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## Appeal Decision

Site visit made on 10 February 2015

**by Mr Kim Bennett BSc Dip TP MRTPI**

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

**Decision date: 18 February 2015**

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**Appeal Ref: APP/T5720/D/14/2229822**  
**5 Peregrine Way, London SW19 4RN**

- 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 Mr A Donahue against the decision of the Council of the London Borough of Merton.
  - The application Ref 14/P2515, dated 26 June 2014, was refused by notice dated 6 November 2014.
  - The development proposed was described as 'construction of a double storey front and side extension at ground and first floor as well as a single storey rear extension at ground floor. Construction of basement under part of house. Addition of new side access gate and hardstanding pathway at the front'.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Although the original application apparently included reference to a basement and this was responded to in representations received, I note that it was subsequently deleted from the application. Whilst there is no copy of an amended application form before me to reflect that revision, for the avoidance of doubt and based on the amended plans I have considered the appeal on the basis that there is no proposed basement accommodation.
3. The appellant was not able to be present at the time of my site visit but left the side gate unlocked so that I was able to gain access to the rear garden. I was therefore able to fully appreciate the relationship of the proposed extension with No 7 Peregrine Way.

### Main Issues

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

### Reasons

5. Number 5 Peregrine Way comprises a large detached 2 storey house located on the eastern side of Peregrine Way which is a cul-de-sac. The estate comprises some 20 houses built in the 1970s with loose design references to Georgian
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Colonial Architecture according to the Conservation Area Appraisal. Within the estate itself Nos 1 & 2 have a pseudo classical design approach whilst the remainder, including No 5 as originally constructed, are of a simpler design with some period details and with a strong horizontal emphasis. The character of No 5 has changed in that respect with the introduction of a strong gable feature on the front elevation. It has an attached garage on its southern side close to the common boundary with No 7. There are 2 large evergreen trees in the front garden and the estate generally is characterised by open front garden areas. The whole estate is included within the larger Wimbledon West Conservation Area.

6. The appellant refers to pre application discussions with officers to discuss the design concept which was supported. The appellant also considers that the character of the area is defined by spaces in front of the buildings rather than spaces between them. Whilst I agree that the open plan nature of the estate is very much part of the character, I also consider the spaces between buildings reinforces a further part of the character which is that of large detached buildings in spacious plots. Currently, all the buildings are separated from each other by at least the width of an attached single storey garage and at present there is a clear gap between No 5 and No 7, above No 5's garage, when viewing the front of the properties from the Road. In that respect the existing space between both buildings would be reduced to just over 2 metres at ground and first floor level. Furthermore although the proposed gable extension would not be forward of the building line with No 7, its bulk and massing so close to the common boundary and on 2 levels would reduce the sense of spaciousness between the two properties that currently exists.
7. From a design point of view, I acknowledge that it has been carefully considered and the introduction of a further gable element would bring some symmetry to the existing design whilst continuing the Georgian theme. However in my view and in conjunction with the existing gable, it would create a very prominent design feature at the front of the building. Whilst perhaps an appropriate design solution in isolation, it would be at odds with the restrained horizontal character of the majority of the buildings elsewhere on the estate and would detract from the original design approach. Contrary to what the appellant suggests I also consider it would be very prominent when approaching the property from the entrance to the estate, largely as a result of the gable feature, and would emphasise the closing down and apparent separation from No 7 which exists at present.
8. A combination of the above factors would cause harm in my view and would detract from the character and appearance of this part of the estate. In reaching that finding I do not consider it is the loss of open views or plot to house ratios which are the issues, but the apparent and actual loss of space currently separating No 5 from No 7 as a result of the bulk and form of the proposed design approach.
9. I acknowledge that the National Planning Policy Framework (the Framework) states that planning decisions should not attempt to impose architectural styles. However the issue is not so much the introduction of an additional gable feature per se, but the impact that has on the character and appearance of this part of the estate. In that respect the Framework also advises that proposals should

seek to reinforce local distinctiveness and respond to local character which for the reasons given above, I do not consider would be the case.

