

Appeal Decision

Site visit made on 20 September 2021

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2021.

Appeal Ref: APP/P5870/D/21/3276508

33 Seymour Road, Mitcham CR4 4JX

- 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 Andrew Hall against the decision of the Council of the London Borough of Sutton.
 - The application, Ref. DM2021/00070, dated 15 January 2021 was refused by notice dated 24 March 2021.
 - The development proposed is the construction of a rear mansard loft extension.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling; the terrace of which it is part, and its wider surroundings.

Reasons

3. In assessing the appeal scheme I have noted and taken into account the appellant's clarification that notwithstanding the comments in the officer's report, the proposed gable wall would not in fact exceed the current height of the roof ridgeline. Another apparent error is the reference in the officer's report to the dormer being of a 'modest scale' in the context of neighbour impact.
 4. The appeal property falls within the Beddington Corner Area of Special Local Character ('ASLC'), which although described as including houses '*varying in age, style and finishes*' for the most part comprises late Victorian terraced and semi-detached dwellings. The appeal dwelling No. 33 Seymour Road is at the end of a Victorian terrace next to the junction with Percy Road.
 5. As regards the appeal scheme, there are three main constraints that limit the opportunities for creating additional living space in the roofspace. Firstly, the relatively small scale and terraced form of the dwelling means that the existing pitched roof is too small to be adapted for cost effective and usable habitable accommodation without also involving major alterations to its shape and size.
 6. Whereas larger dwellings often have a roofspace that can be used with the addition of a modestly proportioned dormer to increase the headroom and provide outlook and light, in the case of the host dwelling the only feasible solution is to have a full width (or almost full width) dormer on the rear roof
-

plane, in this case in the form of a mansard. However, this would inevitably have the effect of harmfully altering the building's appearance at roof level.

7. The second constraint is the ASLC, which whilst not having the same status and legal foundation of a conservation area, nonetheless adds a policy imperative for development to as far as possible preserve or enhance the Victorian character and appearance of the dwelling and its surroundings.
8. The final restraining factor in this case is that the host dwelling is on a street corner, which results in an increase in its prominence given the views from across the road junction and southwards along Percy Road. Other dwellings in the area have had large rear dormers similar to the size proposed, but are more discreet because of their rearward position and location within, rather than at the end of, a terrace. One example is the rear dormer at No. 8 Seymour Road.
9. The appeal refers to a couple of exceptions that are much less discreet, one being the dormer loft conversion at No. 36 Seymour Road. This is particularly noticeable and clearly at odds with the building's architectural merits and the Victorian character of the area. Even more visually discordant is the example at No. 29 New Road. According to the grounds of appeal, both cases are examples of permitted development. The fact that (in my view harmful) alterations and additions have been permitted under the provisions of a development order does not mean that those examples should set a precedent for permissions where an application is necessary. The latter process requires Council and Government policies to be taken into account as part of a planning judgement.
10. I acknowledge that the appeal scheme would be less prominent than the above two examples by virtue of a combination of its mansard design and the partial screening effect of the existing two storey rear projection. However, simply being 'less harmful' than the examples cited does not carry the same weight as compliance with the relevant local and national planning policies.
11. I have had regard to Policy 4.2.4 of the London Plan 2021 and the similar objectives of Strategic Objectives 1 & 2 of the Sutton Local Plan 2018 which encourage additional residential capacity and variety. However, I remain of the view that the mansard roof would be alien to the Victorian character of the host dwelling and terrace and because of its prominent position sufficiently noticeable to cause unacceptable harm in terms of the main issue in this appeal. Nor do I consider that the examples referred to by the appellant have changed the ASLC to the extent that there is little or nothing to be gained by resisting further similar development which I consider would be wholly unsympathetic to the existing building, the terrace and the surrounding townscape.
12. In summary, the appeal proposal would conflict with Local Plan Policies 28 & 30; London Plan Policies D3 & D4; the Council's SPD documents 4 & 14, and Government Policy in Sections 12 & 16 of the National Planning Policy Framework 2021 ('Achieving Well-Designed Places' and 'Conserving and Enhancing the Historic Environment' respectively).
13. For the reasons explained above the appeal is dismissed.

Martin Andrews

INSPECTOR