



Appeal Decision

Site visit made on 10 April 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 May 2025

Appeal Ref: APP/T5720/W/24/3355989

3 High Street, Wimbledon, London SW19 5DX

- 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 Roberts of AS Investments Ltd against the decision of the Council of the London Borough of Merton.
 - The application Ref is 24/P0952.
 - The development proposed is described in the application as “extension and alteration to existing premises including new roof extension to provide a new one bedroom studio flat. Relocation of rear wall to provide balconies to existing first and second flats”.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. It is noted that the Council did not refer to the Merton Local Plan in one of the reasons for refusal. However, it is clear from the evidence that the identified policies relate to that document. I have therefore dealt with the appeal on this basis.

Main Issues

3. The main issues in this appeal are:
 - whether the proposed development would preserve or enhance the character or appearance of the Wimbledon Common Conservation Area (CA); and
 - the effect of the proposed development on parking pressures.

Reasons

Character and appearance of the Conservation Area

4. The appeal site is a three storey building dating from the later nineteenth century and forming part of a prominently located crescent shaped terrace at the top of Wimbledon Hill Road. It is constructed of yellow stock brick and slate, with decorative sash windows on the first and second floors below a parapet with dentil detailing. The rear elevation, which is visible in oblique views from Homefield Road, is functional in appearance with a characteristic butterfly roof construction.
5. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of a

Conservation Area. The site is situated within a CA whose significance derives from its historical background as a village, the quality of the streetscape, and the charm, character and uniqueness of the detailing of the buildings, many of which are listed. The appeal site is within a terrace which forms part of an excellent block in a very prominent location, with its crescent shape providing a valuable lead into the High Street and link to the Ridgway.

6. The terrace of which the appeal property is a part makes a notable contribution to the CA, both because of its age and appearance, and owing to its prominent location at the intersection of High Street and Wimbledon Hill Road. This is recognised in the Council's Wimbledon Village Conservation Area Design Guide (DG). A key element of the terrace's character and appearance is its uniform and uninterrupted roofline, which is a particular quality of this part of the CA.
7. The appellant has referred me to guidance in the DG that in instances where blocks/terraces have suitable parapets, it may be considered acceptable to form a mansard type roof provided that, amongst other things, it is set back far enough so as not to impinge on the street scene. In this context, the appellant has reduced the height of the proposed roof extension compared with the scheme that was previously dismissed at appeal¹, and unlike the previous scheme is now proposing to clad the roof extension in slate rather than folded metal.
8. However, the proposed roof extension would protrude above the existing roofline of the terrace, and by proposing possible private amenity space on the roof at the front of the building, residential paraphernalia such as sun umbrellas could also be visible. As such, the proposed roof extension and private amenity space would introduce an incongruous and alien feature that would irrevocably erode this otherwise well preserved and important terraced roofline.
9. To the rear, the proposed roof extension would be clearly evident above the butterfly roof, and although constructed of contrasting materials, would interrupt the zigzag roof design. The Council is furthermore concerned that the additional bulk of the rear extension would disturb the building's historic building line. Whilst there is disagreement between the parties as to whether nos 1 and 2 High Street have previously been extended at the rear, the stepped arrangement of the rear elevations would nevertheless be further diminished by the scale and bulk of the proposal. Although the building has been subject to various alterations over the years, and the proposal would result in mechanical plant being removed from the external wall of the building, this would not ameliorate the harm to the character of the rear elevation of the building.
10. The appellant says that the proposal would not be particularly visible from longer distances. However, a lack of public visibility is not solely determinative when considering proposals within conservation areas. It is always necessary to consider the intrinsic qualities which define the character of the area. In any case, glimpsed views of the proposed extensions would be readily available from a number of public vantage points including Wimbledon Hill Road and Belvedere Grove, and oblique rear views would be available from Homefield Road. Accordingly, the eye would be drawn to the incongruity of such untypical features along this terrace.

¹ Appeal reference APP/T5720/W/16/3151390

11. The proposal would lead to less than substantial harm to the significance of the designated heritage asset affected. Paragraph 215 of the National Planning Policy Framework (the Framework) states that in such circumstances the harm should be weighed against the public benefits. The proposal would provide an additional dwelling unit and a temporary boost to the economy during the construction phase. It would also bring two existing dwelling units up to London Plan standards, along with delivering fabric and envelope upgrades. These can be considered public benefits.
12. Against the benefits I must weigh the harm to heritage assets. The Framework states that great weight should be given to the assets' conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to significance. Any harm to the significance of a designated heritage asset should require clear and convincing justification. In the heritage balance, I have given significant weight to the benefits of housing delivery and some, more limited weight to the environmental and economic benefits. However, the adverse impact on the CA is a matter of considerable importance and weight. Overall, I consider that the harm to heritage assets outweighs the benefits.
13. I therefore conclude on this main issue that the proposal would fail to preserve or enhance the character or appearance of the CA. As a result, the proposal would be contrary to Policy HC1 of the London Plan (LP), Policy CS 14 of the LDF Core Planning Strategy (CPS) and policies DM D2, DM D3 and DM D4 of the Merton Local Plan Sites and Policies Plan and Policies Maps (MLP). Together these policies seek quality design and to protect designated heritage assets from, amongst other things, inappropriate extensions.

Parking pressures

14. The appeal site has a Public Transport Access Level (PTAL) rating of 6a, indicating it has excellent access to public transport facilities. As such, future occupiers would not be reliant on the car. As the appeal site is situated in a Controlled Parking Zone (CPZ), it is necessary to ensure that the scheme remains car-free, to prevent congestion and parking stress.
15. There is no dispute relating to this necessity. Moreover, the appellant has indicated their willingness for the development to be car-free, and has requested that this matter be controlled through a planning condition. However, I am in agreement with the Council that adequate control can only be exerted through a planning obligation. In the absence of a planning obligation, the proposal would be likely to generate additional parking pressures.
16. It is therefore contrary to policies T6 and T6.1 of the LP, Policy CS 20 of the LDF CPS and policies DM T1 and DM T3 of the MLP. Together these policies promote the use of sustainable transport modes, including car free developments in areas of high accessibility supported by legal agreements to ensure permit-free developments within CPZs.

Other Matters

17. I have reviewed the precedents referred to by the appellant for extensions to similar buildings in the CA, but as the extensions at 21A, 22A and 23A High Street were undertaken a number of years ago, I cannot be certain of the policies against which they were assessed. Furthermore, I am not bound by previous decisions of

the Council. In any case, these extensions are not on the same characterful block and consequently not comparable. I do not consider that these extensions set a positive precedent that should be followed, albeit I recognise that the appellant is proposing a scheme of lesser scope.

18. The introduction of private recessed balconies would provide future occupants with improved living conditions. However, any such benefits would not sufficiently outweigh the identified harm above.

Conclusion

19. I therefore conclude that the proposal conflicts with the development plan taken as a whole, and there are no material considerations of such strength or significance as to justify a decision otherwise than in accordance with the development plan. For the reasons given above, I conclude that the appeal should be dismissed.

J Heppell

INSPECTOR