



Appeal Decision

Site visit made on 23 November 2023

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2023

Appeal Ref: APP/T5720/D/23/3330256

36 Biggin Avenue, Mitcham, CR4 3HN

- 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 Marouf Malik against the decision of the Council of the London Borough of Merton.
 - The application Ref 23/P1910, dated 18 July 2023, was refused by notice dated 26 September 2023.
 - The development proposed is the erection of a part single part two storey side and front extension to create a new two storey gable.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single part two storey side and front extension to create a new two storey gable at 36 Biggin Avenue, Mitcham, CR4 3HN in accordance with the terms of the application, Ref 23/P1910, dated 18 July 2023, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. 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.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: N/01, N/02, N/05, N/06, N/27, N/28 & N/29.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

Reasons

Character and appearance

3. The appeal property is a two-storey, semi-detached, dwelling on a corner plot within a 'T' shaped cul de sac. It has a hipped roof, a side single storey extension and includes half of a central forward projecting substantial gable element shared with the adjoining mirrored dwelling. The road has properties which through common external materials and general layout on the plots give a sense of cohesion and uniformity albeit within that there is inclusion of some different typologies. These include those with no front gable projections, those with them centrally positioned, and those with them at their outer edge. The neighbourhood is one of established residential character and the dwellings,
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gardens, street trees and road pattern come together to give a pleasing appearance. The proposal is as described above.

4. To paraphrase, the Council is concerned that planned extension's design, scale, and siting would appear bulky and dominant harming the appearance of the main building, unbalancing the pair, and impacting upon the streetscene.
5. To appear acceptable an extension to the side of a home should generally have a set back and a lower roof but on occasion there can be suitable exceptions to this starting point and to my mind this is one such instance. The gable structure to be added is not unlike those at the side of some of the homes found locally and would be reflective of the present gable found centrally between the pair. Whilst this would be a remodelling of the existing building it would not be changing it to something alien within its wider context. Furthermore, the corner plot position makes this site visually different from most around, and this would not be creating asymmetry centrally in a long run of properties. I am not convinced that this pair of semi-detached homes needs to be kept entirely symmetrical so long as change is within a prevailing character framework. The stretch of road where the lack of symmetry might be noted would be very limited and, even then, the casual observer might consider this to be one of the terraces which is found in the immediate proximity.
6. Given the foregoing I am satisfied that the planned works would not impinge upon the aesthetic qualities of the host property, the pair, or the streetscene.
7. London Plan Policy D4, Merton Core Strategy 2011 Policy CS14 and Merton Sites and Policies Plan July 2014 Policies DMD2 and DMD3 are relevant. Taken together and amongst other matters, they seek well designed suitably scaled attractive development which provides for the safeguarding of local distinctiveness, and protection of the streetscene and the character of an area generally. I conclude that the proposal would not conflict with these policies.
8. I should add that I am aware of the planning history on this site and the most recently dismissed Appeal Decisions refs T5720/D/23/3320513, 3320514 and 3320515. I am satisfied that the plans before me are sufficiently at variance from those in the past to enable me to reach a different decision from the Council and my earlier colleague.
9. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. I agree this latter condition would be appropriate in the interests of visual amenity. I also agree that there should be a condition that works are to be carried out in accordance with listed, approved, plans; to provide certainty.

Overall conclusion

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property or the locality. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR