The Planning Inspectorate

Appeal Decision

Site Visit made on 24 August 2021

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2021

Appeal Ref: APP/P5870/D/21/3269571
11 Matlock Crescent, Cheam SM3 9SS

- 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 Gary Fenton against the decision of London Borough of Sutton.
- The application Ref DM2020/01914, dated 14 November 2020, was refused by notice dated 13 January 2021.
- The development proposed is erection of a first floor to existing chalet bungalow to create a two-storey dwelling with accommodation in roofspace, dormer extensions front and rear.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above I have used the description of development referred to in the Council's refusal notice. This more accurately reflects the development proposed than that in the application form, in that it refers to the proposed front dormer extensions.

Main Issues

3. The main issues are the effect of the proposed development: on the character and appearance of the dwelling and the surrounding area; and the living conditions of nearby occupiers, with particular reference to outlook.

Reasons

Character and Appearance

4. The appeal dwelling, a dormer style bungalow, is the end property on the western side of this part of Matlock Crescent. It has a relatively open aspect to its side (south) and rear (west) in light of its position at the end of a long sequence of dwellings and at the entrance to a rear access lane.

5. The other dwellings in the street primarily comprise short terraces made up of four linked properties. These are distinctive in terms of their appearance, detailing and roof profile, with the large majority incorporating comparable front porches, brick chimneys, double height bay windows and hipped or pitched roof profiles. This uniformity in built form contributes positively to the street's appearance.

6. The eaves and ridgeline of the proposed roof would align favourably with the neighbouring terrace to the north (Nos 15-21 Matlock Crescent (Nos 15-21)),

while the proposed double height bay windows positioned either side of the appeal dwelling's front entrance porch would be consistent with other frontages in the street. However, the half-hipped roof of the proposal extends the vertical configuration of the appeal dwelling. This would result in the altered roof profile appearing bulky and forceful in contrast to the gentler sloping hipped roof plane relating to the terrace at Nos 15-21. Moreover, the projecting front and rear dormer extensions would accentuate the dwelling's overall mass and result in it appearing top-heavy and incongruous in contrast to the shallower roof profiles of dwellings along Matlock Crescent. This impact would be particularly noticeable when viewed from the south between the appeal property's rear access lane and the junction between Matlock Crescent and Matlock Gardens, given the dwelling's open aspect from this vantage point.

7. It is acknowledged that the appeal property is already different in terms of its design and scale compared to the other dwellings in the street. Yet the proposed development would result in an altogether larger and bulkier dwelling that would be unacceptably strident and at odds with the prevailing pattern of development along Matlock Crescent.

8. The Council have raised concerns that the altered dwelling would appear excessive within the plot. But the footprint of the dwelling would not encroach further into the rear garden or result in a reduction of the space available to occupiers. Although, the plot is small and tapering, I do not consider that the proposal would appear overly cramped given that the plot's spatial arrangement would remain unaltered. Even though I do not share the Council's position in this respect, it does not eliminate my concerns regarding the proposed roof alterations.

9. Taking the above into account, the proposed development would have an unacceptable effect on the character and appearance of the dwelling and the surrounding area. It would fail to accord with Policy 28 of the Sutton Local Plan 2016-2031 (Local Plan) and the Supplementary Planning Document 4 – Design of Residential Extensions (2006) (SPD), where they require proposals to respect the local context, respond to local character while being suitable in terms of scale and massing to the setting of the site.

10. The appellant's case refers to the scheme being compliant with Policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan. The Council did not refer to these policies in their refusal notice. Nevertheless, I have also found that the proposal would not accord with those policies of the London Plan where they require high quality design that responds to the scale, proportion, and mass of the existing street.

Living Conditions

11. The proposal would extend the dwelling vertically. There would be no rearward projection from the appeal dwelling that would unacceptably enclose the garden or windows of the nearest neighbouring property, namely No 15. In terms of the proposal's wider impact, the extended dwelling would be separated from the rear gardens of the properties at Church Hill Road by the rear access lane. In this regard, it would maintain a generous distance from the rear elevations and windows of those dwellings, in addition to the external areas most likely to be used for activities such as outdoor seating. The degree of separation from the proposed extensions would ensure that the outlook from those properties is not unacceptably enclosed.

12. Accordingly, the proposal would not harm the living conditions of neighbouring occupiers, with particular reference to outlook. It would accord with Policy 29 of the Local Plan and the SPD where they require proposals to ensure no unacceptable impact upon amenity of occupiers of nearby properties.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

R E Jones

INSPECTOR