The Planning Inspectorate

Appeal Decision

Site visit made on 27 September 2022

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2022

Appeal Ref: APP/P5870/D/22/3302951
8 Fairlands Avenue, Sutton SM1 3JE

- 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 Rohit Malik against the decision of the Council of the London Borough of Sutton.
- The application Ref DM2022/00316, dated 18 February 2022, was refused by notice dated 20 May 2022.
- The development proposed is the addition of a two storey side extension.

Decision

1. The appeal is allowed and planning permission is granted for the addition of a two storey side extension at 8 Fairlands Avenue, Sutton SM1 3JE in accordance with the terms of the application, Ref DM2022/00316, dated 18 February 2022, subject to the following conditions:

   1) The development hereby permitted shall begin 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 drawings: nos. 01, 02, 05B, 07 and 08A.

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and area.

Reasons

3. The appeal site is an end of terrace dwelling, occupying a corner plot at the entrance to Ranfurly Road with a single storey extension to the side. The area is characterised by rows of terraces on discernible building lines, that are set back from the road by similar distances and separated by narrow spaces. The terraces display a strong sense of uniformity in terms of their style and materials.

4. The appeal proposal would extend the dwelling at 2 storeys towards the side boundary of the plot, adjoining Ranfurly Road. Although the width of the extension and the set back distance of its front wall from that of the existing

dwelling would conflict with the design guidelines for two storey extensions in the Council's Supplementary Planning Document 4: Design of Residential Extensions (2006) ("SPD"), I find that the design approach adopted with the set back from the front elevation and lower ridge height, would result in a subordinate addition that would reflect the character and appearance of the host property.

5. The proposed extension would increase the width of the terrace by a relatively modest amount. In relation to the stepped front wall of the terrace, I find that the set back distance of the front wall of the extension, would relate well to the other terraces in the street scene. A harmful terracing effect would not occur on this corner plot. The hip style roof and materials would replicate those used in the existing terrace, ensuring a visual affinity.

6. The closeness of the proposed extension to the side boundary would cause some loss of openness at the entrance junction to Ranfurly Road. I saw on my site visit that No 10 Fairlands Avenue, on the opposite side of the Ranfurly Road junction, has an enclosing effect. Furthermore, the tight spaces between the terraces gives a strong sense of enclosure to the street scene. I therefore find that the openness of the appeal site is at odds with the character and appearance of the area. In this context, the enclosing effect of the proposed extension, would relate well to No 10 opposite, and it would not appear visually dominant on this corner plot.

7. In terms of its effect on the Ranfurly Road building line, the appeal dwelling is orientated perpendicular to the terraces fronting Ranfurly Road, and it is well separated from them by a relatively deep rear garden. As such, the appeal site is of a different character to Ranfurly Road, and the proposed extension would not harmfully disrupt its building line.

8. For these reasons, I find that the appeal proposal would harmonise with the host dwelling and the uniformity of the street scene. It would therefore be sympathetic to the character and appearance of the area in accordance with Policy 28 of the London Borough of Sutton Local Plan 2016-2031 (2018), and paragraph 130 of the National Planning Policy Framework (2021), which require new development to be of high design quality and to respect local context, amongst other objectives.

9. Whilst there would be conflict with the guidance for two storey extensions contained within the SPD, there would be no conflict with its purpose of ensuring that two storey side extensions are subordinate in scale to the host dwelling and avoid negative effects on the street scene, including undue dominance on corner plots and a terracing effect.

Other Matters

10. I note the concern raised that the proposed extension would reduce the amount of light reaching nearby properties. Whilst the extension would be located in a southerly direction to the residential properties on the opposite side of Fairlands Avenue, it would be located some distance from the front elevations of these properties. Moreover, the extension would be of a limited scale and any effect on light over and above the existing situation would be unlikely to be discernible, such that the living conditions of nearby occupiers would not be adversely affected. It is noteworthy that the Council did not include this matter as a concern when it refused the planning application.

11. The proposed extension would not physically encroach onto the existing footpath or narrow its width. As such, the concerns raised on this matter by an interested party do not lead me away from my conclusions on the main issue.

Conditions

12. For reasons of certainty and to control the appearance of the extension, I have imposed conditions requiring the development to be carried out in accordance with the approved drawings and constructed from materials matching the existing dwelling.

Conclusion

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

G Sylvester

INSPECTOR