10. Because of its location I have had special regard as to whether the proposal would preserve or enhance the character or appearance of the Conservation Area. I note from the Conservation Area Appraisal that the inclusion of Peregrine Way was primarily to avoid a break between 2 adjoining Conservation Areas rather than for any particular architectural or historic merit. I agree with the appellant that the estate has at best a neutral effect on the character of the Conservation Area as a whole and that therefore the proposal would preserve that wider character.

### **Other Matters**

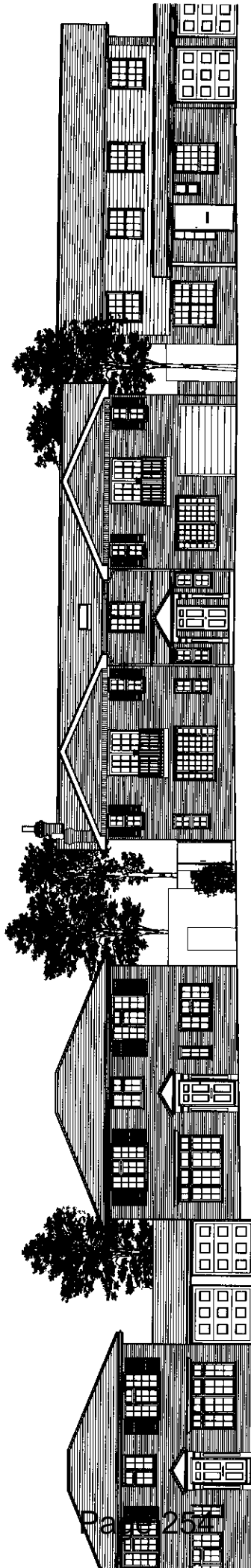
11. With regard to amenity concerns raised, I agree with the Council that because of the siting and separation of the proposed extensions from No 3, it would not result in any adverse impact to the living conditions of the occupiers of that property. There would be some impact upon No 7 given its close proximity but there are no windows in the northern flank wall of that property and the first floor extension would not project beyond the existing rear main elevation of No 5. I noted that the rear garden of No 7 has an open aspect and whilst the proposal would cause a minor loss of evening sunlight, the sunlighting study submitted with the application demonstrated that this would be negligible in the context of the greater part of the garden which is in shadow at that stage. Whilst I acknowledge that this is important to the occupier, I do not consider its loss would justify refusal of the application on that basis alone.
12. With regard to the loss of the eucalyptus tree I note that no objections were raised by the Council's arboricultural officer and see no reason to take a different view. Similarly I see no objections to the proposed single storey rear extension.

### **Conclusion**

13. I appreciate that Peregrine Way is in a sustainable location, the proposal would provide efficient use of the site and with a design that has been carefully considered in terms of the property itself. However, for the reasons set out it would give rise to other design issues in terms of adverse impact upon the character and appearance of the area. It would therefore be contrary to Policies DM.D2 and DM.D3 of the Merton Sites and Policies Plan 2014, in that it would not relate positively to the rhythm and massing of surrounding buildings and the street pattern, would not respect the form, bulk and proportions of the original building and would not respect the spaces between buildings which are part of the character of the area. Accordingly, for those reasons the appeal should be dismissed.

*Kim Bennett*

INSPECTOR



**Proposed Front Site Elevation**

NOTE: Drawing shows a 'situated' elevation to show adjacent houses in context.



