
Appeal Decision

Site visit made on 3 March 2025

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 04 April 2025

Appeal Ref: APP/T5720/D/24/3354023

34 Neath Gardens, Morden SM4 6JN

- 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 Neha Ganeshan against the decision of the Council of the London Borough of Merton.
 - The application Ref 24/P2116, dated 30 July 2024, was refused by notice dated 26 September 2024.
 - The development proposed is a double storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a double storey side extension at 34 Neath Gardens, Morden SM4 6JN in accordance with the terms of the application, Ref 24/P2116, dated 30 July 2024, subject to the following 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: PP/01, PP/03 and PP/04.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials set out on the planning application form.
 - 4) Demolition or construction works (including the delivery of and taking away of materials to/from the site) shall take place only between 08:00hrs and 18:00hrs on Mondays to Fridays, 08:00hrs to 13:00hrs on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal relates to this modestly sized, 2 storey house which sits at the end of a short terrace of similar houses. Other properties on Neath Gardens are of the same design and the terraces of houses are arranged in a symmetric pattern around a grassed central square.

4. The proposal would add a 2 storey extension to the side of the house with a step back in the front elevation and a slightly lower hipped roof over. The Council have objected to the proposal due to their concerns relating the loss of space and proximity to the site boundary and indicates that the proposal would have an over-dominant effect.
5. The proposal would bring the built form of the house closer to the angled plot boundary, closest at the front corner of the proposal. However, this would be very similar to the extension undertaken at No 7 which is in a similar position as the appeal site. Furthermore, this would be almost identical to the recently approved extension to No 8 (Council reference; 24/P1117, granted by the Council on 20 May 2024). Whilst the current appeal proposal would reduce the space around the building and would come close to the plot boundary, it would be no different to that at No 7 and the approval at No 8. In these circumstances, I consider that there would be no different or harmful effect arising from the appeal scheme.
6. The appellant has made reference to the extension at No 7 and the approval at No 8 in their submissions. The Council comments that the approval at No 7 is historic, dating from the 1980s, and is a negative feature in the area. However, there is no explanation why the approval was given at No 8 in May 2024. Taking all of these matters together, I consider that within the context of the existing and approved extensions, the proposal would be entirely consistent with the character and appearance of the area and there would be no conflict with the policies set out by the Council.
7. In relation to conditions, the Council has suggested a number of conditions if I were to allow the appeal. I shall include the standard time limit for commencement and a condition which identifies the approved drawings for the sake of certainty. So that the extension has an acceptable appearance, I shall include a condition relating to the external materials. Taking account of its location, I shall also include a condition which restricts the hours of construction works so that neighbours are not unduly affected.
8. I have taken account of all other matters and for the reasons set out above consider that the proposal would have no harmful effects on its locality and would be consistent with the aims of The London Plan Policies D3 and D4, Policy CS 14 of the Merton LDF Core Planning Strategy (2011) and Policies DM D2 & DM D3 of the Merton Sites and Policies Plan (2014). Therefore, the appeal is allowed.

T Wood

INSPECTOR