



---

# Appeal Decision

Site visit made on 24 June 2024

**by J Pearce MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 15 July 2024**

---

**Appeal Ref: APP/T5720/D/24/3340432**

**33 Florence Avenue, Morden, Merton SM4 6EX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Ms Cherene Beadle against the decision of the Council of the London Borough of Merton.
  - The application Ref is 23/P2960.
  - The development proposed is the erection of additional storey and enlargement of the dwellinghouse including x2 front bay windows and associated alterations.
- 

## Decision

1. The appeal is allowed and planning permission is granted for the erection of additional storey and enlargement of the dwellinghouse including x2 front bay windows and associated alterations at 33 Florence Avenue, Morden, Merton SM4 6EX in accordance with the terms of the application, Ref 23/P2960, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 02-03 Rev P1, 02-04 Rev P1 and 02-05 Rev P1.
  - 3) Prior to the commencement of the development hereby permitted, details of the provision to accommodate all site workers', visitors' and construction vehicles and loading/unloading arrangements during the construction process shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented and complied with for the duration of the construction process.
  - 4) The flat roof area of the development hereby permitted shall not be used as a balcony, roof garden or similar amenity area.

## Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

3. The appeal site is located within a row of dwellings to one side of Florence Avenue and comprises a detached single-storey dwelling. Development within the area is varied comprising a mix of detached and semi-detached dwellings of both single and two-storey scale. The roof forms include a mixture of hipped and pitched roofs with side facing gables.

4. There is an extant planning permission under reference 23/P1304 for a similar scheme to that proposed. The approved scheme for an additional storey would have a hipped roof. The proposal would have a crown roof with a similar ridge height to the approved scheme. In addition, the height of the forward-facing gables would be increased.
5. The proposal would increase the bulk of the dwelling at roof level compared to the approved scheme. Whilst uncommon, the roof form would nonetheless present a pitched roof to the front and would largely blend with other roof forms in the area. Moreover, the proximity of the building to the neighbouring dwellings on either side would obscure the proposed side elevations and the bulk of the roof, limiting its visual impact on the area. The proposal would therefore respect the character and appearance of the area.
6. I conclude that the proposal would not harm the character and appearance of the area. The scheme therefore accords with Policy D3 of the London Plan 2021, Policy CS14 of the London Borough of Merton Core Planning Strategy 2011 and Policies DM D2 and DM D3 of the Sites and Policies Plan and Policies Maps 2014, which collectively require proposals to respect, reinforce and enhance the local character, relate positively and appropriately to the siting, rhythm and massing of surrounding buildings, and complement the character and appearance of the wider setting.

### **Other Matters**

7. While not a reason for a refusal, the Council indicated within the Officer's Report that the proposal may affect the living conditions of the occupants of the properties either side of the site, with regard to natural light and outlook. Given the differing roof form, the side elevations of the proposal would be higher than those of the approved scheme. Nonetheless, the development would not encroach towards the neighbouring properties on either side of the site. Consequently, the proposal would not harm the living conditions of the occupants of the neighbouring properties.

### **Conditions**

8. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty.
9. I have not imposed a condition in respect of the external finish of the development as this detail is included within the approved plan.
10. I have included a condition requiring construction management details in the interests of the safety of all users of the highway. As this relates to the construction process, it is necessary for this condition to be discharged prior to the commencement of the development.
11. The approved scheme included a condition that would preclude the use of the flat roof to the rear of the dwelling. As the proposal is an alternative scheme, it is reasonable to include a similar condition in order to safeguard the living conditions of the occupants of neighbouring properties.

## **Conclusion**

12. The proposed development accords with the development plan as a whole. Material considerations do not indicate that a decision should be made other than in accordance with the development plan. For the reasons given above the appeal should be allowed.

*J Pearce*  
INSPECTOR