



Appeal Decision

Site visit made on 18 December 2020

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16/02/2021

Appeal Ref: APP/P5870/D/20/3252904

24 The Dene, Cheam SM2 7EG

- 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 Jahanian against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2020/00428, dated 12 March 2020, was refused by notice dated 7 May 2020.
 - The development proposed is proposed two storey front, side and rear extensions plus internal alterations.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are the effect of the proposed extensions on:-
 - the character and appearance of the area; and
 - the living conditions of the occupiers of No 26 The Dene.

Reasons

Character and Appearance

3. The appeal relates to a detached house located within a cul-de-sac in an area locally designated as The Burton Estates South Cheam Area of Special Local Character (ASLC) which the Council seek to protect through its Character Appraisal¹ and Local Plan² Policy 30. This states the Council's expectation to conserve and, where practicable, enhance those elements that contribute to the Area of Special Character's particular character or appearance. Local Plan Policy 28 sets out a list of criteria for new development generally, including, alterations and extensions, which includes, amongst other things respect for the local context and character. SPD 4³ relates to residential extensions and also sets out guidance including advice on the effects on the character of the dwelling itself and its setting in the street scene.

¹ The Burton Estates South Cheam Area of Special Local Character - Character Appraisal May 2017.

² London Borough of Sutton Local Plan – Sutton Local Plan 2016-2031, February 2018.

³ London Borough of Sutton Local Development Framework Supplementary Planning Document Design of Residential Extensions, October 2006 (SPD 4).

4. The character appraisal dates most of the area to the 1920's and 1930's when a distinguished local builder, Andrew Burton, instigated individually designed family homes set in large, open landscaped gardens. The appellant describes No 24 The Dean as being part of a later phase of construction in the 1950's. The appraisal identifies Arts and Crafts features as being particularly characteristic of the area. The proposal incorporates some Arts and Crafts features such as timber framing at first floor level, contrasting materials e.g. ground floor brickwork and timber frame with render at first floor level plus Arts and Crafts style fenestration.
5. There are clearly different styles of dwellings in the road and some have been altered and extended. No 24 is elevated above the level of the road and pavement and therefore the houses on this side of the road are more prominent in the street scene than those on a lower level opposite. The existing house is fairly modest in scale and although I acknowledge that No 24 would benefit from some improvements, the overall scale of the proposal would be excessive. Despite its design reflecting some characteristics of the ASLC, its scale, height and prominence, together with the reduction in spacing between Nos 24 and 26, would result in a disproportionate and over dominant development.
6. I note that some alterations and extensions to other houses in The Dene detract from the overall theme of the area but these serve to demonstrate that the overall scale and spacing of dwellings in this area is an important part of the area's character and poor examples are no justification for relaxing standards that assist in contributing to the areas designation.
7. On this issue therefore, I conclude that the proposal would have a harmful effect on the character and appearance of the area and conflict with Policies 28 and 30, SPD 4 and the Burton Estates South Cheam ASLC.

Living Conditions

8. Objections to the proposal have been received from the occupiers of various neighbouring properties but the most affected would be those at the adjacent No 26. No 24 lies to the south of No 26 and so enlargements to No 24 are more likely to lead to harmful effects relating to loss of sunlight. However, I do not consider that the neighbours would suffer an undue loss of sunlight but the proposed extension would cumulatively increase the depth and height of No 24 as well as its proximity to No 26. Neighbouring occupiers would therefore experience some impacts from the development especially by the additions close to the boundary between the two properties in terms of their outlook and a sense of enclosure to the area closest to the joint boundary.
9. Local Plan Policy 29 seeks to protect the amenity of occupiers of adjoining or nearby properties as does SPD 4. Given the position of No 26 and its rear windows, I consider that overall, the proposal extending to the rear and side, as well as the additional height, would be detrimental to the neighbour's outlook. The resulting sense of enclosure and dominance would harm the living conditions of the occupiers of No 26 in conflict with the objectives of Local Plan Policy 28 and SPD 4.

Conclusion

10. I have considered all matters raised but none alter my conclusion. I conclude that the proposal would have a harmful effect on the character and appearance of the area and on the living conditions of the occupiers of No 26 The Dean. It would conflict with Local Plan policies 28, 29 and 30, SPD 4 and the Burton Estates South Cheam ASLC. The appeal therefore fails.

J D Clark

INSPECTOR