



Appeal Decision

Site visit made on 1 November 2024

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/P5870/D/24/3349699

120 Grove Road, Sutton, SM1 2DD

- 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 T Qureshi against the decision of the Council to the London Borough of Sutton.
 - The application Ref is DM2024/00372.
 - The development proposed is for the erection of a part one, part two storey front, side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling, the pair of dwellings and the street scene.

Reasons

3. This part of Grove Road largely comprises traditionally designed detached and semi-detached family houses which are set back from the street behind enclosed front gardens. The designs of the dwellings vary, as do the gaps between them. This, together with the abundance of trees and shrubs within the front and rear gardens and street trees contributes to the informal and verdant suburban character and appearance of the street scene and the immediate area.
4. The appeal property is located just outside the Landseer Road Conservation Area (LRCA). It is a relatively small residential conservation area that is characterised by large detached and attached Victorian villas surrounded by mature trees, shrubs and other soft planting. This includes five substantial detached two and half storey villas which occupy large plots, located to the west of the appeal site and which front onto Grove Road. Typically, the gaps between these villas and other villas within the LRCA are modest in width. On the opposite side of the road to the appeal site is a row of large traditionally designed detached two storey houses and a flats development.
5. The appeal property is one of four traditionally and uniformly designed semi-detached two storey houses. The pair of dwellings at 114 and 116 Grove Road both have two storey side extensions. The extension at No.114 is wider and flush with the front wall of the host dwelling. Conversely the extension at

No.116 is less than half the width of the host dwelling and its first floor is set back from the front wall of the original dwelling. With both extensions the original hipped roofs have been retained. Conversely, the appeal dwelling has a hip to gable extension and large rear flat roofed dormer extension which has visually unbalanced the pair of dwellings.

6. It is noted that following the refusal of the appeal application, planning permission was granted for a two storey side extension and single storey rear extension to the appeal dwelling. Unlike the appeal proposal the approved side extension would not project beyond the rear first floor building line of the host dwelling and the proposed single storey rear extension was not as large as that proposed with the appeal scheme. In particular its depth close to Beggars Roost Lane was not as deep.
7. At the time of the appeal site visit, a part single and part two storey rear extension was being constructed. The two storey side extension being constructed has a hipped roof which has visually softened the gable end. It better reflects the form and appearance of the two pairs of semi-detached houses, as well as the Victorian houses to the west and the dwellings immediately opposite. Whilst large, the single storey extension being constructed is stepped back in the vicinity of Beggars Roost Lane. As a consequence, it does not appear unduly stark or bulky when viewed from the Lane. Accordingly, these elements of the extension being constructed reflect some elements of the appeal scheme and respect the host dwelling, the pair of dwellings and blend in appropriately with the street scenes.
8. Collectively paragraphs 203, 205, 206 and 208 of the National Planning Policy Framework 2023 (the Framework), state that in determining applications local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a development on the significance of a designated heritage asset or its setting great weight should be given to its conservation.
9. This is irrespective of whether any potential harm amounts to substantial or less than substantial harm to its significance. Any harm to a heritage asset or from development within its setting, requires clear and convincing justification. Such harm should be weighed against the public benefits of the proposal. Policy 28 of the Sutton Local Plan 2018 (SLP), is consistent with this.
10. Amongst other things, SLP Policy 28 and paragraph 135 of the Framework require new development to be attractive and designed to the highest standard. It should respect local context; respond to local character; and make a positive contribution to the street frontage and street scene. Paragraph 139 of the framework states that permission should be refused for development of poor design which fails to improve the character and quality of an area and the way it functions. The Council's Supplementary Planning Document 4 – Design of Residential Extensions has similar objectives.
11. Having regard to the size of nearby plots and dwellings, I find that the overall proposal would not amount to the over-development of the plot. Notwithstanding this, the proposed two storey rear wing would be located immediately adjacent to the boundary with Beggars Roost Lane, which is a narrow private lane that serves four properties. It would increase the depth and prominence of the proposed two storey side extension and as a consequence the side and rear two storey extensions together would have an

unduly enclosing impact on Beggars Roost Lane. Whilst it is noted that the villa on the opposite side of Beggars Roost Lane is deep and has an enclosing effect on the lane, its impact is partially offset by the openness of the rear garden of the appeal site.

12. The roof of the proposed rear projection would be fully hipped and materially lower than the roof of the proposed side extension, the ridge line of the host dwelling and the flat roof of the rear dormer. For this reason, in-itself it would be visually modest. However, from the immediate rear garden environment and from Beggars Roost Lane the resultant cumulative varied roof forms and heights would look incongruous and cluttered. Due to its depth adjacent to Beggars Roost Lane the proposed single storey extension, which would be visible from Beggars Roost Lane above the side boundary fence, would exacerbate the prominence and sense of enclosure created by the two storey extensions.
13. This harm would be limited to the immediate rear garden environment and Beggars Roost Lane and so would not impact on the Character, appearance or significance of the LRCA and its wider setting. However, the harm caused to the immediate rear garden environment and Beggars Roots Lane would clearly outweigh the benefits for the appellant and their family that would result from the additional living accommodation.
14. Finally, although Beggars Roost Lane is not publicly accessible, this is not a reason for allowing a development that would cause material harm to the character and appearance of the host dwelling and its immediate surroundings. Further, the proposal would conflict with the environmental objective of sustainable development as set out in paragraph 8 of the Framework and is not a matter that could be appropriately addressed through the imposition of conditions.
15. I conclude that the proposal would unacceptably harm the character and appearance of the host dwelling, the pair of dwellings and the street scene. Accordingly, it would conflict with SLP Policy 28.

Elizabeth Lawrence

INSPECTOR