The Planning Inspectorate

Appeal Decision

Site visit made on 20 August 2021

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2021

Appeal Ref: APP/P5870/D/21/3273983
36 Molesey Drive, Cheam, Sutton SM3 9UU

- 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 Mohamed Bharadia against the decision of London Borough of Sutton.
- The application Ref DM2021/00304, dated 16 February 2021, was refused by notice dated 12 April 2021.
- The development proposed is 'erection of a single storey rear extension off back of existing side extension'.

Decision

1. The appeal is allowed and planning permission is granted for 'erection of a single storey rear extension off back of existing side extension' at 36 Molesey Drive, Cheam, Sutton SM3 9UU in accordance with the terms of the application, Ref DM2021/00304, dated 16 February 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. The description of development was amended following submission of the application. The original description better reflects the development proposed. As such, I have referred to the original description for the purposes of this appeal.

3. The Revised National Planning Policy Framework (the Framework) was published on 20 July 2021. I am satisfied that the equivalent policies in the revised Framework have broadly the same approach as their counterparts, and they do not alter my conclusions on the matter in any case.

4. The annotations on plan no 2115-5 incorrectly identify proposed floor and roof plans as existing. These are clearly distinguishable from the existing floor and plans shown in plan no 2115-1.

Main Issues

5. The main issues are the effect of the proposal on the character and appearance of the host dwelling.

Reasons

6. The appeal site is an end of terrace dwelling situated along Molesey Drive, where it intersects with Brocks Drive. The appeal site flanks the rear gardens of

properties fronting Brocks Drive. The appeal site has an existing two-storey side extension and a single-storey rear extension. The appeal scheme is for a single-storey rear extension projecting from the rear plane of the existing side extension. The appeal scheme would infill the gap alongside the existing rear extension, though it would project slightly beyond it.

7. The appeal scheme would not be visible from the public realm and thus the main issues are limited to the effect of the proposal on the character and appearance of the host dwelling, rather than the surrounding area.

8. The host dwelling is an architecturally unremarkable end of terrace property, which has been extended upwards and outwards. The proposed extension would be of modest overall scale in contrast to the existing extended dwelling; it would not dominate the host dwelling and would have limited effect on its the character. As such, the proposal would respect the proportions of the existing dwelling and integrate well with its existing form.

9. The proposed extension would project beyond the depth of the existing rear extension. However, the appeal site benefits from a deep plot and a sense of space created by the deep rear gardens of the properties along Brocks Drive to its flank. Thus, the limited plot coverage and modest overall scale of the extension in proportion to the existing dwelling would prevent a dominant appearance.

10. For these reasons, the proposal complies with policy 28 of the Sutton Local Plan, adopted 2018, as well as the principles contained within the National Planning Policy Framework and relevant Supplementary Planning Documents. These policies seek, amongst other things, development of a high standard of design which respects the local context and responds to local character.

Conditions

11. I have imposed standard conditions requiring the development is carried out in a timely fashion, in accordance with the approved plans. As those approved plans show external surface materials will match the existing building, I do consider it necessary to impose a further condition in this regard. In addition, I have imposed a condition to remove permitted development rights for the insertion of additional windows and doors in the side elevations of the proposed development. This is to protect the privacy of the occupiers of the adjacent properties.

Conclusion

12. For the reasons stated above, I find that the appeal proposal is contrary to the relevant policies of the Development Plan. The appeal is accordingly dismissed.

Kim Langford Tejrar

INSPECTOR

Cont/d

Schedule of Conditions

1) The development hereby permitted shall being not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans numbered: 2115-11, 2115-6, and 2115-5.

3) 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 window(s) or door(s), other than those shown on the approved plans, shall be installed in the side flank elevation(s) of the development hereby permitted.