



Appeal Decision

Site visit made on 21 March 2023

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 30 March 2023

Appeal Ref: APP/P5870/D/23/3315373

17 Elizabeth Close, Cheam SM1 2JW

- 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 Fitcher against the decision of the Council of the London Borough of Sutton.
 - The application Ref: DM2022/01498 dated 7 September 2022, was refused by notice dated 9 January 2023.
 - The development proposed is 1st floor extension over existing side extension to create additional bedroom with en-suite.
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Decision

1. The appeal is allowed and planning permission is granted for 1st floor extension over existing side extension to create additional bedroom with en-suite at 17 Elizabeth Close, Cheam SM1 2JW in accordance with the terms of the application, Ref: DM2022/01498 dated 7 September 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 1339 100 Rev 01; 1339 102 Rev 01; 1339 103 Rev 01; 1339 201 Rev 01; 1339 202 Rev 01; 1339 203 Rev 01; 1339 101 Rev 01.
 - 4) The proposed first floor window in the side elevation of the development hereby permitted shall be glazed with obscure glass and fixed shut to a height of 1.7 metres above the finished floor level of the room in which the window is installed and thereafter so retained.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the existing property and local area.

Reasons

3. The appeal property is an end of terrace residential property at the western, cul de sac end of a residential development dating from the late 1980s. There is an existing single storey side extension granted planning permission by the Council in 2006 (Ref: B2006/55818). This extension is set well back from the front elevation.
4. The proposed extension would build a first floor extension over the existing extension under a pitched roof. The single storey extension is wider than the existing house and this would therefore be repeated with the first floor extension. It would have a lower ridge line than the main house and, as with the existing extension, it would be set well back from the front elevation of the existing house. The Council's Design of Residential Extensions SPD (SPD 4) sets out guidance about different types of extensions to residential properties and in respect of side extensions, paragraph A.2.2 includes, amongst other matters, that *proportionately, be no wider than one third to half of the width of the existing front elevation. Where wider, greater setbacks will be required.* The proposal would be wider than the existing house but would be set considerably behind the main elevation. As a result, I am satisfied that it would be read as a subordinate addition to the main house and would not detract from its character and appearance
5. Given its deep set back and the lower ridge height, and notwithstanding its width, I consider that it would also be seen in the street scene as a subordinate addition to the main house. Moreover, its set back from the main house and terrace together with its position in relation to the rest of the development at the cul de sac end of the Close would mean that it would not be a dominant or intrusive feature in the street scene.
6. I am therefore satisfied that the proposed first floor extension would respect the character and appearance of the existing dwelling and of the local area. There would be no conflict with Policy D4 of the London Plan and Policy 28 of the Sutton Local Plan and the National Planning Policy Framework, and in particular Section 12, all of which, amongst other matters, seek a high quality design which respects the local context.
7. The proposal would not accord with all of the guidance in the Council's SPD 4, with particular regard to the proposed width in relation to the width of the existing house. However, in the particular circumstances of this case and for the reasons set out above, I consider that the this would not, on its own, justify a refusal of planning permission.
8. The Appellants have drawn my attention to other developments which they consider are relevant to their own proposal. However, each proposal must be assessed on its individual merits, as I have done in this case.

Conditions

9. In terms of conditions, I agree with the Council that the materials should match the existing to respect the character and appearance of the existing property and of the local area, and the approved plans should be listed for the avoidance of doubt and in the interests of good planning. I shall also add a condition, as requested by the Council, to require the side facing window at first floor to be

obscure glazed and fixed shut to a height of 1.7 metres above the finished floor level of the room to protect the amenities of surrounding neighbours.

Conclusion

10. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

L J Evans

INSPECTOR