
Appeal Decision

Site visit made on 22 May 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

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

Decision date: 6 June 2017

Appeal Ref: APP/P5870/D/17/3173505
16 Shirley Avenue, Sutton SM1 3QT

- 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 Driver against the decision of the Council of the London Borough of Sutton.
 - The application Ref C2017/76197/HHA, dated 5 January 2017, was refused by notice dated 14 March 2017.
 - The development proposed is described as 'rear single storey, 2 storey side and attic extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a rear single storey, 2 storey side and attic extension at 16 Shirley Avenue, Sutton SM1 3QT, in accordance with the terms of the application, Ref: C2017/76197/HHA, dated 5 January 2017, subject to the conditions in the attached schedule.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site encompasses 16 Shirley Avenue (No 16), a semi-detached period property set back from the street behind a front garden. Shirley Avenue is a suburban residential street predominately characterised by detached and semi-detached properties arranged in a discernible building line. There is an evident consistency to the arrangement of properties in the street with many having side additions at ground floor level but a gap at first floor and roof level, which is often accentuated by the hipped form of the roofs. This enables views in-between the dwellings and thus a sense of spaciousness. Neither the appeal property nor 18 Shirley Avenue (No 18) have been extended to the side at either a first floor or roof level and therefore the gap between the properties is intact. This gap contributes positively to the character and appearance of the area.
 4. The appeal scheme would involve a number of components including a rear dormer window, rear single storey extension and a two storey side extension. The two storey side extension would span the gap between the side of the appeal property and the boundary of the site. It would therefore encroach into the first floor gap with No 18 that positively contributes to the street scene.
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5. However, the appeal property would retain a hip at roof level and this would assist in retaining a gap with No 18. Moreover, the appellant has referred to 24 examples of first floor extensions in the near vicinity of the appeal site that span the gap between the flank elevation of the property and its side boundary. The Council suggest that these should not be regarded as a 'precedent' but have not explained why. I have therefore given the presence of similar extensions nearby notable weight as a matter in favour of the proposal as like applications should be considered in a like manner.
6. Paragraph 3.1.6 of the Council's Supplementary Planning Document Design of Residential Extensions 2006 (SPD) states that where gaps between dwellings are a characteristic of the street scene, then proposals that uncharacteristically close the 'gap' *and* create visual terracing will not be supported. The proposal would close the gap but would not result in visual terracing as No 18 has not been extended to the side at a first floor level. As such, the proposal would not be at odds with this guidance.
7. The proposal would be subservient to the host dwelling due to the set back of the first floor, the narrower width and the lower ridge height. It would also employ matching materials and replicate the style and positioning of the windows as well as the hipped roof form. Consequently, the proposal would not appear discordant. It would also adhere to the guidance in the SPD when taken as a whole, which states an extension should integrate with the appearance, scale and form of the dwelling being extended.
8. The Council have not indicated any concerns with the proposed dormer and the single storey rear extension. I have no reason to disagree. I therefore conclude that the appeal scheme would preserve the character and appearance of the area. It would therefore adhere to Policies DM1 and DM3 of the Site Development Policies Development Plan Document 2012 and the Council's Urban Design Guide¹, which state that planning permission will not be granted for development that detracts from the character of the area.

Conditions

9. I have had regard to the Planning Practice Guide and the Council's list of suggested conditions set out in the appeal questionnaire. In the interests of safeguarding the character and appearance of the area it is necessary for the development to be implemented in accordance with the approved plans and for the external finishing materials to match.

Conclusion

10. From a consideration of all I have seen and read I conclude that the appeal scheme would adhere to the development plan as a whole. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude the appeal should be allowed.

Graham Chamberlain
INSPECTOR

¹ Creating Locally Distinctive Places Supplementary Planning Document Sutton's Urban Design Guide 2014

Schedule of 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.
 - PL_001- Location Plan, PL_050 - Block Plan, 020 – Existing Elevations, PL_010 – Existing Floor Plans, PL_011 Existing Roof Plan, 200 – Proposed Elevations, PL_100 – Proposed Floor Plans and PL_101 – Proposed Attic and Roof Plan

End of Schedule