



Appeal Decision

Site visit made on 15 August 2024 by N Unwin BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2024

Appeal Ref: APP/P5870/D/24/3337348

223 Wrythe Lane, Carshalton, Sutton SM5 1UA

- 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 Vibusithan Ongaranathan against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2023/01528.
 - The development proposed is described as the erection of part first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of part first floor rear extension at 223 Wrythe Lane, Carshalton, Sutton SM5 1UA in accordance with the terms of the application, ref. DM2023/01528, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: 080/CAR/0S and 223/WRY/001 A.
 - 3) The external surfaces of the development hereby permitted shall match those used in the existing dwelling.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for Costs

3. An application for the award of costs has been made by Vibusithan Ongaranathan against the Council of the London Borough of Sutton. This is the subject of a separate decision.

Main Issues

4. The main issues are the effect of the proposal on a) the character and appearance of the area; and b) the living conditions of the occupiers of No 225 Wrythe Lane with particular regard to outlook, daylight and sunlight.

Reasons for the Recommendation

Character and Appearance

5. The appeal site forms an end of terrace, two-storey dwelling. The dwellings forming the terrace, including the appeal property, are understated in their design. These properties possess relatively consistent proportions, ridge lines, and hipped roofs at either end, bestowing the wider terrace with an attractive, simplistic homogeneity. As such the existing dwellings positively contribute to the character and appearance of the surrounding area.
6. The proposal would involve a first-floor extension above the existing single-storey rear extension. It would be just over half the width of the rear elevation of the appeal property retaining the existing hipped roof and ridge line, thus remaining subservient to, and preserving the character of, the host dwelling. The proposal would not extend beyond the existing side elevation of the host property and would project modestly to the rear. It would therefore maintain the existing separation distance of the appeal dwelling and the site boundary, appearing proportionate within the plot and preserving the existing attractive simplicity of the host property and wider terrace. As such, the proposal would conserve the existing character and appearance of the appeal property and surrounding area.
7. With this and the above in mind, the proposal would comply with Policy 28 of the Sutton Local Plan 2016 – 2031 (2018) (LP) which, amongst other things, requires development to respect the local context and respond to local character.

Living Conditions

8. No. 225 is a two-storey dwelling of a similar scale adjacent to but set back from the appeal site boundary. No. 225 is at a marginally higher elevation than the appeal property. The rear of No. 225 and the appeal property are slightly angled towards the shared site boundary retaining a moderate gap between the two dwellings. A tall fence and high vegetation delineate the boundary with the appeal property closest to the rear elevation of No. 225, limiting levels of outlook, daylight and sunlight received from this direction. The rear garden of No. 225 is elongated with a mostly open aspect to the rear. As such, the outlook from the rear windows and conservatory of No. 225 including the garden area closest to them is channelled to the rear of the garden with the majority of daylight and sunlight obtained from this direction.
9. The proposal would extend approximately 2.5 metres from the existing first-floor rear elevation, maintaining the existing building line of the side elevation and therefore the moderate gap with No. 225. Given the marginally lower elevation of the appeal property, the effect of the increase in built form at first-floor level would be slightly lessened when viewed from No. 225. The proposal would not adversely affect the existing open aspect to the rear of No. 225, preserving the good standard of outlook and levels of daylight and sunlight it provides. Furthermore, given its modest projection to the rear and existing high boundary treatment with No. 225, the proposal would have a limited impact on the existing outlook and levels of daylight and sunlight enjoyed by the occupiers of No. 225.
10. The proposal would not therefore harm the living conditions of the occupiers of No. 225 and would therefore comply with LP Policy 29, which, amongst other

things, requires development to not adversely affect the living conditions of neighbouring occupiers or those of the surrounding area.

Other Matters

11. The Council have assessed the proposal's effect on the privacy of the occupiers of No. 225 raising no concerns. On the evidence before me I see no reason to take an alternative view. Whilst the Design of Residential Extensions Supplementary Planning Document 2006 (SPD) resists two storey rear extensions, the proposal would be proportionate to and in keeping with the character of the host property and surrounding area and not give rise to harm to the living conditions of neighbours. In so doing, there is sufficient justification to depart, in this particular case, from the guidance of the SPD.

Conditions

12. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty and enforcement purposes. In the interests of the character and appearance of the area, a condition requiring external materials to match that of the existing dwelling is also necessary.

Conclusion and Recommendation

13. For the reasons given above, the proposed development would accord with the development plan and there is nothing sufficiently compelling to lead me to find otherwise. I therefore recommend that the appeal should be allowed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed. Subject to the above conditions.

John Morrison

INSPECTOR