



Appeal Decision

Site visit made on 2 September 2025

by **Mr C J Tivey BSc (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 September 2025

Appeal Ref: APP/T5720/D/25/3369431

25 Cottenham Park Road, Wimbledon, London SW20 0RX

- 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 & Mrs James & Christina Anderson against the decision of the London Borough of Merton Council.
 - The application Ref is 25/P1127.
 - The development proposed is for a rear ground and first floor extension with loft conversion and extension into habitable space, widening of entrance to driveway, new railings across front boundary of property and two new windows to front of house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the appeal proposal upon the living conditions of 23 Cottenham Park Road, with specific reference to outlook.

Reasons

3. The appeal site comprises a detached two storey house with loft accommodation and a flat roof single storey extension to the rear, adjacent to 23 Cottenham Park Road. The proposal would see this element demolished along with a garage/outbuilding to the other side; and a part two storey part single storey extension would be built off the rear elevation of the main range, adjacent to no23.
4. I had the opportunity to view the proposal from no23 which is closest to the appeal site and there is currently a clear vista over the parapet wall of the existing single storey extension from the closest ground floor window, the outlook from which would be significantly curtailed by the two storey built form close to the shared boundary.
5. I acknowledge that the two storey element of the proposal would not conflict with a 45° line when taken from the centre of said neighbouring window, and I also note that there is a slight difference in levels with no23 being on marginally higher ground than no25. Nonetheless by virtue of its close proximity and its depth, I consider that the two storey side extension would have a harmful impact upon the outlook of the rear ground floor window of no23 as the proposal stands. However, due to the overall width of the plot and the provision of ample space for external amenity, I consider that the impacts of the scheme upon the rear garden space of no23 would be slight.

6. I have had regard to the other examples cited by the appellants, however ultimately each case must be assessed on its own merits and it is not for me to comment on the appropriateness or otherwise of extensions that have been permitted on other dwellings in the past. I have had regard to the CGI images that have been submitted and I consider that the proposed view from the affected window reinforces my concerns and which could be allayed through either setting away from the existing flank elevation of the appeal dwelling or a reduction in its depth. I acknowledge though that the effect of the appeal proposal upon the outlook from the more central patio doors of no23 would be less affected.
7. I note the provision of a Daylight and Sunlight Assessment and that the Council has not refused planning permission in terms of overshadowing or a loss of light and I have been given no substantive reason to come to a different conclusion on this. However, for the reasons given above I consider that the proposed development by virtue of the overall scale of the two storey rear extension would have a harmful impact upon the outlook from the closest ground floor window on the rear of no23 and the proposal conflicts with Policy D12.3 of the Merton Local Plan 2024 – 2037/38 which stipulates that all developments should secure high quality design, including how people experience the development and how it responds to its context ensuring, amongst other things, that acceptable outlook would be available to existing occupants of the proposed development and its surroundings so that a high standard of amenity is provided.

Conclusion

8. Having regard to the above and all other matters raised, I conclude that the appeal should be dismissed.

C J Tivey

INSPECTOR