
Appeal Decision

Site visit made on 15 July 2019

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd August 2019

Appeal Ref: APP/P5870/D/19/3227974
75 The Ridgway, Sutton SM2 5JU

- 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 Rajeevan Rameth against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/00177, dated 30 January 2019, was refused by notice dated 5 April 2019.
 - The development proposed is a single storey rear extension; part single, part double storey front extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council's Decision Notice and the appellant's Appeal Form describe the proposal as "erection of a part one, part two storey front extension to include the conversion of the garage into a habitable room, a single storey rear extension with alterations to the existing raised patio". As this more accurately reflects the proposed development I have dealt with the appeal on this basis.
3. The appeal is related to another at the same address¹ for which there is a separate decision.

Main Issues

4. The main issues are the effect of the development on: -
 - the character and appearance of the existing house and the area of special local character; and
 - the living conditions of occupants of 77 The Ridgway, in respect of outlook.

Reasons

Character and appearance

5. There is some variety in the style and design of houses and their roofs within the residential area which the appeal site is situated. However, as a pair of detached chalet style houses, Nos 75 and 77 have retained their tall steeply pitched roof slopes with overhanging eaves. These run parallel with the street

¹ Ref APP/P5870/D/19/3227980

are only interrupted to the front and rear by small dormer windows. The front and rear of each property is faced with painted render with projecting brick plinths and corbelled detailing to either side, except in relation to the garages which have a simpler detail. Taken together these stated features make a significant contribution to the character and appearance of the Sutton Highfields Area of Special Local Character (the SHASLC), within which the site is located. This is designated locally as a heritage asset.

6. The proposed extension to the front of the house would primarily be on the footprint of the garage and would incorporate a gable end and flat roof facing the street. The extension would be subordinate to the house and the ridge of the two-storey element would be set down from the ridge of the house. However, the height and width of the extension, along with its external detailing, would jar with the architecture of the house. The attachment of the extension to the dormer window would also create an uncomfortable relationship which would be inharmonious with the roofscape of the area.
7. To the rear, the single-storey extension would occupy the full width of the house and extend above the eaves line and notably beyond the rear of the property. Despite the use of matching brickwork in its construction, the extension would break the eaves line of the house and the architecture would conflict with the appearance of the house, as described above. Whilst there would not be views of the extension from the street, the resultant scale and appearance of the proposed extension would be clearly visible from the neighbouring properties and their gardens.
8. I therefore conclude that the proposed development would have an unacceptably harmful effect on the character and appearance of the existing house. The proposed development would also neither conserve nor enhance those elements of the existing house, as described above, that contribute to the character and appearance of the SHASLC. Hence, the proposals would not therefore accord with Policies 28 and 30 of the Sutton Local Plan 2016-2031 (2018) (the LP). These policies seek to ensure that new development respects the local context and responds to the local character and heritage assets of an area. Design should be of a high standard, with a scale, massing and height suitable to the setting of a site. Elements that contribute to the character and appearance of Areas of Special Local Character should also be conserved and enhanced. The proposals would therefore also conflict with Paragraph 197 of the National Planning Policy Framework, as there would be direct harm to the significance of the SHASLC, which is defined as a non-designated heritage asset.

Living Conditions

9. The proposed rear extension would be of a length and height that would create a substantial area of solid wall close to the side boundary of No 77. The resultant development would therefore be oppressive and create an enclosing effect when viewed from either within the house or garden. There is some established planting and a screen fence present along the boundary of No 77. This would not have the same harmful effect as the proposed development and would not mitigate against those effects, particularly in respect of the planting which could not be relied upon in perpetuity.
10. I therefore conclude that the development would have an unacceptably harmful effect on the living conditions that the occupiers of 77 The Ridgway would

reasonably expect to enjoy. Hence, the proposals would not therefore accord with Policy 29 of the LP. The proposals would also not conform with the guidance within the Council's Design of Residential Extensions Supplementary Planning Document 4, adopted October 2006 (SPD4) to which I have had due regard. The policy and guidance therein seek to ensure that planning permission will only be granted where matters including outlook and a sense of enclosure do not adversely affect occupiers of adjoining or nearby properties. The depth, eaves design, roof types and overall size and height of extensions should therefore be carefully considered and extensions should be sited away from the boundary with neighbouring properties and gardens.

Other matters

11. The appellant has suggested that he can erect a single storey rear extension that would qualify as permitted development². Be that as it may, in my judgement, any such extension would not be as substantial as the proposed development. This would therefore not be sufficient justification to allow the appeal, as I have adjudged the proposed development to cause significant harm to the character and appearance of the area and the living conditions of the occupants of No 77.
12. I note the appellant's claims that the Council has focused on comments made by third parties and the additional accommodation is required to meet his needs. Nevertheless, taking the proposal on its individual merits, it would harmfully change the character and appearance of the SHASLC and the living conditions of the occupiers of No 77.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

Paul Thompson

INSPECTOR

² Within the limits set by Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).