



Appeal Decision

Site visit made on 24 September 2024

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2024

Appeal Ref: APP/T5720/W/24/3336858

1 Castle Way, Merton, Wimbledon SW19 5JN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mrs P Webber against the decision of the Council of the London Borough of Merton.
 - The application Ref is 23/P2525.
 - The application sought planning permission for Demolition of existing detached single family dwelling of existing detached single family dwellings and replacement with two new semi-detached five bedroom dwellings. Bin and cycle stores without complying with condition attached to planning permission Ref 20/P2922, dated 29 July 2021.
 - The condition in dispute is No 2 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans: 3992/011 (Rev C); 3992/012; 3922/013 (Rev C); 3922/014; 3922/015; 3922/016; 3922/017 (Rev B); 3922/018 (Rev B); 3922/019 (Rev B); 3922/020; 3922/021; 3922/022; 3922/040 (Rev B); 3911/024.
 - The reason given for the condition is: For the avoidance of doubt and in the interest of proper planning.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Permission has been granted to demolish an existing dwelling in order to erect two new semi-detached houses on the plot.¹ From my assessment on site, the development appeared to be substantially complete.
3. The appellant has sought to vary the approved plans (Condition Number 2) by way of amending the two roof front elevational gable ends from steep peaked gable ends to flat roofs with terraces to each.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the local area.

¹ Application reference 20/P2922 Demolition of existing detached single family dwelling of existing detached single family dwellings and replacement with two new semi-detached five bedroom dwellings. Bin and cycle stores. Approved 29 July 2021.

Reasons

5. The new dwellings I could see was originally designed to take design cues from the local residential area, and based on the evidence before me, also from the dwelling it replaced. Walk in bays, overhanging eaves lines and materiality combine to achieve an acceptably harmonious form of development in this location.
6. Whilst there is a range of roof styles seen locally, this is specific to the particular dwelling to which there is variety in their type, style and age. However, I could see that peaked gables are a prevalent characteristic to dwellings located in close range of the appeal site, and to other neighbouring streets. This extends to projecting front gables and side gables of houses.
7. The use of twin flat roofed gables in this location would present a more mansard style of window. The flat roof would sit just below the ridgeline of the dwelling. The increased vertical emphasis that would arise as a consequence would uncharacteristically elongate the projecting bay feature. It would result in a bulky and top-heavy roof form at odds with the character of the new dwelling, dominating this elevation and harmful to the visual proportions of the dwelling.
8. As the proposal would not respect the character of the host dwelling, it would not cohesively blend with the wider context where peaked gables are a characteristic feature, therefore, the development as a whole would not form a positive contribution to the local area. Even if it would improve the internal arrangement of the room for occupants, this is not sufficient to outweigh the harm arising from unsympathetic development.
9. I therefore conclude that the proposal would be contrary to the broad good design and quality aims of Policy D4 of the London Plan 2021, Policy CS14 of the Core Strategy 2011 and Policies DM D2 and DM D3 of the Site and Policies Plan 2014.

Other Matters

10. Whilst the living conditions of local residents is not in dispute between the parties, this is neutral in the overall consideration of things and neither weighs for or against the proposal.
11. Any concerns raised by the appellant about the Council's service should be referred to them in the first instance and is not within my scope to comment upon.

Conclusion

12. The proposal would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR