



Appeal Decision

Site visit made on 26 February 2025

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 7th March 2025

Appeal Ref: APP/P5870/D/24/3356262

129 Brinkley Road, Worcester Park KT4 8JE

- 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 Pankaj Khanna against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2024/01268.
 - The development proposed is part first floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for part first floor rear extension at 129 Brinkley Road, Worcester Park KT4 8JE in accordance with the terms of the application, Ref: DM2024/01268, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 2024-114-01 Rev A; 2024-114-02 Rev A; 2024-114-03 Rev A; 2024-114-04 Rev A; 2024-114-05 Rev A; 2024-114-06 Rev A; 2024-114-07 Rev A.
 - 4) There shall be no access from the first floor extension hereby permitted to the flat roof over the ground floor extension.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the existing dwelling and of the local area.

Reasons

3. The appeal property is an end of terrace residential property on the north-western side of Brinkley Road, and within a predominantly residential area. The property has been extended with a single storey rear extension under a flat roof and a rear dormer addition.

4. The proposal seeks permission for the erection of a first floor rear extension measuring some 3.2 m in both width and depth and with a hipped roof, with the eaves line following the line of the eaves of the main house.
5. It would be a very modest addition to the rear leaving space to the side adjoining the boundary with the adjacent neighbour at 131 and set back from the greater depth of the ground floor extension. Given its modest dimensions and set down of the roof from the main roof form, it would be seen as a subordinate addition to the existing property.
6. As a result of its modest scale, it would not detract from the original form and proportions of the dwelling, although these have been materially altered with the existing extensions. The proposed first floor addition would help to unify the rear elevation by stepping up from the ground floor rear addition to the roof dormer.
7. Although there may not be other similar first floor rear extensions in the immediate vicinity and on this side of Brinkley Road, this would not, in itself, result in the proposal detracting from the character and appearance of the local area. It would not affect street scene views given its siting to the rear but would be seen from the rear of surrounding properties. However, given its modest scale and proportions it would not be a visually obtrusive addition in such views.
8. I am therefore satisfied that the proposed extension would respect the character and appearance of the existing property and of the local area. There would be no conflict with Policy 28 of the Sutton Local Plan 2018 and the Council's Supplementary Planning Document 4: Design of Residential Extensions and the National Planning Policy Framework and in particular Section 12, all of which seek a high standard of design which respects the local context.
9. The Appellant has drawn my attention to a number of other rear extensions, including two storey rear extensions approved by the Council in the vicinity of the site. However, each proposal must be assessed on its own individual merits and that it the basis of my decision in this case.

Conditions

10. In terms of conditions, the materials should match the existing to respect the character and appearance of the existing property and of the local area, and the approved plans should be listed for the avoidance of doubt and in the interests of good planning.
11. The Council has also sought a condition to prevent the roof of the ground floor extension being used as a terrace or sitting out area, but the proposal before me only relates to the first floor addition, and any condition to be imposed can only properly relate to the proposal before me. I have, nonetheless, added a condition to prevent access to the ground floor roof from the first floor extension to protect the amenities of surrounding neighbours.

Conclusion

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

L J Evans

INSPECTOR