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# Appeal Decision

Site visit made on 7 March 2022

**by Les Greenwood MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25<sup>th</sup> March 2022**

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**Appeal Ref: APP/P5870/D/21/3285559**

**66 Lindsay Road, Worcester Park KT4 8LE**

- 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 Neil Galloway-Phillipps against the decision of the Council of the London Borough of Sutton.
  - The application Ref DM2021/01181, dated 4 June 2021, was refused by notice dated 11 October 2021.
  - The development proposed is an extension of the existing rear single-storey extension to a depth of 5.9 meters from the principal rear elevation and a first floor part width rear extension 2 meters from the boundary and 3 meters from the principal elevation.
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## Decision

1. The appeal is allowed and planning permission is granted for an extension of the existing rear single-storey extension to a depth of 5.9 meters from the principal rear elevation and a first floor part width rear extension 2 meters from the boundary and 3 meters from the principal elevation in accordance with the terms of the application Ref DM2021/01181, dated 4 June 2021, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: A1.1, A2.1, A4.3 and A5.2.
  - 2) The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building except as otherwise indicated on the application form.

## Preliminary matter

2. For clarity I have removed those parts of the application form's description of proposed development which are arguments or explanations, leaving just the parts that actually describe the development in the formal decision.

## Main issues

3. The main issues are the effects of the proposal on:
  - i) The character and appearance of the house and the local area; and
  - ii) Living conditions at the next door house, 64 Lindsay Road, in terms of the effect on outlook.

## Reasons

### *Character and appearance*

4. 66 Lindsay Road is an end of terrace house within a residential area. The proposal is for a single storey, full width, flat roofed extension at the back of the house, with a shallower, part-width first floor extension over, plus alterations to the front windows. Construction work was well under way at the time of my site visit, so that the proposal is largely retrospective.
5. No concerns have been raised about the front windows, just the rear extensions. The Council's Supplementary Planning Document *Design of Residential Extensions* (SPD) advises that the design of any extension should be in sympathy with the appearance of the original dwelling. The SPD's guidelines for single storey rear extensions on terraced dwellings say that they should not project more than 2.7m at the back and should be no higher than 2.5m to the eaves or flat roof. The SPD further advises that 2 storey rear extensions to terraced houses will be resisted except on spacious plots.
6. The extensions would create a very deep side wall on the end of the terrace, which would be seen in glimpsed views from the street. Such deep side elevations are not at all uncharacteristic of the area, however. The extension would also be viewed from other properties but is not intrusive in those views, being seen in the context of other nearby extensions. The upper floor section, which is completed already, is modest in scale and the overall structure would remain clearly subordinate to the main house in scale and height. Despite the conflict with the SPD's detailed guidance, the proposal would fit in well with the house and sufficient garden space would be left so that the development would not be disproportionate or cramped.
7. I conclude that the proposal would not harm the character or appearance of the house or the local area. It accords with the aims of Sutton Local Plan 2016-2031 (SLP) Policy 28 and the SPD, to secure attractive, high quality development that respects the local context and responds to local character.

### *Living conditions*

8. No 64 next door has a single storey flat roofed section at the back, with a large window to a habitable room facing directly to the rear. The upper floor extension at No 66 is not very deep and is set well away from the boundary so that it has little effect on outlook from No 64. Although the proposed ground floor extension would be a bit deeper than the extension to No 64, this would not be an overbearing structure. It would not have more than a marginal impact on the outlook from that property's rear ground floor window and garden, both of which would retain a reasonably open, southerly aspect.
9. I conclude that the proposal would not significantly affect living conditions at No 64 through any effect on the outlook from that property. The proposal therefore accords with the aim of SLP Policy 29, to protect the amenity of the residents of nearby properties including in terms of outlook/sense of enclosure.

*Conditions*

10. The standard condition allowing 3 years to commence development is not relevant here as the development has already started. I impose a condition specifying the relevant plans to provide certainty and a condition regarding external materials to protect the character and appearance of the area.

**Conclusion**

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

*Les Greenwood*

INSPECTOR