



Appeal Decision

Site visit made on 21 March 2023

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2023

Appeal Ref: APP/T5720/W/22/3309218

2b Caxton Road, Wimbledon SW19 8SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Jay Durai against the Council of the London Borough of Merton.
 - The application Ref 22/P2026, is dated 1 July 2022.
 - The development proposed is upward extension of the existing roof to existing first floor flat.
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Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matters

2. The appellant has confirmed that the correct site address is that in the banner heading above.

Background and Main Issue

3. The appeal is against the non-determination of the application. The Council has provided one putative reason for refusal as part of their evidence. Given this, and taking account of the other evidence before me including that which accompanied the appeal, I consider that the main issue is the effect of the proposed development on the character and appearance of the building and the surrounding area.

Reasons

4. The appeal property is a two storey building sited at the junction of Caxton Road and Haydons Road. Its front elevations address both streets and it also has a short elevation that faces directly towards the bridge over the railway. It is prominent in the street scene due not only to its position on the junction, but also as a consequence of a progressive downward slope from the railway bridge towards the site that also continues along Haydons Road beyond. While the surrounding development is predominantly two storey, there are buildings with mono-pitch roofs immediately adjacent to No 2 which are clearly lower. This relationship serves to further increase the prominence of the appeal property.
5. The retention of the traditional sash windows set in the reveal at first floor level, along with the lintels and brick coursing provide a quality to the existing building which is not diminished by the less sympathetic glazing installed at ground floor level. Further interest is added through the chimneys, and the ghost sign on the Haydons Road elevation. As a result of these factors, the

building makes a strong positive contribution to the character and appearance of the area.

6. The proposed increase in height that would result from an additional storey to this building would appear particularly prominent given the incline along Haydons Road towards the railway bridge and the layout of the road. It would result in the appeal property appearing to be of a considerably greater scale and thereby, would harmfully disrupt the existing visual transition to the two storey terraced rows facing Haydons Road beyond. Consequently, the building as proposed to be extended would appear unduly dominant in the street scene, to the detriment of the character and appearance of the area.
7. The chimney and brick flues on the side elevations would appear to be removed and not otherwise replaced on the proposed plans. Those existing features provide visual interest to the building and positively contribute to the visual coherence of the area. In their absence, irrespective of the potential use of matching materials to those of the existing building, the proposed elevations would appear as substantial unrelieved blank walls in a prominent location in the street scene. This would further exacerbate the harm to the character and appearance of the area.
8. In reaching the above findings, I have taken into account that I observed buildings in the surrounding area which were three storey in height. However, the newly constructed buildings opposite the appeal site appear less prominent as the ground floor sits below the level of the road bridge, integrating them with the surrounding two storey development. The appearance of Haydons Road also changes along its length from the appeal site. In the cases of the other examples provided by the appellant, the surrounding context is different to that of the appeal site in terms of the position of the buildings in relation to the road and the layout of the surrounding development. None of the cited examples provide a compelling reason as to why this development should be approved.
9. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the building and the surrounding area. It, therefore, would be contrary to Policy CS14 of the London Borough of Merton LDF Core Planning Strategy, adopted July 2011 and Policies DM D2 and DM D3 of Merton's Local Plan Sites and Policies Plan, adopted July 2014. The policies, when taken together and amongst other things, require development to be of a high quality design which respects the local character of the area, relates positively to the scale and height of surrounding buildings, and respects and complements the design and detailing of the original building.
10. The Council's putative reason for refusal refers to Policies D1 and D4 of the London Plan, adopted March 2021. Policy D1 sets out requirements for Boroughs to undertake character area assessments and plan for growth when preparing Development Plans. Policy D4 concerns the use of tools for design analysis, design review processes and maintaining design quality through to completion. I find neither are directly relevant to the main issue in this case.

Other Matters

11. It is not in dispute that the extended dwelling would provide acceptable living conditions for future occupiers. Nor have any concerns been raised regarding the effect of the development on living conditions of neighbouring occupiers,

including those on the ground floor of the property. However, the absence of harm in those respects would not overcome the harm to the character and appearance of the area I have identified above.

12. The Council has referred to inconsistencies in the submitted plans. The appellant has not responded to these comments. These inconsistencies include the placing of lintels above windows on the side elevations and the position of windows on the submitted floor plans and the elevations. However, as I find that the appeal should be dismissed in any event, I have not pursued this issue further.

Conclusion

13. For the reasons given above, the appeal proposal would conflict with the development plan. There are no material considerations of sufficient weight to indicate that a decision should be taken otherwise. Therefore, the appeal is dismissed and planning permission is refused.

J Downs

INSPECTOR