



Appeal Decision

Site visit made on 26 August 2025

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2025

Appeal Ref: APP/P5870/D/25/3367499

4 Boundary Road, Carshalton, Sutton SM5 3HG

- 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 Mrs Rinku Shah against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2025/00126.
 - The development proposed is the erection of a single storey pergola.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey pergola at 4 Boundary Road, Carshalton, Sutton SM5 3HG in accordance with the terms of the application, Ref DM2025/00126, 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 drawing no's: Location Plan, ZAAVIA/4BR/101 ISSUE A, ZAAVIA/4BR/102 ISSUE A, ZAAVIA/4BR/103 ISSUE A, ZAAVIA/4BR/104 ISSUE A, ZAAVIA/4BR/105 ISSUE A, ZAAVIA/4BR/106 ISSUE A, ZAAVIA/4BR/107 ISSUE A, ZAAVIA/4BR/108 ISSUE A and ZAAVIA/4BR/109 ISSUE A.
 - 3) No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.

Preliminary Matter

2. I have utilised the description of development from the decision notice as this more accurately describes the proposed development than the application form.

Main Issues

3. The main issues are the effect of the proposed development on (i) the character and appearance of the host building and the area, and (ii) the living conditions of neighbouring residents, with regard to outlook.

Reasons

Character and appearance

4. The appeal site comprises of a semi-detached property, which is set on the western side of Boundary Road. The surrounding properties are also semi-detached, many of which have been extended and altered. Despite this, the presence of regular features such as two storey front bay windows, and the setback of properties behind a wide carriageway, provides for a pleasant, spacious character to the area.
5. The proposed pergola would be situated to the rear of the site. It would have a floor area of around 6m by 6.2m, but despite this size, it would be a single storey structure with a maximum height of 3m that would not project past the furthest extent of the existing conservatory on the appeal property. Although there are differing references in the appeal submission to the materials proposed, with reference being made to both wooden columns and corrugated sheeting, and a uPVC frame with a glass roof, it is nonetheless the case that the proposal would be a largely open structure that would permit views through it. As such, I do not consider the size of the proposal would comprise of a disproportionate and overly prominent addition to the existing dwelling. The precise materials that would be utilised, such as a uPVC frame and glazed roof is a matter that can be addressed by condition, with such materials reflecting those found on the existing dwelling.
6. I conclude that the proposed development would have an acceptable effect on the character and appearance of the host building and the area. As such, it would comply with Policy 28 of the Sutton Local Plan 2016-2031 (Local Plan), which seeks, amongst other matters, development that respects local context and responds to local character. It would also be compliant with the Design of Residential Extensions Supplementary Planning Document and Paragraph 135 of the National Planning Policy Framework (Framework), which seek, amongst other matters, development that is sympathetic to local character.

Living conditions

7. The proposed pergola would extend along the boundary with 2 Boundary Road and would have a depth of around 6m beyond the existing building. However, its maximum height at around 3m would not extend above the eaves height of the existing single storey extension at the rear of the appeal site that it would project from. There is a reduction in garden levels to the rear, but the proposal, with its mono-pitch roof would also have a reducing height as it projects further to the rear. Furthermore, its generally open form, with the absence of solid walls, would not create an undue sense of enclosure, overbearing impact or detrimental loss of light, even if the roof was to have a solid form.
8. As such, I conclude that the proposal would not result in unacceptable harm to the living conditions of neighbouring occupiers with regard to outlook. It would therefore be compliant with Policy 29 of the Local Plan, which seeks, amongst other matters, to ensure development does not have an unacceptable impact on the residents of the surrounding area, including in terms of outlook.

Other Matters

9. Concerns have been raised in relation to noise emanating from the use of the proposed pergola given its open form. The Council however consider the proposal

would have a limited impact on noise and disturbance given its use would be incidental to the private garden space of the appeal dwelling, and I have no reason to disagree with this position. The structure may give rise to sound from the effects of rain or hail falling on the roof, but there is no evidence before me why this noise would be different to other structures typically found on residential properties. I do not therefore consider there would be unacceptable harmful effects from the proposal in terms of noise and disturbance.

Conditions

10. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework.
11. I have imposed a condition requiring compliance with the approved plans. In relation to materials, I consider a condition is necessary, but for material details to be submitted to the LPA for approval given the differing material references in the submission before me.

Conclusion

12. The proposal would accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be allowed.

F Rafiq

INSPECTOR