5 PEREGRINE WAY, SW19 4RN

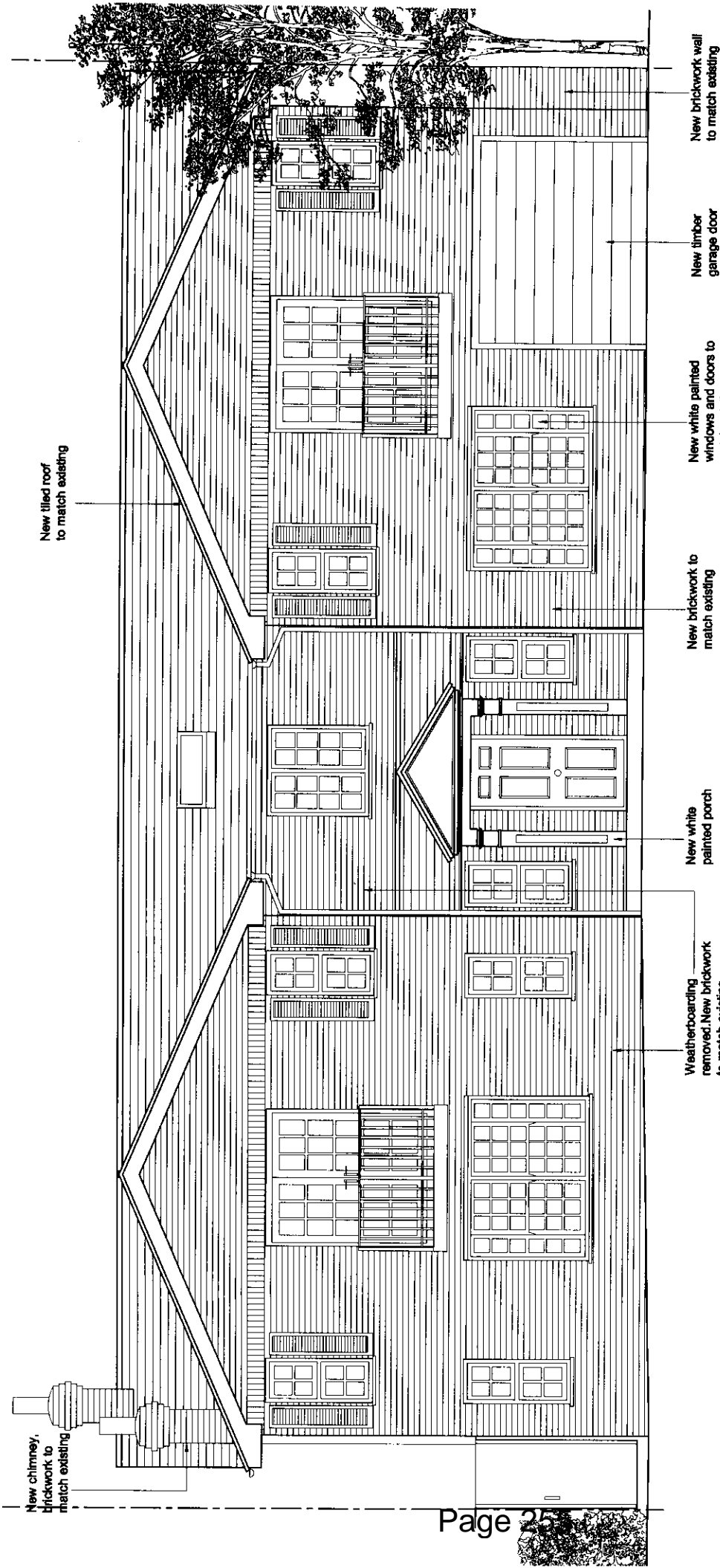
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Drawings: Proposed Front Site Elevation  
 Orig. No: P 23 Rev D  
 Scale: 1:100 @ A3  
 Date: May 2014

NOTE: All dimensions are in millimetres. Do not scale off the drawings and report any discrepancy to the architect. Drawings for planning purposes only.

14/P2515 Refused Scheme



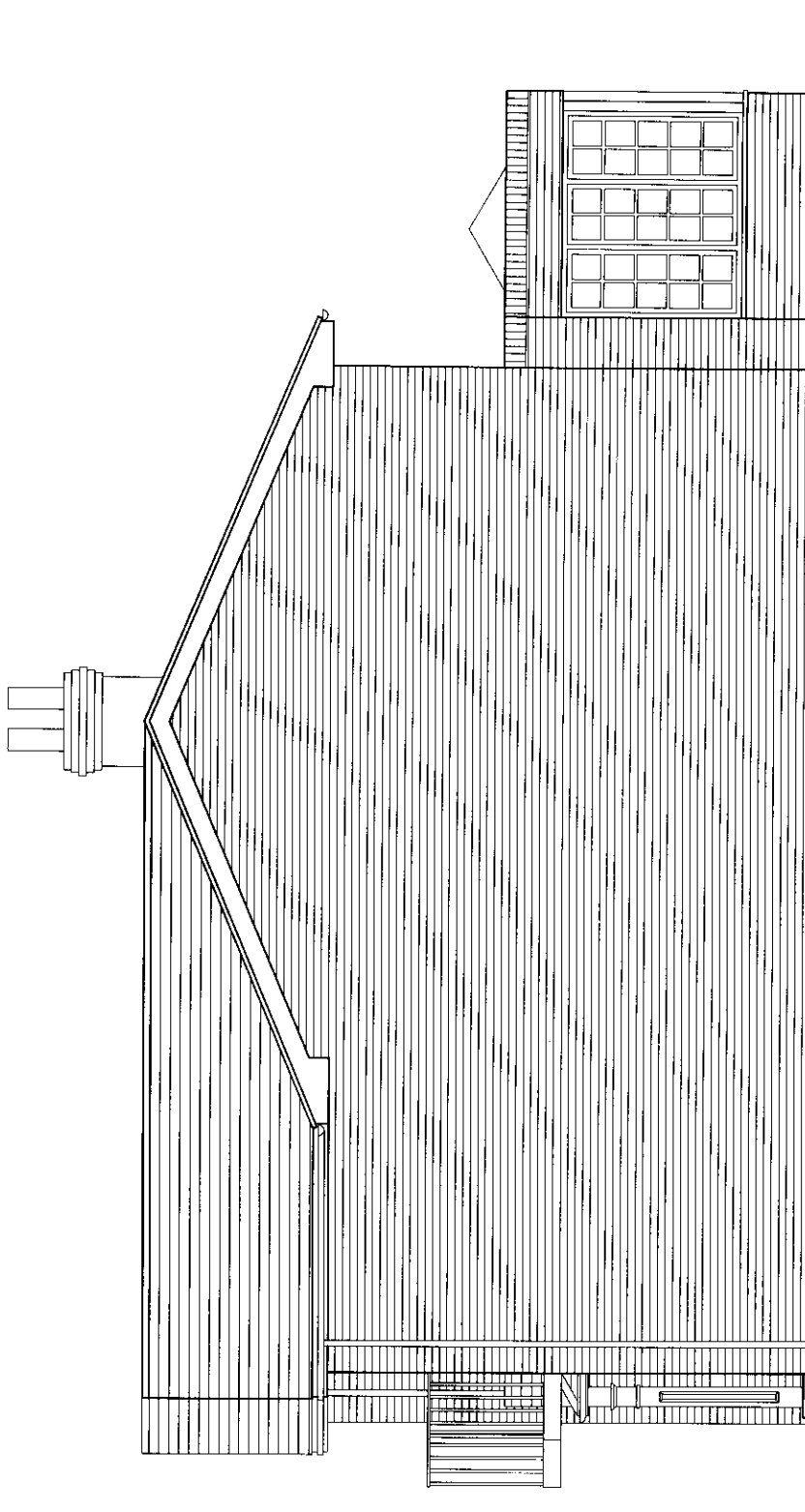
**Proposed Front Elevation**

**5 PEREGRINE WAY, SW19 4RN BROOKS PRACTICE**  
 Drawing: Proposed Front Elevation ARCHITECTS - SPACE PLANNERS - DESIGNERS  
 Proj. No: P 19/04/08 94 Amity Grove London SW20 0LJ  
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14/P2515 Refused Scheme

