



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: 18th April 2023.

Appeal Ref: APP/P5870/D/22/3313876

7 Duke of Edinburgh Road, Sutton, SM1 3NU

- 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 A. Petryk against the decision of the Council of the London Borough of Sutton.
 - The application Ref: DM2022/01091, dated 11 June 2022, was refused by notice dated 11 October 2022.
 - The development proposed is installation of solar and renewable energy plant on existing dormer roof.
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Decision

1. The appeal is allowed and planning permission is granted for installation of solar and renewable energy plant on existing dormer roof at 7 Duke of Edinburgh Road, Sutton, SM1 3NU in accordance with the terms of the application, Ref: DM2022/01091, dated 11 June 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 development hereby permitted shall be carried out in accordance with the following approved plans in so far as they relate to solar and renewable energy plant and equipment: 1318.2/P/00; P1318.2-P-09 and P1318.2-P-09.1.
 - 3) Notwithstanding the approved plans, the solar panels shall be no more than a 34 degrees tilt angle from the roof of the dormer.

Preliminary Matters

2. At the time of my site visit some equipment was in place at the northern end of the property. As the development had not been completed at the time the application was submitted, I shall regard this as a proposed development and consider it on the basis of the submitted plans, as I am required to do.
3. The application is specific to the installation of solar and renewable energy plant on the existing dormer roof. In considering the application the Council has also raised a concern about a projecting rooflight on the rear dormer for which it considers that planning permission would be required. This is shown on

both the existing and proposed plans but for the avoidance of doubt this is not before me and my consideration relates solely to the solar and renewable energy plant, as described in the application.

Main Issue

4. The main issue in this appeal is the effect of the works on character and appearance of the existing house and on the street scene.

Reasons

5. The appeal property is a semi-detached property on the west side of Duke of Edinburgh Road, near to the junction with Connaught Road and within a predominantly residential area. The property has been extended to the side and also has a flat roofed dormer at the rear. The application relates to the installation of solar and renewable energy plant and equipment on the flat roofed rear dormer.
6. The objective to achieve a dwelling to a target zero carbon standard is to be welcomed and is supported at a national and local policy level. I also understand the restrictions on suitable places to mount the plant in order for it to be effective given the orientation of the building and works already undertaken at the property. However, this objective to achieve a zero carbon standard needs to be balanced with other planning considerations and in this instance the effect of the proposal on the character and appearance of the local area.
7. Although the plant would be seen in some street scene views, these views would not be extensive. This is both because of the siting of the plant towards the rear of the dwelling and the angle of view and because some of it is largely obscured from view as a result of other built development. Where the plant would be seen, it would appear as lightweight structures and its purpose self-evident. Given both its relative small scale in relation to the property, and that it would be appropriately spaced across the rear roof dormer, I do not agree with the Council's concern that it would lead to a cluttered appearance which would detract from the character and appearance of the existing property. Furthermore, the plant and equipment would not be overly dominant in street scene views.
8. I am therefore satisfied that the proposal would not detract from the character and appearance of the existing house and of the local area. There would be no conflict with Policy 28 of the Sutton Local Plan 2018 and the guidance in the Council's Design of Residential Extensions SPD as well as the National Planning Policy Framework, all of which amongst other matters seek a high quality of design which respects the local context.
9. The Appellant has drawn my attention to other buildings with roof top plant equipment, including solar panels. However, each proposal must be considered on the basis of its individual merits, and this is the approach I have followed in this decision.

Conditions

10. I shall list the approved plans for the avoidance of doubt and in the interests of good planning, but shall make it clear that the approval only relates to the plant and equipment, given that the Council has indicated that there remains a

concern over the raised roof light, which is not before me. Notwithstanding the plans submitted I shall include a condition to require that the solar panels to be no more than a 34 degrees tilt angle to comply with the information provided and minimise the visual height of the panels.

Conclusion

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

L J Evans

INSPECTOR