



Appeal Decision

Site visit made on 10 July 2024

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 August 2024

Appeal Ref: APP/P5870/W/23/3329435

8 Keswick Close, Sutton SM1 4HH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Roman Havdyak against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2023/00982.
 - The development proposed is the conversion of loft space involving alterations to existing roofline and a dormer extension at rear.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of loft space involving alterations to existing roofline and a dormer extension at rear at 8 Keswick Close, Sutton SM1 4HH in accordance with the terms of the application, Ref DM2023/00982, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A.06 Rev A; BP-02 Rev A; LP-01 Rev A; 101 Rev A; 102 Rev A; 103 Rev A; 105 Rev A; 106 Rev A; 107 Rev A; 108 Rev A; 109 Rev A.
 - 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.

Application for costs

2. An application for costs was made by Mr Roman Havdyak against the Council of the London Borough of Sutton. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development above is taken from the Council's decision notice, in the interest of clarity.

Main Issues

4. The main issue in this case is the effect of the development on the character and appearance of the existing property, semi-detached pair and surrounding area.

Reasons

5. The appeal site consists of a short cul de sac made up of similar semi-detached units split into flats/maisonettes. This consistency contributes positively to the streets character, and is mostly derived from the scale and appearance of the two storey units. The uniform set back and gaps between the dwellings give the street a sense of space.
6. Whilst most semi-detached units have symmetrical hipped roofs, there is an example of a gabled roof at No 16. Even if approved under a different planning policy¹ context, and located towards the end of the cul de sac, it is part of the established street scene and I observed that the original character of this property remains readily apparent. I note the officer report for this approval acknowledges this.
7. The Supplementary Planning Document 'Design of Residential Extensions' (SPD) (2006) sets out that hip to gable extensions will not be encouraged, particularly where the dwelling is one of a pair of semi's and such an alteration would upset their symmetry.
8. However, in this instance, given the retention of the original character of the dwelling and semi-detached unit, the hip to gable extension would have a limited effect upon its balance and symmetry, and would not harm the consistency of the wider street scene. Its limited visual impact would not result in the roof form appearing top heavy or visually prominent, nor result in a crowded roof appearance. The gaps and rhythm between the dwellings below roof level would remain, as would the characteristic sense of space.
9. The rear dormer, whilst substantial in width, would sit within the extended roof plane, and would be set in from the sides and down from the ridge. The SPD sets out that large flat roofed dormers can have a detrimental impact on the character and appearance of dwellings and the wider street scene. However, in this instance, the dormer would not cover the entire roof form and would sit comfortably within it. It would not appear as an overly dominant or incongruous addition to the roof.
10. The dormer would, given its rear position, not be conspicuous from Keswick Close and would not therefore detract from its character and appearance. Moreover, whilst it would be visible to occupiers of neighbouring properties, I observed large flat roofed rear dormers to be visible from the appeal site, both on Keswick Close and nearby on Benhill Wood Road. In this context, when viewed from neighbouring properties, the dormer would not appear incongruous and would not detract from the surroundings.
11. It is concluded that the proposal does not harm the character and appearance of the existing property, semi-detached or the surrounding area. The development therefore complies with Policy 28 of the Sutton Local Plan (2018) which requires that new development should be of a high quality and respect the overall design and character of the host building and the broader street scene. There is also no conflict with the general guidance within the SPD which seeks to prevent harm to symmetry and detrimental impact on the character and appearance of dwellings, semi-detached units and street scene.

¹ Application reference B2016/74517

Other Matters

12. One letter was submitted by a neighbour, however this did not object to the proposal, and therefore I will not consider it further.

Conditions

13. A list of suggested conditions has been provided that the Council and/or the appellants consider to be appropriate. I have considered these in light of the Planning Practice Guidance and the tests set out in the National Planning Policy Framework. For clarity and to ensure compliance with the tests, I have amended some of the suggested wording.
14. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty. A condition requiring materials to match the existing original property is also necessary in the interest of the character and appearance of the property and area.
15. The appellant has submitted a fire risk assessment. I have no reason to doubt that it addresses the criteria of London Plan Policy D12 in a proportionate manner to the scale of the proposed development. The appellant has considered issues of fire safety before the Building Control application stage as required in the guidance notes to this policy. A condition requiring compliance with the risk assessment is not therefore necessary.

Conclusion

16. There are no material considerations that indicate the development should be determined other than in accordance with the development plan. For the reasons given above and having regard to all other matters raised, the appeal is allowed.

B Phillips

INSPECTOR