



Appeal Decision

Site visit made on 31 October 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2023

Appeal Ref: APP/T5720/D/23/3327160

33 Durham Road, West Wimbledon, London SW20 0QL

- 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 Christian Lane against the decision of the London Borough of Merton.
 - The application Ref 23/P0807, dated 20 March 2023, was refused by notice dated 5 June 2023.
 - The development proposed is the erection of two storey side and rear extensions, a new boundary wall, fence and altered driveway access.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of two storey side and rear extensions, a new boundary wall, fence and altered driveway access at 33 Durham Road, West Wimbledon, London SW20 0QL in accordance with the terms of the application, Ref 23/P0807, dated 20 March 2023 subject to the schedule of conditions set out below.

Main Issues

2. The main issues are the effect of the development on: -
 - 1) the character and appearance of the area and the host property; and
 - 2) highway safety.

Reasons

Character and Appearance

3. The semi-detached property fronts Durham Road but has a lengthy side elevation towards Richmond Road which has several additions in various styles and materials.
 4. The area is a mixture of residential and commercial uses with a row of retail units to the other side of Durham Road. The buildings also vary in scale and appearance, although the traditional form of the appeal property is representative of the age and architectural style of many of the residential properties in the area.
 5. The proposed extension replicates the existing gable projection to the front and would align the rear projection with that of the adjoining neighbour. It would bring the two-storey bulk closer to Richmond Road, but the elevation would have a stepped form to correspond with the shape of the plot.
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6. Currently, the side elevation has several disjointed elements and whilst features such as dormer windows would be increased, they replicate the existing style and would have a coordinated and integrated appearance. Overall, I find that the design has a comprehensive approach while reflecting the character and appearance of the original property.
7. The scheme would also define the frontage as the entrance with the positioning of the driveway reflecting that of the other half of the semi-detached pair. In turn, this would also enable a continuous boundary along Richmond Road. Relocating the driveway will require the removal of the existing landscaping to the front, however, tall leylandii are not a characteristic of the area and currently restrict views of the property. The proposals allow for new native planting within the frontage and in my view the development would be beneficial to the appearance of the property and its relationship with both Richmond Road and Durham Road. Further details of the hard surfacing materials and appropriate new planting can be secured via conditions.
8. In conclusion, I find that the proposed development would not be harmful to the character and appearance of the area or host property. It would therefore accord with the requirements of Policies CS14 of the Merton Core Planning Strategy (2011) and policies DM D2, DM D3 and DM O2 of the Merton Sites and Policies Plan Policies Maps (2014). Together these seek high-quality design, for development to relate positively to the area, respecting and complementing the design and detailing of the original building and protecting landscape features of amenity value.

Highway Safety

9. Many of the residential properties and retail units along Durham Road have frontages providing off-street parking perpendicular to the highway accessed via a crossover. The existing frontage to No.33 is primarily formed of hard standing with the vehicle access point to the side along Richmond Road.
10. The Council's concerns are that the layout would be detrimental to highway and pedestrian safety. However, the Council's Highway Engineer does not object. The arrangements have been altered from those on which pre-application advice was sought and the relocation of the lamp post, as necessary, would be part of the highway licence for the crossover which the appellant acknowledges. With the layout proposed, as shown on application plan PL002, there would be no net loss in on-street parking as the single space to be removed to accommodate the access drive could be re-provided along Richmond Road where the existing access would be closed up. A parking space would remain between the driveway and the junction with Richmond Road and for visibility the height of the new front boundary can be restricted.
11. Consequently, I find that the proposal would not conflict with Policy CS20 of the Merton Core Planning Strategy (2011) and Policy DMT2 of the Merton Sites and Policies Plan (2014) which seek to ensure development is sustainable and has minimal impact on the existing transport infrastructure and the local environment.

Conditions

12. The Council has suggested a number of conditions which I have considered against the tests set out in the National Planning Policy Framework. As well as

the standard condition for commencement I shall include conditions which identify the approved plans, and which also control the use of the external materials.

13. Some details of the frontage are provided on the plans, however further information in relation to the new planting, the height of the boundary within the visibility splay and the porous material for the driveway are required. I have combined these into a single condition requiring details of the hard and soft landscaping to be agreed with the Council. Nonetheless, I do not find that the proposed extensions are contingent on the altered access arrangements and the associated new crossover will require a separate highway license. Therefore, in my view, a Grampian condition for the crossover would be appropriate. I have, however, imposed a condition preventing the new access from being brought into use until the existing access to Richmond Road is closed off to prevent a proliferation of access points and to enable the on-street parking to be relocated.
14. As this is an existing property conditions relating to refuse and recycling are not necessary nor would it be feasible or reasonable to make parking arrangements for all construction vehicles on site. I do, nevertheless, agree that the construction hours should be restricted to protect the neighbouring residents. Finally, as the extent of flat roof to the single-storey extensions is limited, and is to comprise skylights I do not consider it necessary to restrict their use.

Conclusion

15. For the reasons set out and having regard to all other matters raised the appeal is allowed.

G Ellis

INSPECTOR

Schedule of 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: JV-2215:PL001, PL101, PL102, PL104 Rev B, PL120, PL002, PL150 Rev F, PL110 Rev F, PL106 Rev D, PL105 Rev F and PL111 Rev D.
- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4 Notwithstanding condition 2 no alterations shall be made to the access arrangements until details of both hard and soft landscape have been submitted to and approved in writing by the local planning authority. These details shall include the boundary treatments, planting and the hard surface materials. The works shall be carried out in accordance with the approved details before the new access is brought into use.

- 5 The new access driveway shall maintain 2m x 2m pedestrian visibility splays to either side with any objects within this splay restricted to a height of 0.6m.
- 6 The new access shall not be brought into use until the existing access driveway to Richmond Road has been stopped up.
- 7 Demolition or construction works shall take place only between 8:00am and 6:00pm Mondays to Fridays, 8:00am to 1:00pm on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.