



Appeal Decision

Site visit made on 2 November 2022 by M Long BA (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2022

Appeal Ref: APP/P5870/D/22/3303374

76 St Philips Avenue, Worcester Park KT4 8LA

- 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 & Mrs Graham against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2022/00065, dated 11 January 2022, was refused by notice dated 26 April 2022.
 - The development proposed is a rear extension at first floor, a proposed rear roof dormer extension including raise of existing ridge height, and all associated internal and external alterations on all floors.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area and whether there would be harm to biodiversity.

Reasons for the Recommendation

4. The appeal site is a two-storey, end-of-terrace dwelling with a ground floor rear extension that forms part of a terrace of four properties. The appeal terrace and neighbouring terrace to the immediate north-east are visually grouped through their proximity, strong sense of uniformity and because they are bookended by gable-fronted dwellings. The ridgeline across these eight properties is staggered; there is a step between Nos 72 and 74 on the appeal terrace and a step up from the appeal dwelling to its unattached neighbour to the north-east, No 78. The surrounding terraces share a similar appearance and also have staggered ridgelines that rise at irregular intervals. From the rear of the site, there are few visible interventions at the first floor and roof levels of the appeal and neighbouring terraces. There is, however, a rear dormer at No 78, which is set in from the sides and the eaves.
5. The proposal would raise the ridgeline by approximately 350mm, in line with the ridge height at No 78. It would also include a first floor rear extension with a depth of about 1 metre. This would incorporate a new rear roof slope with the

same angle and eaves height as the existing slope, albeit with a larger scale and size. A dormer would cover the full width of the new rear roof slope, it would be set down from the raised ridgeline by a minimal distance of around 50mm and set back 200mm from the new eaves of the first floor extension.

Character and Appearance

6. The combination of the proposed works would significantly alter the shape and scale of the roof form. Although the design would maintain the roof angle and eaves height, the overall shape would be enlarged and appear as an overly dominant addition to the dwelling. Given the limited interventions at first floor and roof level across the appeal and neighbouring terrace, the proposal would detract from the sense of uniformity shared across these properties.
7. Given its substantial depth, which would project past the original rear elevation onto the first floor extension, the dormer would have an overly dominant appearance. There is a dormer at No 78, however it is set in from the sides and eaves of the roof relates more sympathetically to the host dwelling than the proposal would. While the dormer's materials and fenestration alignment would relate to the appeal dwelling, these features would not sufficiently mitigate the harm that would arise from its overall design. There would be conflict with SPD 4¹ which seeks to prevent dormers that are overly large and dominant.
8. From the front, the raised ridgeline would be viewed in the wider context of terraces with staggered ridgelines and so would not appear out of keeping. As the eaves height would be maintained, the raised ridge would alter the character of the dwelling to some extent. However, given the small increase, and that it would match the ridge height of neighbouring No 78, there would not be unacceptable harm to the character and appearance of the wider streetscene. Nevertheless, the lack of harm identified to the front of the appeal property would not mitigate the harm that would arise from works to the rear.
9. I have been directed to numerous developments with similarities to the appeal scheme, some of which are located close to the site. There are a number of large rear dormers in the vicinity of the appeal site, such as those at Nos 41, 43 and 46 St Philips Avenue. However, these developments do not incorporate a raised ridgeline or a dormer that extends past the original first floor rear elevation. Developments at Nos 20, 22 and 28 are located a further distance down this road on properties that differ in style from the appeal dwelling. There are several large dormers at nearby Brinkley Road, however these do not appear to include a raised ridgeline nor enlargement of the rear roof slope and so do not provide a sufficient precedent for the appeal scheme.
10. Details of approved schemes within the wider Borough that included a raised ridgeline and construction of a large rear dormer have been submitted at the appeal stage². While there may be similarities with the appeal scheme, there are several discernible differences such as housing type, style, visual context and the works proposed which prevent a direct comparison. In any event, each case must be considered on its individual merits and, as outlined above, the proposal would detract from the uniformity across the terraced properties at this particular location. Moreover, I cannot be certain of the full planning

¹ London Borough of Sutton, SPD 4 'Design of Residential Extensions, Supplementary Planning Document' 2006

² LPA Refs: DM2022/00609, DM2022/00654, DM2022/00697, DM2021/01878, DM2021/02053, DM2021/02500, DM2020/00945, DM2020/01493 and DM2018/00772.

considerations of each example. For these reasons, in addition to their significant distance from the site, these examples do not provide a sufficient precedent for the proposal.

11. Overall, the proposed development would result in harm to the character and appearance of the area. As such, it would be contrary to the Sutton Local Plan 2016-2031, adopted February 2018, specifically Policy 28 which seeks to ensure building extensions respect the local context and are of a suitable scale and massing to the setting. The Council have referred to Policy D4 of The London Plan, adopted March 2021, which primarily focuses on the design process and scrutiny. However, this Policy is principally strategic in nature and does not appear directly relevant to the modest nature of the appeal scheme.

Biodiversity

12. The site is located close to a Site of Importance for Nature Conservation, and has a vegetated back garden, which increases the likelihood that bats may be roosting in the roof. ODPM Circular 06/2005 paragraph 99 recommends that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted'. As the proposed works would disrupt the existing roof, a Preliminary Roost Assessment (PRA) would need to be provided to demonstrate whether bats are present at the site and whether the proposal would be likely to harm their habitat.
13. Although the dwelling has undergone a hip to gable roof conversion, which included extensive works such as a new roof structure, new waterproof roof lining and new tiling, this development was undertaken a significant period of time ago. I am not satisfied that a PRA would not be required for this reason.
14. While a PRA may not have been necessary to validate the original application, this does not mean that other information may not be required at a later stage to ensure the development is acceptable. There may have been a lack of communication from the Council, however this matter does not relate to the planning merits of the case, which must be the focus of this recommendation.
15. Given the above, and without sufficient evidence to the contrary, the proposed development has the potential to harm biodiversity. As such, there would be conflict with Policy 26 of the Sutton Local Plan 2016-2031, which seeks to ensure that developments conserve biodiversity. There would be further conflict with Policy G6 of The London Plan, which seeks to ensure development proposals manage impacts on biodiversity.

Other Matters

16. The proposal would provide improved living space for the appellants and their family. In particular, it would provide bedroom sizes that meet current space standards. Nevertheless, the nationally described space standard deals with internal space within new dwellings, rather than existing properties. The increased room sizes would be a private benefit accruing to a single family home and so only limited weight can be given to this matter.
17. Within Government legislation there is language to support the optimisation of housing, including possibilities to construct additional storeys under permitted development rights. However, I must consider this proposal in the context of all relevant policies in the development plan. In this instance, the proposal's

capacity to increase the living accommodation at the property does not outweigh the harm identified above.

Conclusion and Recommendation

18. The proposed development would be contrary to the development plan when considered as a whole. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR