
Appeal Decision

Site visit made on 19 November 2019

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2019.

Appeal Ref: APP/P5870/D/19/3235703
53 Harold Road, Sutton SM1 4HZ

- 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 and Mrs Johnstone against the decision of the Council of the London Borough of Sutton.
- The application Ref DM2019/00911, dated 30 May 2019, was refused by notice dated 30 July 2019.
- The development proposed is a two storey side extension with internal alterations.

Decision

1. The appeal is allowed, and planning permission is granted for a two storey side extension with internal alterations at 53 Harold Road, Sutton SM1 4HZ, in accordance with the terms of the application, Ref DM2019/00911, dated 30 May 2019, subject to the following conditions.
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Location Plan; Block Plan and Drawing Number 300519/RFD/CJD.
 - 3) The external materials to be used in the construction of the extension hereby permitted shall match those used in the existing dwelling.
 - 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no first floor windows/dormer windows shall be constructed on the southern elevation of the side extension.

Procedural Matter

2. The appeal form indicates the first names and surname of the Appellants, whereas the application form only refers to their surname. Nevertheless, they are the same individuals and I have taken the details given in the application form for the banner heading.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal site comprises one of a pair of semi-detached dwellings located at the end of a no through road, within a largely high-density residential street. Along the same building line to the north are a further two pairs of semi-detached dwellings. The pairs of semis are separated from one another by narrow side walkways. They are largely identical in their basic design and scale, with the main difference being that the appeal dwelling has a flat roof side garage extension, set back from the front building line.
5. To the south and stepped in from the shared boundary with the appeal property is the flank wall of No 51 Harold Road (No 51) which forms the end property in a long terrace. The terrace has a front building line with the road that is set further forward than the appeal dwelling, partly obscuring it from view when approaching from the south. I generally found that there were no significant gaps or spaces between dwellings in the street, and where these were present, they were predominantly represented by side passageways between dwelling flank walls and side boundaries.
6. The proposed extension accords with the Council's Supplementary Planning Document relating to extensions¹ (SPD) insofar as it requires extensions to be set back 0.5m and have a lower ridgeline to the original dwelling. The SPD also refers to 'the subordinate approach', where the extension plays a supporting role and should be no larger or higher than the original dwelling.
7. In terms of the proposed extension, the set down from the ridge of the main house and back from the front building line, would ensure that the original form of the dwelling is clearly maintained. The extension would not excessively project from the side of the dwelling at ground floor level and would be comparable in width to the existing garage. While at first floor, the proposal would accord with the SPD in being no more than half the width of the original house. I am satisfied that its positioning and general dimensions would have a subordinate appearance that would be sympathetic and in harmony with the appeal dwelling.
8. Consequently, I am of the view that the proposal's sympathetic proportions and recessed siting would not harmfully unbalance the dwelling when seen in relation to its adjoining neighbour, No 55. Also, for the same reasons, I consider it would be sympathetic to the rhythm of the other semi-detached dwellings along the same building line to the north.
9. Although the proposal would extend into the space currently above the attached garage, it would be set in from the boundary with No 51, and maintain a noticeable gap between the two dwellings that would be consistent with existing spacing between properties in the street. Consequently, a clearly distinguishable space would be maintained ensuring that there would not be a detrimental terracing effect.
10. The SPD states that, if a dwelling has been designed with a link garage, the first floor part of the extension should be set back by at least 1.5 metres. However, from what I saw during my site visit, the garage appears as a later addition rather than belonging to its original design, given its utilitarian form

¹ Supplementary Planning Document, Design of Residential Extensions (2006)

and different use of materials. I therefore found that this provision of the SPD would not directly apply to the appeal proposal.

11. For the above reasons, I conclude that the proposed development would not harm the character and appearance of the host dwelling or the surrounding area. It would therefore accord with Policy 28 of the Sutton Local Plan 2018, in particular, it would respect the local context and is suitable in scale, massing and height to the setting of the site. The proposal also accords with the aims of the SPD, where it requires extensions to be subordinate to the original dwelling.

Conditions

12. I have had regard to the Council's suggested conditions, amending or omitting them where necessary for clarity and to ensure compliance with the tests set out in paragraph 55 of the Framework.
13. It is necessary that planning permission is granted subject to conditions that relate to the standard time limit for commencement of development and a schedule of plans that the development relates to. These are necessary for the avoidance of doubt and in the interests of certainty. A condition relating to the construction of the extension in materials to match is necessary to safeguard the character and appearance of the area.
14. A condition to prevent the construction of window openings at first floor level in the flank elevation of the extension is necessary to protect the privacy of neighbouring residents.
15. I have not included the Council's suggested condition preventing the extension being used as a separate residential unit. The proposal is clearly for an extension to the host property, and any future proposal for a new dwelling would require a separate permission. I therefore do not consider the condition is necessary.

Conclusion

16. For the reasons outlined above, I conclude that the appeal should be allowed.

R. E. Jones

INSPECTOR