



Appeal Decision

Site visit made on 28 February 2023

by A James BSc (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th March 2023

Appeal Ref: APP/P5870/D/22/3295831

7 Sherwood Park Road, Sutton SM1 2SQ

- 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 Park of Three Parks Development Limited against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2021/02079, dated 11 October 2021, was refused by notice dated 12 January 2022.
 - The development proposed is erection of single storey rear ground floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for erection of single storey rear ground floor extension at 7 Sherwood Park Road, Sutton SM1 2SQ in accordance with the terms of the application, Ref DM2021/02079, dated 11 October 2021 and 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 plans/documents: A101; A102; A103; A104; A105; A106; A107; A108; A120; A121; and, Fire Strategy Statement (A) dated January 2022.

Preliminary Matters

2. I have used the description given on the original application form, as an amended description has not been agreed between parties.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupants of No 9 Sherwood Park Road (No 9), with particular regard to light and outlook.

Reasons

4. The appeal property is a 2 storey detached dwelling, which has a large rear garden. It has an existing 2 storey rear/side projection, plus a single-storey rear infill extension. The flank wall of the dwelling and its single-storey extension adjoin the boundary with No 9.
 5. No 9 is a detached dwelling, which has a single-storey rear extension that is set away from the shared boundary. There is pedestrian access to the side of No 9, adjacent to the boundary with the appeal site.
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6. The proposal would increase the height of the existing single-storey extension and incorporate a lantern skylight. Given the height of the existing extension and its location adjacent to the 2 storey flank of No 9, the proposed increase in height and skylight would not be harmful to the neighbouring property, including the openings on its flank elevation.
7. The proposed extension would project a further 4 metres in depth than the existing addition. The height, depth and design would be similar to other extensions that I noted in the locality and would not appear excessive in scale. The proposal would be noticeable from the rear of No 9 and would exceed the height of the existing boundary treatment. However, the proposal would not appear unduly dominant or create a harmful sense of enclosure due to the space between the dwellings, the single-storey nature of the development and its sloping roof.
8. The single-storey side extension at No 9 has glazed doors that face the appeal site. Given the distance between these doors and the proposed development, the proposal would not cause a harmful loss of outlook or appear unduly overbearing. The windows on the rear elevation of No 9 are set in from the side of the property. The proposed development would be visible at an angle from these windows; however, these windows primarily look out onto the rear garden and outlook would remain good.
9. Whilst there may be some loss of sunlight to the patio area and ground floor windows of No 9 during the winter months due to the orientation of the development, this would not be significant, particularly given the existing boundary treatment. Overall, the neighbouring property and its garden would retain good levels of daylight and sunlight.
10. I conclude that the proposed development would not be harmful to the living conditions of No 9, with particular regard to light and outlook. The proposed development would comply with Policy 29 of the Sutton Local Plan 2016-2031, adopted in 2018, which seeks to ensure that there is no adverse harm to the living conditions of neighbouring properties. The proposal would also comply with the National Planning Policy Framework 2021 (the Framework), which requires that developments provide a high standard of amenity for existing and future users.

Other Matters

11. The third party raises concerns that the depth of the extension is not in accordance with the guidance set out in the Council's Design of Residential Extensions Supplementary Planning Document (SPD) 4, 2006. The SPD provides guidance only and is now dated. The Council found no conflict with this guidance. I have assessed the application on its own merits and in accordance with the development plan and find that the proposal would not be harmful to the living conditions of the adjoining occupant.

Conditions

12. In addition to the standard time limit condition and in the interests of certainty and fire safety, I have included a condition specifying the approved plans/documents. I do not consider it necessary to impose a matching materials condition, as the materials are specified on the approved plans.

Conclusion

13. For the reasons given above, having regard to the development plan as a whole, the Framework and all other relevant material considerations, I conclude that the appeal should be allowed, subject to conditions.

A James

INSPECTOR