



Appeal Decision

Site visit made on 15 May 2023

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 JULY 2023

Appeal Ref: APP/P5870/W/22/3311111

6 Lind Road, Sutton SM1 4PJ

- 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 JJ Gluck against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2022/01628, dated 6 September 2022, was refused by notice dated 7 November 2022.
 - The development proposed is described as "rear extension at second floor and roof in order to extend an existing apartment".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and the surrounding area, including the Newtown Area of Special Local Character.

Reasons

3. The site comprises a two storey mid-terraced property with a basement, now in residential use. It is located within a mixed residential and commercial area, facing Lind Road. Similar to some other properties in the terrace, the appeal property has rear two storey, single storey and dormer extensions. To the rear is an area of off-street parking accessed from Bishop's Place, which also provides access to several residential and business premises located on this street and Carshalton Road.
4. The appeal site is not a listed building or within a conservation area but lies within the Newtown Area of Special Local Character (the ASLC) identified in the Sutton Local Plan 2016-2031 (the Local Plan). The character of the area derives from it largely comprising two-storey Victorian terraced houses which have maintained their character, including dwellings of a traditional terraced design.
5. The proposed development would extend across the width and much of the height of the rear roof with only part of it having a small set back from the eaves, obscuring most of the original roof. Whilst there is diversity in the existing rear built form of the terrace, the existing two storey extensions do not impinge on the original dwelling roofs and the dormers sit comfortably in the roof spaces without over dominating them. The introduction of an additional storey over the existing two storey extension on the appeal property along with

the size of the proposed dormer would not reflect the scale and massing of existing development in the terrace. As a result, the proposal would be a bulky, incongruous and insubordinate addition to the appeal property and terrace.

6. I note that the development would replace an existing dormer, not exceed the roof ridge and would be located on the rear of the building. Although the appellant considers that the proposal would be unseen from public vantage points, it would be visible from Bishop's Place. This is currently used to access residential and commercial premises and the use of this street could intensify in the future if two extant planning permissions for residential development on disused land in Bishop's Place are implemented. Therefore, I consider that the proposal would harm the host property, terraced row and street scene.
7. The Lind Road elevation of the appeal property and terrace contributes to the character of the ASLC as it has retained much of its original built form, but the rear elevation provides minimal contribution due to the number and size of extensions which have substantially altered its original appearance. As the proposed development would only affect the rear elevation, I do not find harm to the ASLC.
8. Although the proposal would not harm the character of the ASLC, overall, I conclude that it would harm the character and appearance of the host property and the surrounding area. This would be contrary to Policy 28 of the Local Plan which requires development to respect the local context and respond to local character, and be of a suitable scale, massing and height to the setting of the site. It would also conflict with the Framework which requires development to be sympathetic to local character and development that is not well designed to be refused.
9. The proposed development would comply with policy 30 of the Local Plan where it seeks to conserve those elements which contribute to the ASLC's particular character or appearance.

Other Matters

10. I note that the proposal seeks to increase the usable floor area and natural daylight for the small flat in the roof space. The flat was approved using permitted development rights and, whilst improving the living environment for the occupiers of the flat would be a clear benefit, it would not outweigh the harm that I have found to the character and appearance of the area.
11. Although the development would be in an accessible location and make more efficient use of the land in accordance with national planning policies, it relates to the extension of an apartment and would not result in the provision of additional dwellings. Therefore, these matters carry little weight.

Conclusion

12. For the reasons given above, the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

A Wright

INSPECTOR