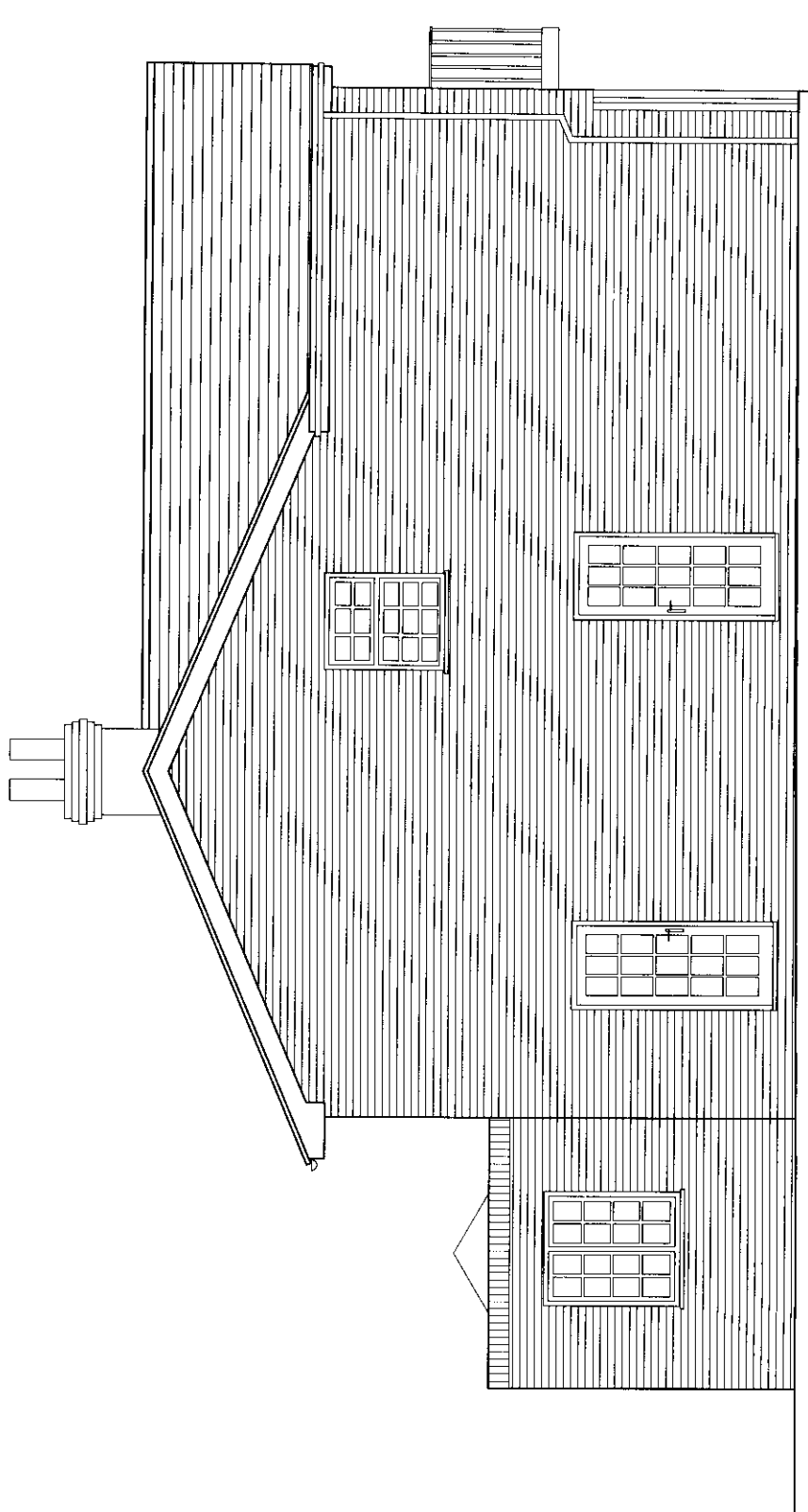


Proposed South Site Elevation

**5 PEREGRINE WAY, SW19 4JH**     **BROOKS PRACTICE**  
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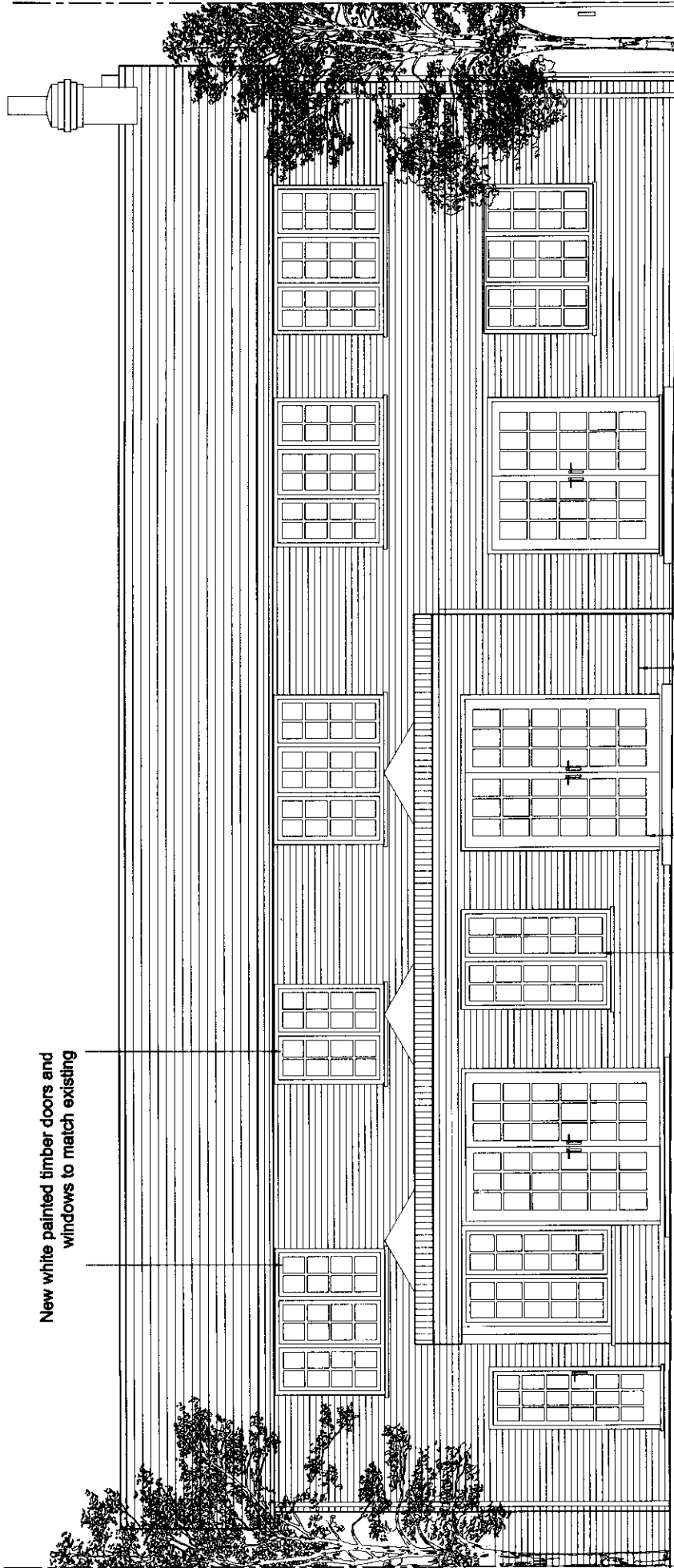
Proposed North Site Elevation

**8 PEREGRINE WAY, SW19 4RN BROOKS PRACTICE**

Drawing: Proposed North Site Elevation ARCHITECTS - SPACE PLANNERS - DESIGNERS  
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14/P2515 Refused Scheme



