

Appeal Decision

Site visit made on 21 March 2017

by D Cramond BSc MRTPI

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

Decision date: 5 April 2017

Appeal Ref: APP/P5870/D/16/3167792

27 Egham Crescent, Cheam, Sutton, SM3 9AL

- 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 Ray Farrington against the decision of Council of the London Borough of Sutton.
 - The application Ref A2016/75171/HHA, dated 13 August 2016, was refused by notice dated 6 October 2016.
 - The development proposed is the conversion of loft space with rear dormer and front roof light.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of loft space with rear dormer and front roof light at 27 Egham Crescent, Cheam, Sutton, SM3 9AL in accordance with the terms of the application Ref AS2016/75171/HHA, dated 13 August 2016, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: 7206/14 & 7302/16.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area having regard to the health and well-being of a street tree.

Reasons

3. The appeal property is an end of terrace two storey home on a triangular plot and its front elevation lies at about 45 degrees to the street. It is within an established suburban residential area with a range of dwellings, roads, gardens and street trees which come together to form a locality of pleasing character and appearance. The proposal is as described above and would by reason of the angle of the home be partly forward towards the road. One of the key features of the scheme would be the conversion of a hipped roof to a gable end.
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4. The Council is concerned that the development would or could impact upon the existing nearby street tree. Certainly the current canopy of the tree crosses in part over some of the front corner of the garden of the appeal property and this development, by enlarging the roof form and creating a gable, would bring the property closer to the road at upper level. However I am not persuaded that this work would necessitate any material change to the tree canopy to enable it to be accommodated. By my estimation the tree canopy does not reach across this far. At the very most the lightest of branch-end trimming might be called for during or after construction and this would make no noticeable difference to the visual qualities of this multi-stemmed somewhat irregular tree nor threaten its well-being health-wise.
5. The Council's Site Development Policies DPD (SDP) includes Policy DM1. This policy, amongst other matters, seeks to deliver development of suitable character and design which safeguards trees, protects townscape and embodies landscape around buildings. I conclude that this scheme would not run contrary to this policy for the reasons I have given.

Conditions

6. The Council suggests the standard commencement condition along with the requirement for materials to match the existing building. I agree this latter condition would be appropriate in the interests of visual amenity. I also agree that there should be a condition that works are to be carried out in accordance with listed, approved, plans as this provides certainty.

Overall conclusion

7. For the reasons given above I conclude that appeal proposal would not have unacceptable adverse effects on the character and appearance of the area having regard to the health and well-being of a street tree. Accordingly the appeal is allowed.

D Cramond

INSPECTOR