



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: 29th March 2023

Appeal Ref: APP/P5870/D/22/3308942 49 St. Barnabas Road, Sutton SM1 4NS

- 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 Ashok Garg against the decision of the London Borough of Sutton.
 - The application Ref: DM2022/01404, dated 1 August 2022, was refused by notice dated 28 September 2022.
 - The development proposed is the erection of a part one, part two front/side/rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a part one, part two front/side/rear extension at 49 St. Barnabas Road, Sutton SM1 4NS in accordance with the terms of the application, Ref DM2022/01404, dated 1 August 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: 23-101, 23-102, 23-103, 23-104, 23-105, 23-106, 23-107, and 23-108.
 - 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 23-111.

Preliminary Matter

2. Further to the submission of the appeal planning permission has been granted for a first-floor side extension – Council reference DM2022/01968.

Main Issue

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

Reasons

4. The semi-detached property is located at the end of St. Barnabas Road with existing single-storey elements to the side extending up to the boundary running along Westmead Road.
5. The proposal would replace the garage with a ground-floor extension, and a first-floor extension above would extend over approximately half the width. The ground floor element is wide but is no wider than the building it replaces, and the addition of the pitched roof integrates with the rest of the extension and the existing property.
6. The first-floor extension is only marginally wider than the approved scheme. It would incorporate features of the host property including a front bay and rear flat roof element. While the Council indicate that the design would detract from the appearance of the host property, it would have a subservience being set back and the fenestration would be proportionally smaller. The inclusion of the door does provide an element of separation; however, a door was present in the garage and the main entrance is more defined with a porch.
7. The property is part of a row of semi-detached dwellings of the same form, but the appeal property has a different relationship given its corner position and extensive space to the side. Other properties to the junction have two-storey forms extending closer to the corner and even with the addition of the first-floor extension, space would be retained to the side. As such, the development would not appear overly intrusive, and visually the alterations would have a comprehensive approach in terms of form and materials.
8. I acknowledge that the width of the extension would conflict with the advice in the Council's Supplementary Planning Document 4: Design of Residential Extensions (SPD4). Nonetheless, this is guidance and specific details are to be applied flexibly with each case to be considered on its own merits. Overall I find that the proposal would reflect and be sympathetic to the appearance of the host property and would not be an incongruous development detracting from the character of the area.
9. The proposal would therefore accord with Policy 28 of the Sutton Local Plan 2016-2031, and the principles of the SPD 4 taken as a whole, which require development to be of a high standard of design, respect the local context and be of a suitable scale, massing and height.

Conditions

10. The standard time limit is required together with a condition listing the plans in the interests of certainty. To ensure that the extension integrates with the host property a condition requiring that the external materials match those on the existing building is also necessary. A condition is also required in relation to the provision of a fire strategy to ensure the development incorporates and maintains necessary fire safety measures and accords with the London Plan.

Conclusion

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

G Ellis

INSPECTOR