New white painted timber doors and windows to match existing

New brickwork to match existing

New white painted timber doors and windows to match existing

**Proposed Rear Elevation**

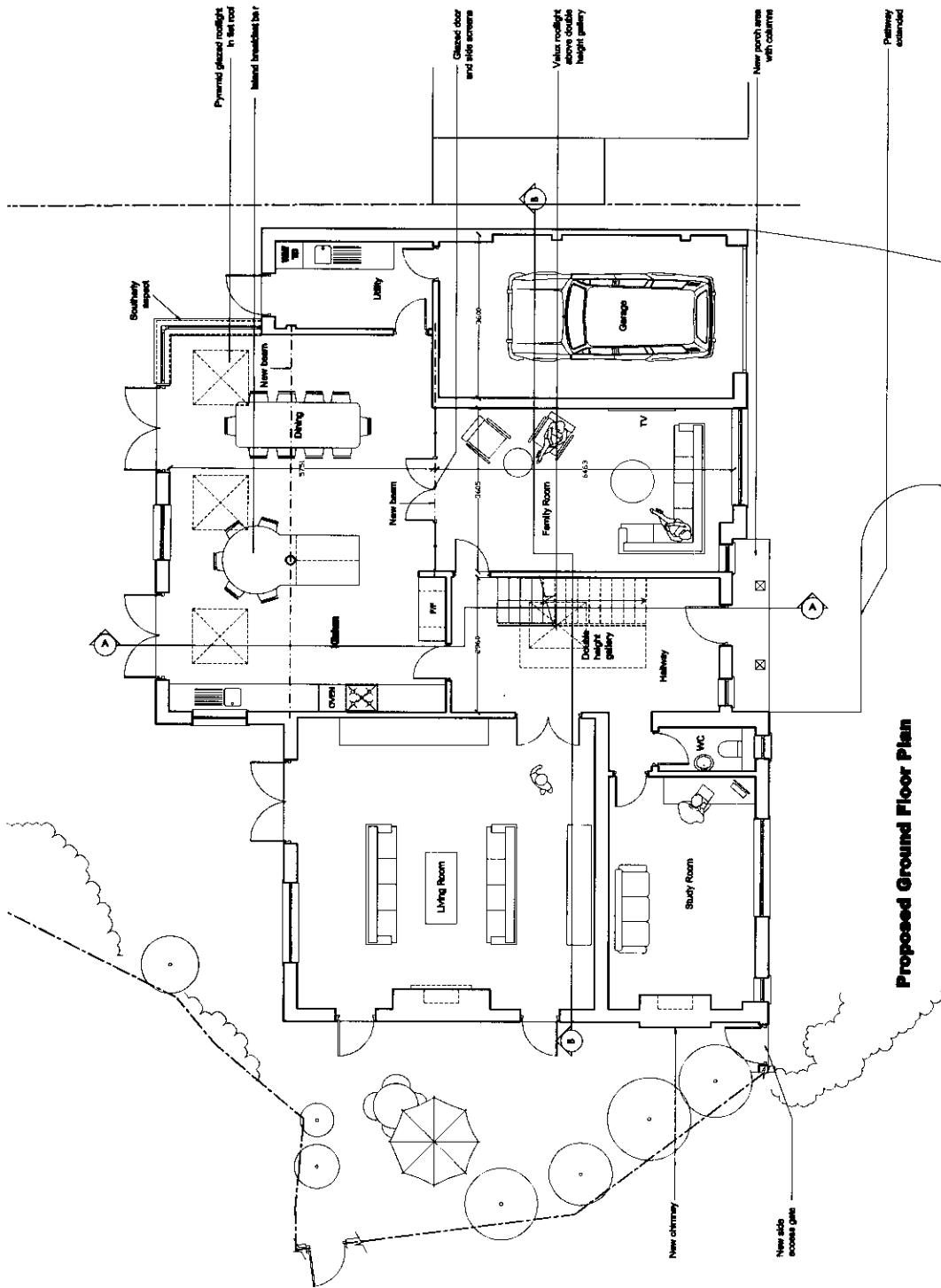
**6 PEREGRINE WAY, SW19 4RN** **BROOKS PRACTICE**  
 ARCHITECTS - SPACE PLANNERS - DESIGNERS  
 Drawing: Proposed Rear Elevation  
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*14/02/15 Revised Scheme*



