

Appeal Decision

Site visit made on 10 March 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 27 March 2017

Appeal Ref: APP/P5870/D/17/3168265

54 Myrtle Road, Sutton SM1 4BX

- 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 Timothy Pegg against the decision of the Council of the London Borough of Sutton.
 - The application Ref B2016/75589/HHA was refused by notice dated 5 December 2016.
 - The development proposed is described as the erection of a 1st floor extension consisting of bedroom space above the existing, ground floor kitchen extension (kitchen added in 1996, planning ref: B1996/41130). The 1st floor extension is to be of a lightweight timber frame and seeks to provide additional living space within the existing footprint with a minimal visual impact from the exterior. At 1st floor, 2 no. new windows will be added to the rear elevation and 2 no. rooflights to the roof of the extension. No windows will be added to the sides of the extension. Regarding the ground floor kitchen rear elevation, the existing (white) french doors will be exchanged for black french doors, and the existing kitchen window will be removed.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development, firstly, on the character and appearance of the host building and the local area; and secondly, on the living conditions of the occupiers of 52 and 56 Myrtle Road with particular regard to outlook.

Reasons

Character and appearance

3. A first floor addition is proposed on top of the existing ground floor projection, which would also be slightly widened, at the rear of the appeal property, which is a mid-terrace 2-storey house in a mainly residential area. It lies within the Newtown Area of Special Local Character (ASLC) within which traditional style 2-storey residential terraces predominate. From what I saw, most properties in the same terrace as No 54 include single storey rear projections, which vary in size, depth and materials. Consequently, there is variety to the built form at the rear of this terrace and appearance of individual properties within it.
 4. The new addition would not extend beyond the existing rear building line and would include the use of appropriate external materials. However, it would
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significantly increase the built form of No 54. The visual effect of the proposal would be pronounced because it would result in a 2-storey rear projection of significant depth that would also extend across almost the full width of the host building. This arrangement would visually dominate the rear façade of No 54 and overwhelm the traditional style and proportions of the original house. The new shallow pitched roof, which would appear almost flat from the rear of No 54, would visually accentuate the bulk of the new extension. The main outcome would be material harm to the intrinsic character of the host property.

5. Views of the new rear addition from public vantage points would be limited given its position at the back of the house. However, it would nonetheless form part of the characteristics of the local area as experienced and appreciated from nearby houses and gardens. When viewed from the rears of the attached properties on either side, the proposal would appear as an overly large and bulky addition. As the only obvious example of such development at the rear of the terrace to which No 54 belongs, the proposal would be obtrusive and materially harmful to the area's character and appearance.
6. In reaching this conclusion, I have taken into account the background details, plans and photographs provided of the various full width rear extensions at 7-10 The Broadway, which are just beyond the rear of the site and similarly fall within the ASLC. By reference to relevant dimensions and the relationship with adjoining properties in particular, the appellant considers that the proposal compares favourably with each of these developments that he states the Council has found to be acceptable. Reference is also made to other high-level rear additions that are visible beyond the rear of the site.
7. While there is variety in built form at the back of terraces near to the site and several similar types of development have been brought to my attention, it is within the context of the rear of No 54 and the terrace to which it belongs that the proposal would be mainly visually 'read'. None of the examples cited by the appellant share the same terrace as No 54, where sizeable first floor rear projections is not a strong feature. Even if the Council has been inconsistent in deciding to approve the rear extensions at Nos 7-10 and to refuse planning permission for the proposal that does not, in itself, justify an unsatisfactory development. In any event, a central planning principle is that each case should be assessed on its own merits, which I have done.
8. On the first main issue, I conclude that the proposed development would significantly harm the character and appearance of the host building and the local area. Accordingly, it is contrary to Core Policy BP12 of the Council's Core Planning Strategy, Policies DM1 and DM4 of its Site Development Policies and the Supplementary Planning Document 4 *Design of Residential Extensions* (SPD). These policies and guidance aim to ensure that extensions are of a scale and massing that is appropriate to the site, and that all development maintains and enhances the character of the area, particularly those of special local character.

Living conditions

9. The proposal would introduce a new sidewall at first floor level close to and parallel with the shared rear boundaries between the appeal dwelling and the properties attached on each side, which are 52 and 56 Myrtle Road. Each of

these adjacent dwellings has a single storey rear projection that extends outwards from the main house to a similar depth to that of No 54.

10. Both Nos 52 and 56 have first floor rear windows with the nearest of these to the proposed extension in each case serving a bathroom. While the depth of the new first floor wall would be significant, views of it from each of these adjacent first floor windows would be at an oblique angle. The main direction of outlook from each of these adjacent first floor windows, which is across the rear garden, would not be significantly affected.
11. On balance, I find that, while visible from the first floor rear windows of Nos 52 56, the proposal would not visually dominate outlook or be so imposing as to materially harm the living conditions of the occupiers of these attached properties. Consequently, there is no conflict with Policy DM2 of the Council's Site Development Policies and the Council's SPD insofar as they aim to safeguard residential amenity. My finding on this matter does not outweigh the significant harm that I have identified in relation to the first main issue.

Other matters

12. The proposal would make an efficient use of the property and, once complete, the additional accommodation would enhance the living conditions of the appellant. No objection is raised in relation to the effect of the development on highway safety or in relation to the light reaching the adjacent properties. The evidence before me also shows that the existing extension could physically support a built addition above it. However, these matters do not outweigh the significant harm that I have identified.
13. The Council raises no objection to enlarging the existing single storey rear projection, as proposed, or to the new full-length windows in the rear elevation. I, too, find these elements of the appeal scheme acceptable in their design, scale and general appearance. However, as these components of the development are not clearly severable from the proposed first floor addition, which is objectionable, I am unable to issue a split decision that grants planning permission solely for them.

Conclusion

14. Overall, for the reasons given above, and taking into account the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR