

Appeal Decision

Site visit made on 4 January 2017

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 13th February 2017

Appeal Ref: APP/P5870/W/16/3161081
5-7 Lower Road, Sutton SM1 4QJ

- 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 Zahoor Ahmed against the decision of the Council of the London Borough of Sutton.
 - The application Ref B2016/74019/FUL, dated 15 April 2016, was refused by notice dated 16 June 2016.
 - The development proposed is a loft conversion to include rear dormer.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst the application forms refer only to the proposed rear dormer, the application drawings, decision notice and appeal forms also refer to two front dormers. It is clear that the front dormer windows formed part of the proposal and that the Council considered them as part of the application. On that basis I have determined the front dormer windows as part of the appeal.
3. At my site visit I noted that two dormer windows had already been constructed to the front elevation. The Council points out that what is built does not reflect the application drawings. Be that as it may, for the avoidance of doubt, my decision relates to the application drawings only.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host property and the wider area.

Reasons

5. 5-7 Lower Road comprises two terraced properties and their rear yard areas, situated at the end of a row of four properties. The buildings, which are of a traditional appearance have been recently renovated and extended and are in use as flats.
 6. The surrounding area is a busy area with a mix of commercial and residential uses. The character and appearance of the area is defined by small scale, tight-knit terraced properties, generally two storeys in height, of a traditional character with pitched roofs.
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7. My attention has been drawn to the Council's Supplementary Planning Documents 14 - Creating Locally Distinctive Places, and 4 - Design of Residential Extensions (SPD 4). Annex A of SPD 4 provides advice for developers in respect of dormer windows noting that they should have a vertical rather than horizontal emphasis. At A.5 the SPD advises that 'large, flat-roofed, box-like dormers can have a detrimental effect on the character and appearance of dwellings, and cause detriment to the street scene and neighbouring properties'.
8. The front dormer windows, as indicated on the application drawings, would be subservient additions to the building, set centrally on the roof plane. The dormers would have a vertical emphasis and pitched roofs and would allow the form of the main roof to be seen. Consequently they are consistent with advice in SPD4. The Council raised no objections to the front dormers as proposed, and I have no reason to disagree.
9. The rear dormer would be faced in tiles to match the existing roof and would be set-down from the ridgeline of the existing buildings. Nevertheless its flat roof would give it box-like form that would extend across almost the entire width of the two properties and over part of the rear wing in an L shaped form. Consequently the dormer, which would not reflect the form or massing of the existing roof, would be a top-heavy and dominant feature that would be harmful to the existing character and appearance of the properties.
10. I acknowledge that the rear dormer would not be unduly prominent from the public realm in Lower Road. However, the site lies close to a road junction and the rear roofs of the appeal buildings, particularly that of No 5, are visible from Thicket Road. As a result of their bulky form and large scale, the dormers would be apparent in the street scene. Consequently as a result of their harmful impact on the host properties, they would also harm the traditional character and appearance of the area.
11. I recognise that development in the vicinity takes a variety of different forms. Nevertheless, the rear of the terrace, which is of a traditional form, makes a positive contribution to the character and appearance of the area. Whilst I have noted the appellant's contention that the extension would add interest, in my judgement it would have a negative impact on the street scene for the reasons set out.
12. I understand that since the appeal was lodged, planning permission has been granted for a rear dormer window at the property.¹ Whilst I have taken this decision into account, the proposal is for a dormer of a smaller scale than the appeal proposal. As such it would have less of an impact on the host property and the street scene. Therefore, the permission does not justify the appeal proposal.
13. For the above reasons, the proposal would be contrary to Policy BP12 of the Council's Core Planning Strategy 2009 and Policies DM1 and DM4 of the Site Development Policies Development Plan Document 2012 which seek to ensure that new development respects local character and distinctiveness and is of a scale and massing that is appropriate to the setting of the site. In addition the proposal is contrary to advice in SPD 4 and SPD 14 as set out above.

¹ Planning application Ref: 2016/75535

14. The appellant has referred to the National Planning Policy Framework (the Framework) and its presumption in favour of sustainable development. Paragraph 60 of the Framework makes it clear that it is 'proper to seek to promote or reinforce local distinctiveness' and at paragraph 64 that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area. The Development Plan policies referred to above are consistent with this advice and for the same reasons, the proposal is therefore also contrary to advice in the Framework.
15. For these reasons and taking into account all other matters raised, the appeal is dismissed.

S Ashworth

INSPECTOR