



Appeal Decision

Site visit made on 25 April 2023

by C Hall BSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th May 2023

Appeal Ref: APP/T5720/D/23/3314577

34 The Crescent, Wimbledon Park, Merton SW19 8AN

- 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 James & Tessa Whitehead against the decision of the Council of the London Borough of Merton.
 - The application ref. 22/P2749, dated 8 September 2022, was refused by notice dated 31 October 2022.
 - The development proposed is for erection of ground floor rear extension to existing property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupants of 32 The Crescent with regard to outlook.

Reasons

3. The appeal site is a mid-terrace, two-storey house with a small front garden on The Crescent. The immediate locality is mainly residential in nature, comprising terraced buildings of broadly similar size and design and a block of flats in Bentley Close. The proposal is for a single storey rear addition to the property.
4. The development would span the width of the site, adjoining the common boundaries with the adjacent dwellings. Whilst there is an existing boundary wall running between the houses that would match the height of the sidewall of the appeal proposal for approximately the first 6 metres, the built form would be taller than the existing boundary treatment on the border with no.32 for some 3.5 metres beyond. Taken together with the close proximity relative to the adjoining property, I consider that it would result in harm to the living conditions of the occupants of 32 The Crescent. It would appear oppressive when viewed from the neighbour's facing window in the rear wall of the main house, and the new conservatory that has been constructed adjacent to the hindmost elevation.
5. I have assessed all matters that have been advanced in support of the development, including the fact that the proposal would not result in a loss of light and would optimise living space within the ground floor of the property. However, the scheme continues to be unacceptable for the reasons I have outlined above.

6. I am aware that a scheme that has recently been approved for a rear addition to the appeal property under Council reference 23/P0047. However, this shows a flank elevation of some 2 metres on the common boundary with no.32, and to my mind appears to be an acceptable solution that would preserve the living conditions of the occupants of the neighbouring residence.
7. For the reasons given above I conclude that the proposal would result in material harm to the living conditions of the occupants of 32 The Crescent with regard to outlook. Consequently it would be contrary to the requirements of Policy D4 of the London Plan 2021, Policy CS14 of the Merton Core Strategy 2011 and Policies DM D2 and DM D3 of the Council's Site and Policies Plan 2014 which seek to deliver good design that would not have an undue negative impact upon the amenity of neighbouring properties.

Conclusion

8. In light of the above and every other matter raised, the appeal should be dismissed.

C Hall

INSPECTOR