



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/23/3314273

14 Stafford Close, Cheam Sutton SM3 8PR

- 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 Adam Robotham against the decision of the Council of the London Borough of Sutton.
 - The application Ref: DM2022/01484 dated 15 August 2022, was refused by notice dated 7 November 2022.
 - The development proposed is residential loft and first floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for residential loft and first floor extension at 14 Stafford Close, Cheam Sutton SM3 8PR in accordance with the terms of the application, Ref: DM2022/01484 dated 15 August 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: 06/14SC/SM38PR; 05/14SC/SM38PR; 01/14SC/SM38PR; 02/14SC/SM38PR; 04/14SC/SM38PR Rev A; 03/14SC/SM38PR.

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 of the local area.

Reasons

3. The appeal property is a detached residential property at the south western end of Stafford Close, a non through road leading off Love Lane, and within a predominantly residential area. The short road has a number of semi-detached properties towards its northern end and a mix of detached and semi-detached properties at its southern end. Towards the southern end there is a greater mix of styles reflecting subsequent extensions and alterations to the individual properties.

4. The proposal would include a side/rear extension at first floor level; and changes to the roof to include hip to gable extensions to both flank roof slopes, creation of three dormers to the rear and roof lights to the front roof slope. The ridge height would be raised by a maximum of 1 metre as a result of the proposal to create accommodation in the existing loft space. The Council has calculated this increase in height would be from 8.7m to 9.6m.
5. Contrary to the views of the officer, I saw on my site visit some variations in the ridge heights at this end of Stafford Close alongside variations in the styles and forms of the individual properties. I do not consider that the proposed increase in height of the roof ridge to the appeal property would appear significant or out of step with the varied roof lines in the immediate surrounding properties. It is further assisted because the ridge height on the adjoining property at No 12 steps down towards its southern end and contributes to the variation of roof levels. There would also remain generous gaps between the appeal property and its immediate neighbours which would assist in enabling the change in roof ridge to be assimilated into the street scene.
6. The dormers at the rear would be of appropriate scale and design within the roof slope and would appear as subordinate features to the main house. The first floor addition over the existing ground floor would still leave a generous margin to the boundary and the adjoining property.
7. I am therefore satisfied that the proposed development would respect the character and appearance of the existing property and of the local area. There would be no conflict with Policy 28 of the Sutton Local Plan, and the National Planning Policy Framework, and in particular Section 12, all of which seek a high quality of design which respects the local context. The proposal would not be in full accordance with all the guidance in the Council's SPD4 'Design of Residential Extensions' but would accord with the overall objectives set out at 3.01 not to have a negative impact on the street scene and the existing building and the amenity of neighbours. In the particular circumstances of this case, and given my findings above, I consider that the divergence from the guidance, on its own, does not justify a refusal of planning permission.

Other Considerations

8. I have taken into account the concerns raised at the application stage by the neighbours at No 16 Stafford Close. However, taking account of the spacing between the two dwellings, I do not consider that the changes proposed would be overbearing for the neighbours to the south or affect levels of light to their main windows which face to the front and to the rear. The proposed windows to the extensions, including at second floor level, would face to the rear of the dwelling and I do not consider that this would materially increase any overlooking compared with the existing situation. I am therefore satisfied that the neighbours' living conditions would not be materially affected and the Council did not raise this as a reason for refusal.
9. The rear boundary of the appeal property immediately adjoins the rear boundary of Cheam Cottage, a Grade II listed building. I am required by Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of listed buildings. However, I agree with the Council that other than a shared boundary, there does not appear to be any interrelationship between the

appeal property and the listed building. Given the scale and form of the proposed works and the separation distance between the two, the proposed works to the appeal dwelling would not alter this relationship. I am therefore satisfied that the setting of Cheam Cottage would not be affected and would be preserved.

10. The Appellant has drawn my attention to other developments which he considers are comparable and relevant to his own proposal. However, each proposal must be assessed on its individual merits, as I have done in this case.

Conditions

11. 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 the approved plans should be listed for the avoidance of doubt and in the interests of good planning.

Conclusion

12. 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