



Appeal Decision

Site visit made on 10 December 2019 by Elizabeth Davies BSc (Hons) PIEMA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2020

Appeal Ref: APP/P5870/D/19/3233426

17 Salisbury Avenue, Cheam SM1 2DH

- 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 & Mrs Dyanesh Badve against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/00468, dated 13 March 2019, was refused by notice dated 22 May 2019.
 - The development is 'Erection of a part one, part two storey side/rear extension, alterations to roof and conversion of loft space involving formation of dormer extensions to the rear and sides with the addition of a rooflight to the front roofslope'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. During the planning application process the description of the development was revised from that stated on the application form. The revised description is agreed by both parties and therefore I have used that description in the header above.

Main Issues

4. The main issues in the appeal are:
 - The effect of the development on the character and appearance of the host dwelling and surrounding area; and
 - The effect of the development on the living conditions of the occupiers of 13 and 23 Salisbury Avenue with regard to outlook and privacy.

Reasons for the Recommendation

Character and Appearance

5. The appeal property is a large, detached, two storey dwelling located on a residential road. The neighbouring properties are also large detached or semi-detached, two storey properties, but the dwellings are generally all varied in

their styles and design. The properties all have large rear gardens and whilst some feature garages or single storey extensions to the side boundaries, there is a general sense of space between dwellings at first floor level which typifies the character of the area.

6. It is acknowledged that the extension does not increase the footprint of the dwelling, but the bulk and mass at first floor and roof level will increase significantly as a result of the proposal and would not appear subservient despite the crown roof. The addition of gable roof dormers, in particular on the side elevations, would also result in the appeal property having a far bulkier appearance. Moreover, the scale and position of the rear and side extension mean it would be partly visible from the road, albeit set further back than the existing single storey garage, and so would detract from the character of the street scene.
7. In addition, the different heights and designs of the roofs would appear as incongruous and unsympathetic additions contrasting with the generally simple form of the existing dwelling at first floor and roof level.
8. Only a small gap would be maintained between the appeal property and No 13 Salisbury Avenue, and the reduction in this gap would detract from the separation and openness that currently exists in the area.
9. I therefore conclude that, for the above reasons, the proposed development would have a harmful effect on the character and appearance of the host dwelling and the area and would be contrary to Policy 28 of the Sutton Local Plan 2016-2031 (February 2018) (the 'Local Plan') which seeks, amongst other things, to ensure new development respects the local context, responds to local character and is of a suitable scale and massing. It is also contrary to the Supplementary Plan Document Design of Residential Extensions (October 2006) (SPD4) which states that the design of any extension should always be in sympathy with the appearance of the original dwelling.

Living Conditions

10. Whilst the proposals do not result in the appeal property projecting closer to the neighbouring properties (No 13 and No 23 Salisbury Avenue) at ground level, the additions at first floor and the gable roof dormers would substantially increase the scale of built form and result in the appeal property projecting closer to both neighbouring properties above ground floor level. On this basis, I consider that the scale and close proximity of the development to the neighbouring properties would have an imposing and oppressive impact that would cause unacceptable harm to the outlook from No 13 and No 23. Whilst the appellant highlights the depth of the gardens of the properties, I do not consider the extent of the garden areas alleviates the impact, which would be on the part of the gardens immediately next to the houses and therefore likely to be the most used.
11. The appeal property currently has no windows at first floor level facing the neighbouring properties. The proposal will introduce a number of new windows on both side elevations, including two gable roof dormers. Whilst it is noted that three of the windows on the left side elevation would feature obscure glass, the dormer windows on both sides and one window on the right side would not. The unobscured windows would allow clear views directly over the properties and gardens of No 13 and No 23. This would result in a harmful

overlooking effect that would have an unacceptable effect on the privacy of the occupiers of those neighbouring properties.

12. I conclude that the proposal would be harmful to the living conditions of the neighbouring occupants, contrary to Policy 29 of the Local Plan, which seeks to ensure development does not adversely affect the amenity of occupiers of adjoining properties taking into consideration, amongst other things, overlooking causing loss of privacy, outlook and sense of enclosure. It is also contrary to SPD4 which also seeks to ensure extensions do not unacceptably affect the amenities of neighbouring properties.

Other Matters

13. The appellant's wish to add additional living space to the appeal property, is understood, however this consideration does not outweigh the harm identified.

Conclusion and Recommendation

14. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Elizabeth Davies

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR