



Appeal Decision

Site visit made on 19 June 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd July 2023

Appeal Ref: APP/T5720/D/23/3322149

31 Stanford Way, Streatham, Merton, London SW16 4HF

- 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 Raheel Ahmed against the decision of the Council of the London Borough of Merton.
 - The application Ref 23/P0782, dated 18 March 2023, was refused by notice dated 25 April 2023.
 - The development proposed is an outbuilding for use as a granny annexe.
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Decision

1. The appeal is dismissed.

Main Issue

- The main issue is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons

2. The dwellings along this part of Stanford Way, and others nearby, are typically two storeys high and arranged in terraces which are set back slightly from the highways. To the rear they have reasonably spacious rear yards or gardens. Those yards and gardens often contain sheds, or small outbuildings, which are wholly subordinate in scale to the houses, thereby leaving significant areas of open space. This all contributes to the area's character.
3. The host is an end of terrace property, with a two storey side extension, a single storey rear extension, and a rear dormer. The proposed outbuilding would be located towards the end of the host's enlarged garden, and would span most of its width, leaving only a very narrow gap to the rear and side boundaries.
4. Whilst it would have a single storey, flat-roofed form, at just under 8 metres its maximum depth would be broadly similar to the depth of the original dwelling. Given its width and depth, and having regard to cumulative impacts, it would appear visually cramped on this plot; and it would not appear wholly subordinate to the original dwelling.
5. Additionally, at around 2.5 metres high, the outbuilding's end and side walls would be considerably taller than the adjacent brick wall and fences on the plot's boundaries. Given its height, siting, depth and size, it would be a

dominant feature when viewed from nearby properties. Whilst it would not be visible in the streetscene, viewed from those properties it would jar with the more open yards and gardens which typify the immediate area, and with the much more modestly scaled structures within them.

6. Notwithstanding the proposed use of render to match the house, for the above reasons, the scheme would significantly harm the character and appearance of the host property and the area.
7. It would thus conflict with those parts of Merton LDF Core Planning Strategy (2011) Policy CS 14, and Merton Sites and Policies Plan and Policies Maps (2014) Policies DM D2 and DM D3, which in broad terms require high quality design, with alterations which respect the proportions of the original building, and which expect development to enhance its context and respond positively to local distinctiveness and character, with regard to matters such as siting, layout, scale and appearance.
8. London Plan (2021) ('LP') Policy D3 seeks to optimise site capacity, as does the National Planning Policy Framework ('Framework'). However, both also require development to respect, or respond to, existing character, which this scheme would fail to do. Finally, as LP Policy D4 sets out design requirements for Borough Councils, it is of limited direct relevance to this scheme.

Other matters

9. Whilst the appellant refers to 'lawful development legislation', I have no cogent details of how that could be applied to this proposal, which is for ancillary accommodation, and I have dealt with the scheme before me under section 78 of the Town and Country Planning Act 1990.
10. In its favour, the proposed annexe would provide accommodation for the appellant's elderly parent, enabling her to benefit from help with domestic arrangements, whilst also providing child care for the family.

Planning Balance and Conclusion

11. I have found that the scheme would significantly harm the character and appearance of the host property and the area. Its benefits, which would be largely private, would not outweigh the significant harm that it would cause. The scheme would conflict with the development plan when considered as a whole, and having regard to Framework paragraphs 11 and 12, it does not benefit from the presumption in favour of sustainable development.
12. The appeal is therefore dismissed.

Chris Couper

INSPECTOR