



Appeal Decision

Site visit made on 23 February 2021 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal Ref: APP/P5870/D/20/3262743

34 The Warren, Carshalton SM5 4EH

- 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 Yousef Daryani against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2020/01137, dated 27 July 2020, was refused by notice dated 3 November 2020.
 - The development proposed is the erection of a part one, part two storey rear extension, a single storey front extension, loft extension with a dormer in the rear, installation of roof lights to flank roofslope and new obscured window to ensuite (1.7m from the floor), with provision of a raised rear deck/patio.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part one, part two storey rear extension, a single storey front extension, loft extension with a dormer in the rear, installation of roof lights to flank roofslope and new obscured window to ensuite (1.7m from the floor), with provision of a raised rear deck/patio at 34 The Warren, Carshalton, SM5 4EH, in accordance with the terms of application Ref DM2020/01137, dated 27 July 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. 3, 002, 003, 004 and 005.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

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.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the host dwelling and surrounding area; and
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- the effect of the development on the living conditions of the neighbouring occupiers of 32 The Warren, with particular regard to privacy.

Reasons for the Recommendation

Character & Appearance

4. The appeal site accommodates a two-storey dwelling with a large rear garden located in an established residential area characterised by large detached properties, some of which feature modern additions and alterations. The host dwelling lies on higher ground than the neighbouring property at No.32 due to the land levels sloping down from west to east. On my site visit I observed that the appeal site's boundaries were heavily screened by a mix of evergreen hedging, fencing, and mature trees and bushes. No.32's pitched roof side garage is located along a considerable length of the common boundary with No.34.
5. The proposal would result in front and rear extensions as well as the formation of a rear dormer and the raising of the existing roof ridge by 870mm. The Council opines that the proposed extensions would appear dominant and the additional roof height would be obtrusive. However, I find that the scale of the extensions would not be unreasonable, and the resultant dwelling would not appear excessively bulky. I find that the increased height of the roof would not unbalance the appearance of the dwelling particularly as the existing roof profile, with its double-storey front pitched gable, would be preserved.
6. The increased height and bulk at roof level would also not be overly noticeable in the streetscene owing to the fact that No. 32 has a higher roof level than the appeal property. The resultant roof would thus not dominate the neighbouring property despite the difference in land levels. In my view, the proposals would not unduly increase the prominence and visibility of the appeal property.
7. The proposed design would adequately harmonise with the existing dwelling and not jar with the surrounding area which is not characterised by any particular architectural style. Several properties along The Warren feature recent extensions and enlarged roofs and so, therefore, the proposed works would not appear out of place in this context.
8. Given the above, I therefore find the proposal would not result in an incongruous, unsympathetic or overly dominant form of development. It would not unacceptably harm the host dwelling or the established character and appearance of the area and streetscene. I therefore consider that the proposed development would accord with Policy 28 of Sutton's Local Plan 2016-2031 (the 'local plan') and the 'Design of Residential Extensions' Supplementary Planning Document (SPD) which together seek to ensure new alterations and extensions are designed to the highest standard, respect local context, and are of a suitable scale, massing and height.

Living Conditions

9. The Council expressed concern regarding the proposed east-facing ground floor window. There is presently a mature tree, a tall evergreen hedge and a pitched roofed side garage positioned along the common boundary with the neighbouring property at No. 32 which together offer an effective amount of screening. Hence any views from the proposed east-facing side window

through the very small gaps in this vegetation would be severely restricted. Therefore, whilst there is a sharp drop in land-levels between the two properties, the proposed development would not enable any harmful overlooking. The occupants of No. 32 would still enjoy a pleasant and private space within the patio area secluded behind the side garage.

10. I therefore find that the proposed development would not adversely impact the living conditions of the residents at 32 The Warren with regards to privacy. The development would thus accord with Policy 29 of the local plan and the SPD which together seek to ensure developments do not adversely affect the amenities of adjoining occupiers.

Conditions

11. The Council has suggested a number of conditions that it would wish to see imposed in the event that the appeal was successful. I have considered the suggested conditions against the advice on conditions set out in the National Planning Policy Framework and the Planning Practice Guidance.
12. I have imposed the standard conditions relating to the commencement of development and specifying the relevant plans in order to provide certainty. I have also included the Council's suggested condition requiring the external materials match the existing building, in order to protect the character and appearance of the host dwelling and surrounding area.
13. I do not consider it necessary to impose conditions preventing the use of the flat roof as an amenity area, as I consider this would be a very unlikely scenario especially given the positioning of the two large rooflights and the sizeable garden available to the dwelling. Lastly, I do not consider it necessary to insist that the east facing ground floor window be obscurely glazed. The eastern boundary is well vegetated, as noted above, and the siting of No.32's garage along the common boundary would preclude clear views of the neighbour's patio area and rear garden.

Recommendation

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

Thomas Courtney

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 allowed.

Andrew Owen

INSPECTOR