



Appeal Decision

Site visit made on 21 October 2024

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2024

Appeal Ref: APP/T5720/D/24/3343708

9A Calonne Road, Merton, Wimbledon, SW19 5HH

- 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 Mr Neville Quie against the decision of the Council of the London Borough of Merton.
 - The application Ref is 23/P3120.
 - The development proposed is described as '*Remodelling of existing 1970s house with alterations to the front and at roof level and rear extension infill*'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the host dwelling and the wider Wimbledon North Conservation Area, including its effect upon trees.

Reasons

3. 9A Calonne Road is a two-storey detached dwelling dating from the 1970s with a shallow pitched roof and largely symmetrical form arranged around a taller central section with lower wings to either side. The site sits within the Wimbledon North Conservation Area (CA) which covers an extensive area broadly comprising a residential suburb of the 19th and 20th centuries and ancient parkland. The CA's architectural composition is mixed, as is reflected by the eclectic development along Calonne Road, where detached dwellings vary in terms of size, age, and design ranging from turn of the 19th century examples to those of modern contemporary appearance. I share the appellant's view that the appeal property is unremarkable, being neither part of any important group nor formally identified by the Council for any historical or architectural merit. Nevertheless, its setting behind a partially verdant frontage and with space between it and neighbouring properties, especially at first-floor level, where views can be had through to a backdrop of heavily treed rear gardens, positively contributes to the area's spacious qualities. This in turn contributes to the CA's overall character and appearance.
4. The proposal would substantially remodel the dwelling's appearance. I note its derivation from careful consideration of various alternative options. The works would include a raised ridge height with a steeper pitched front roof slope and two front facing dormer windows either side of a wide central full height

- parapet bay feature that would enclose an original front balcony at first-floor level, a recessed first-floor side extension over the existing attached garage adjacent to 11B Calonne Road, and a single-storey rear infill extension.
5. The ridge height of the existing property is marginally taller than the ridge height to No 11B on the east side of the appeal property, but considerably below the ridge line of No 9, to the opposing side. Moreover, there is no regimentation to the street scene in terms of building heights or proportions. The proposal would see the property's ridge line rise equivalent to No 9 but I find nothing about its resultant height or profile that would be either dominant or incongruous within the mixed context of its setting. There would be a greater step change between the relative heights of the appeal property and No 11B, but this would be neither significant nor harmful, merely reflective of the area's diverse development pattern.
 6. The remodelled front bay would become a dominant feature of the property, but it would simply add interest and articulation to the building's principal elevation as a focal point. Its parapet form would take its cue from the architectural composition of some nearby buildings, particularly No 9, but in a contemporary manner. The dwelling overall would remain set behind its frontage. There would be no protrusion of built form beyond its existing forwardmost part.
 7. In isolation, the first-floor side extension would appear as an appropriately subservient and reasonably balanced addition, being recessed behind the main front elevation and with a slightly lower ridge height. Nevertheless, it would erode a significant proportion of the existing gap between the side elevation of No 9A and its common boundary with No 11B. There are conflicting figures quoted by the appellant for the degree the side extension would be set away from the plot's side boundary. The grounds of appeal suggest this would measure 1m. The appellant's Heritage Assessment gives the figure as 400mm. Regardless, the planning application drawings show the first-floor side extension to be set away from the outside edge of the existing ground floor garage/store by the width of its flank wall. In my assessment it would be perceived as set close to the plot's side boundary. The result would be a dwelling with narrow separation to both sides, giving the impression of a building spanning almost the plot's width at full height. As such, the dwelling would appear cramped in its setting. This would be uncharacteristic of the area's spacious qualities which is dependent, in part, upon the comfortable setting of each individual dwelling.
 8. The appellant has pointed to the overall space between the appeal property and the main flank wall of No 11B. I accept that this would remain sufficient to allow views through to the verdant garden hinterland. However, this opportunity would be almost entirely dependant upon space over the side car port to the neighbouring property. By allowing the appeal property to extend so close to the side boundary, it would prove difficult for the Council to justify resistance of any future similar proposal to extend No 11B to the side at first-floor level.
 9. The proposed infill extension to the rear would square a narrow part of the building's footprint adjacent to the boundary with 11B. There is a row of tall and mature evergreen trees immediately adjoining within the curtilage of No 11B. These can be clearly seen from beyond the appeal site, including from

the public domain along Calonne Road in the gap at first-floor level between these neighbouring properties. They contribute to, and form part of, the verdant backdrop created by the large and leafy rear gardens of properties more widely in the area.

10. The planning application was not accompanied by any arboricultural assessment. I saw the trees to be healthy. The rear extension would be set immediately adjacent to the base of these trees and its foundations would inevitably encroach into their root zones.
11. The appellant has argued that the trees come under the remit of the High Hedge procedures. However, there is no evidence before me that a complaint about the affect of the trees has been made to the Council in order to instigate such a process. Moreover, there are separate rights to appeal the Council's actions in certain circumstances provided for under The High Hedges (Appeals) (England) Regulations 2005. I have considered the trees as far as they are protected by their position within a conservation area boundary. Their loss or damage would potentially harm the contribution they make to the character and natural qualities of the area.
12. The appellant has further argued that matters relating to the trees could be dealt with by way of condition. I disagree. In the absence of any initial analysis and due to the proximity of the trees, I am unable to conclude how the trees could be affected. Their protection and safeguarding by appropriate means could not be guaranteed by simply requiring an arboricultural investigation and method statement for construction post any grant of planning permission.
13. Overall, the modern architectural approach proposed to the dwelling's modified form would be sympathetic and complementary to the varied townscape along Calonne Road. However, the spatial relationship between neighbouring properties is important. The separation distance between properties allow for views beyond the dwellings into the depth of rear gardens and contributes positively to the setting of each building within the street scene and in turn the area's wider spacious character. The reduced space between the dwelling and its eastern boundary would result in an uncharacteristically cramped setting for No 9A. This would be detrimental to the area's spatial qualities and harmful to the character and appearance of the CA. The potential loss or harm to the existing trees on neighbouring land near to the proposed rear extension adds to my concern.
14. Having regard to paragraph 205 of the National Planning Policy Framework (the Framework), the harm arising from the proposed first-floor side extension and impact upon trees to the significance of the conservation area would be less than substantial. However, this does not equate to a less than substantial objection and any harm to a designated heritage asset requires clear and convincing justification in line with paragraph 206. Furthermore, in line with the Framework's paragraph 208, such harm should be weighed against the public benefits of the proposal.
15. Given the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area, I have attached significant weight to the harm that I have

identified to the historic environment. I am unable to identify any public benefits in this instance that would outweigh the harm.

16. I appreciate the appellant's desire to improve their home and to make provisions for their family. However, for the reasons given, I find that the proposal would harm the setting of the appeal property and in turn the character and appearance of the Wimbledon North Conservation Area. As such, there would be conflict with Policies CS14 of the Merton Core Strategy: July 2011, and with Policies DM D1, DM D2, DM D3, DM D4 and DM O2 of the Council's Sites and Policies Plan, adopted in 2014, as far as between them they seek to ensure that new development displays a quality of design that respects local character and the context of its surroundings, including spaces between buildings, and which as a minimum conserves Merton's heritage assets, including protection of trees and landscape features of amenity value. For the same reasons there would be conflict with the similar requirements of Policies D3, D4, HC1 and G7 of The London Plan 2021.
17. Accordingly, having regard to the conflict with local and national policy, and all other matters raised, including some local expressions of support for the proposal, I conclude that the appeal should fail.

John D Allan

INSPECTOR