



Appeal Decision

Site visit made on 2 March 2023

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2023

Appeal Ref: APP/P5870/D/22/3313898

97A Langley Park Road, Sutton SM2 5HF

- 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 Dipesh Patel against the decision of the London Borough of Sutton.
 - The application Ref: DM2022/01044, dated 6 June 2022, was refused by notice dated 26 September 2022.
 - The development proposed is the erection of a part single storey rear/side, part three storey side extension.
-

Decision

1. The appeal is granted for the erection of a part single storey rear/side, part three storey side extension two-storey rear extension at 97A Langley Park Road, Sutton SM2 5HF in accordance with the terms of the application, DM2022/01044, dated 6 June 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Drg Nos. 1 to 9
 - 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.
 - 4) The development must be carried out in accordance with the provisions of the Planning Fire Safety Strategy – Dwg No.12.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

3. The appeal property is a three-storey townhouse located at the end of a staggered terraced row. To the side is an attached double garage which extends up to the side boundary to Albion Road.
4. The proposed extension would be sited above part of the garage, it would be setback from the front elevation and offset from the main ridge line. It follows the principles of a subordinate approach as advocated within the Council's

Supplementary Planning Document - *Design of Residential Extensions* (SPD4) and whilst the inset is limited the design would follow that of the host property but with a more limited width.

5. It is understood that this proposal is an amended scheme following the refusal of a wider extension. At just over half the width of the existing property, in my view, the extension would appear proportionate and is not excessive in relation to the host property, or the terraced block as a whole.
6. The surrounding area is characterised by three-storey buildings, both terraced houses and apartment blocks, and thereby the scale is reflective of the prevailing character. Other neighbouring properties are some distance away, to the other side of the road(s). Whilst the width of the three-storey building would be increased the visual appearance of the flank elevation would be unchanged, and the single-storey garage to the side maintains a separation and a sense of space to the boundary. Having regard to the form and position of the extension, I do not find that it would be an overly dominant feature or intrusive in either the Langley Park Road or Albion Road street scenes.
7. Overall, I find that the proposal would be an acceptable form of extension and would not be harmful to the character and appearance of the area. As such, it would accord with Policy 28 of the Sutton Local Plan and the SPD4 guidance taken as a whole, which require development to respect the local context, and for extensions to be of a suitable scale, massing and height.

Other Matters

8. The Council's officer report addressed other aspects of the development, including the impact on neighbours. The extension is to be located on the other side of the property to the adjoining neighbour and therefore will not affect their amenities.
9. The reason for refusal also cites conflict with SPD 14-'*Creating Locally Distinctive Places*' although no specific aspects are referred to. Having found that the proposal would be in keeping with the local character it would also accord with the general principles of SPD 14.

Conditions

10. Conditions are imposed to ensure compliance with the statutory requirements relating to the commencement of development and the plans in order to provide certainty. I have also imposed a condition requiring the materials of the approved development to match the existing property in the interests of the character and appearance of the area.
11. A condition in relation to the provision of a fire strategy is necessary to ensure the development incorporates and maintains necessary fire safety measures and accords with the requirements of the London Plan.

Conclusion

12. For the reasons set out the appeal is allowed.

G Ellis

INSPECTOR