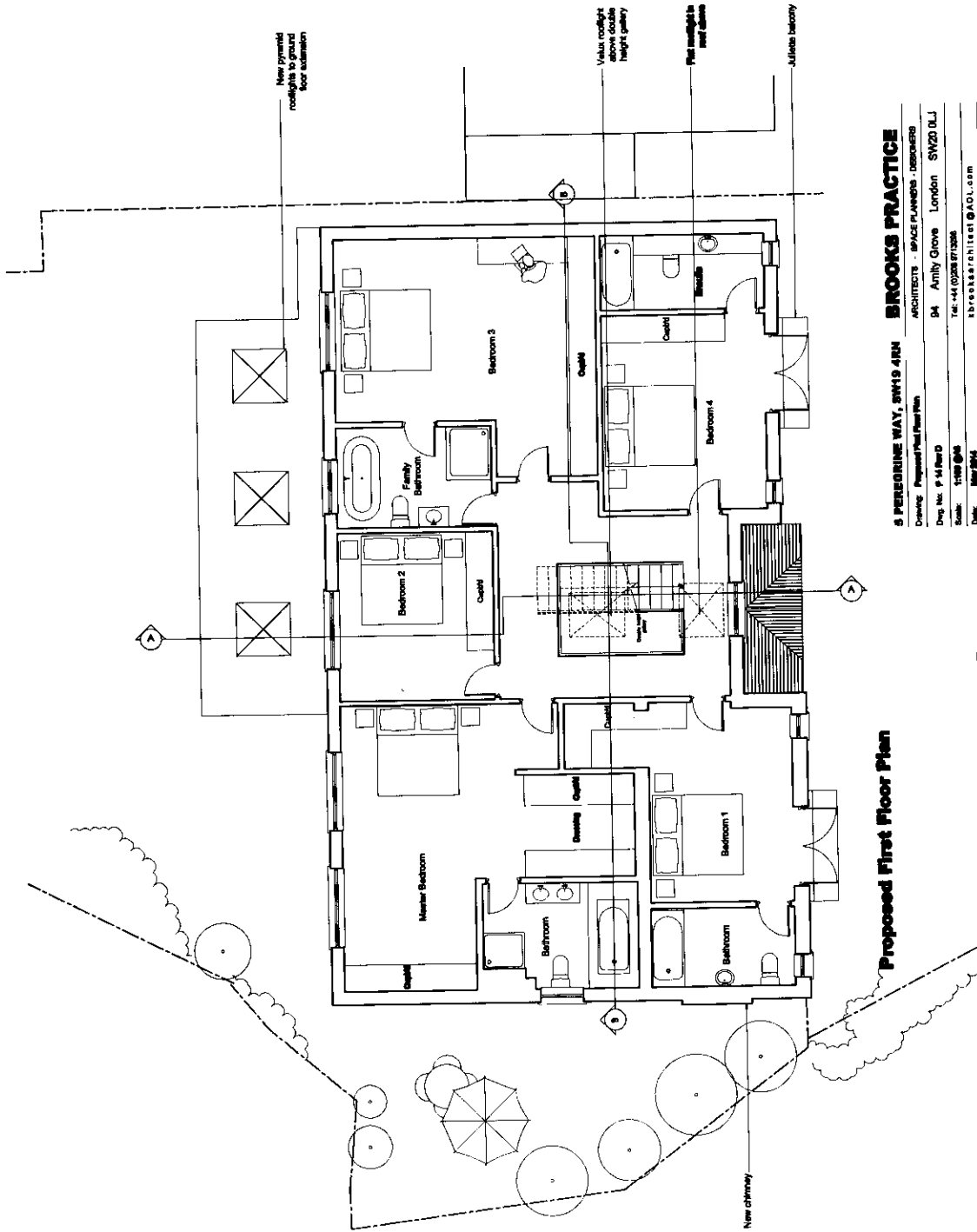


**Proposed Ground Floor Plan**

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14/02/15 Refused Scheme



**5 PERDINE WAY, SM19 4NN** **BROOKS PRACTICE**  
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 Drawing: Proposed First Floor Plan  
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14/05/15 Refused Scheme