and part-sloped, part-flat roof form and dormer to the rear of the property. The existing roof ridge height would remain the same but would be changed in form from hipped to a gable at each side. The position of the flat roof area to the rear of the property would be clearly visible from adjacent and rear properties.
7. Furthermore, the prevailing roofscape along Durham Road is composed of pitched roofs, with the only exceptions being numbers 123-129 Durham Road. The proposed hip to gable extension would unduly interrupt the otherwise uniform roofscape, introducing an incongruous obtrusive feature to the host property and within the established street scene. Therefore, conflicting with the character and appearance of the immediate and wider area, including the historic setting of the CA.
8. The harm to the CA that would result from the scale and bulk of the proposed alterations and extensions to the roof form and its profile. It would therefore affect the setting of the CA, to a significant degree and represent an erosion of its distinctive character. I recognise that the proposed alterations and extensions to the roof could make more efficient use of the existing building by accommodating a minimum height of three storeys. However, paragraphs 124 and 130 of the National Planning Policy Framework (The Framework) are clear that making efficient use of land should be sympathetic to local character.
9. Overall, I conclude the proposal would fail to preserve the character and appearance of the area and would be harmful to the setting of the CA. It would be contrary to Policies D3 and D4 of The London Plan 2021, Policy CS14 of the Merton Core Strategy 2011 which seek development that respects, reinforces and enhances the local character of the area, as well as Policies DMD2 and DMD3 of the Merton Sites and Policies Plan and Policies maps 2014, which seek to achieve high quality design and protection of character within the Borough.

Other Matters

10. The appellant has referred to permitted development rights (GPDO)¹, but I have no substantive evidence to suggest they would genuinely pursue this option if the appeal failed or that such a scheme would be similar to, or worse than, what is currently proposed. Moreover, I cannot be certain it would meet any such limitations as set out in the GPDO. As such, I have given this matter no weight.
11. I acknowledge that the Council did not raise any objection to the proposed central rear dormer which they state is appropriate in size and position, and I have no reason to disagree with this finding. The appellant also points out that the alterations and extensions would provide additional living space. However, this consideration does not outweigh the harm I have identified to the character and appearance of the area, and the setting of the CA.

¹ The Town and Country (General Permitted Development) (England) Order 2015, as amended.

Conclusion

12. For the reasons given, I conclude that the development conflicts with the development plan, read as a whole. No material considerations have been shown to carry sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

J Wellstead

INSPECTOR