



Appeal Decision

Site Visit made on 24 November 2020

by Martin Small BA(Hons) BPI DipCM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th November 2020

Appeal Ref: APP/P5870/D/20/3258488

17 Cavendish Road, Sutton, SM2 5EY

- 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 Mrs Lizzie Tucker against the decision of London Borough of Sutton.
 - The application Ref DM2020/00526, dated 6 April 2020, was refused by notice dated 12 June 2020.
 - The development proposed is single storey rear extension to existing house with pitched roof and veluxes.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's second reason for the refusal of permission for the proposal related to the potential harm to two trees in the absence of a BS5837 tree survey and arboricultural assessment to demonstrate otherwise. The appellant has submitted both with the appeal to address the Council's concerns in this respect. I return to this matter below.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the area.

Reasons

4. Cavendish Road is an established residential area with dwellings of a variety of forms, designs and ages. The host property is a modern dwelling attached to one side of a pair of Victorian properties to form a terrace of 3 dwellings. The planning permission for the dwelling was subject to a condition, amongst others, removing permitted development rights for extensions or alterations to the property under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order. Consequently, a separate grant of planning permission is required for the proposal.
5. The host dwelling has a single-storey mono-pitched roof projection to the rear elevation that, whilst appearing to be an extension, forms part of the original dwelling. Adjacent to this projection is an area of decking that extends over part of the rear garden, which is at a lower level. The proposal is to replace this decking with a single-storey extension of lesser depth set down nearer the garden level with a dual-pitched roof abutting the roof of the existing projection.

6. Together with this existing original projection, the proposal would result in a single-storey element to the host dwelling of substantial depth, giving it an unbalanced appearance. The differing roof pitches and alignment of the eaves of the existing projection and the proposed extension would result in an awkward roof form. As a result, the proposed extension would disrupt the simple architectural integrity of the host property and its relationship with the attached neighbouring property, No 19 Cavendish Road (No 19).
7. The other properties in the terrace do not have long rear extensions and I have no evidence that they are common in the locality. Notwithstanding the depth of Hampton Lodge, an apartment block to the other side of the appeal property, the proposed extension would be at odds with the prevailing pattern of development in the area in this respect. In terms of appearance, the extension would only be glimpsed at an oblique angle from the street through the gap between the host dwelling and Hampton Lodge. Its full extent would not be readily apparent from the public realm and it would not adversely affect the street scene. The extension would be visible from the neighbouring properties to either side but not from the wider area.
8. I therefore conclude that the proposal would adversely affect the character and appearance of the host dwelling and the character, but not the appearance, of the wider area. Accordingly, in this respect, it would conflict with Policy 28 of the Sutton Local Plan 2016-2031 (2018), which sets out that permission will be granted for new development that, amongst other things, is attractive, designed to the highest standard and respects local context and character.

Other Matters

9. The rear garden of the host property has an oak tree and a walnut tree and the rear garden of No 19 has a pear tree and a copper beech. The tree survey and arboricultural impact assessment submitted with the appeal concludes that there would be no adverse effect on these trees, subject to adherence to an arboricultural method statement during construction. I have no reason to doubt this conclusion and had the proposal been acceptable in respect of the main issue, this could have been secured by a planning condition. The effect on these trees is therefore not a reason for withholding planning permission.
10. I understand the appellant's desire to provide additional living and home-working space for herself and her family, but I have no evidence that the existing accommodation is substandard or inadequate. I therefore give this desire little weight in my decision.
11. The proposal would not result in an unacceptable effect on the living conditions of the occupiers of No 19 with regard to privacy or sunlight / daylight. I have no evidence that these occupiers are supportive of the proposal as contended by the appellant, but I acknowledge that no objections were raised to the proposal by any local residents. However, these are not planning benefits of the proposal and so attract neutral weight in my decision.

Conclusion

12. For the reasons given above, and having had regard to the other matters raised, the appeal is dismissed.

Martin Small INSPECTOR