

Appeal Decision

Site visit made on 4 July 2016

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 06 September 2016

Appeal Ref: APP/P5870/W/16/3146870

Broadlands Nursing Home, 51 Burdon Lane, Cheam, Sutton SM2 7PP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Smith (Cooper Smith) against the decision of the Council of the London Borough of Sutton.
 - The application Ref A2015/72735/FUL, dated 15 September 2015, was refused by notice dated 11 March 2016.
 - The development proposed is demolition of existing Nursing Home and redevelopment of new Nursing Home.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was recommended for approval by Council officers to the Council's Planning Committee on 24 February 2016. Although the Council have chosen not to provide a further statement of case setting out the justification for their decision, I am satisfied that the decision notice adequately and clearly sets out the reason for the Council's refusal of planning permission. I have determined the appeal on that basis.
3. The plans and drawings initially submitted with the appeal did not reflect the detail of the proposals as considered by the Council. I am satisfied however that, following clarification and confirmation of these matters by both main parties, I have before me the plans and drawings considered by the Council. I have determined the appeal accordingly.

Main Issue

4. Having regard to the procedural matters set out above, I consider the main issue to be the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The appeal site lies within a predominantly residential area characterised by large detached properties, well set within generously proportioned and verdant garden plots. It faces towards Burdon Lane but, as it lies in the tapering area close to the convergence of Burdon Lane and Manor Road, it has two road
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- boundaries, a feature shared with 53 and 55 Burdon Lane and 56 Manor Road. Where it differs from those properties, however, is that the plot is significantly larger, in terms of both its depth and its width.
6. The existing building, formerly a dwelling, is a large two storey building providing nursing home facilities. Originally of a scale generally comparable with much of the surrounding area, it has been added to with a substantial single storey element to its southern elevation, such that the building extends across the majority of the site's Burdon Lane frontage.
 7. Notwithstanding the relative footprint area of this element of the building, it is a relatively low single storey element of the overall building. Together with the boundary treatment between the appeal site and No 53, this gives it a relatively unobtrusive presence within the streetscene and I find that the building sits comfortably and relatively unobtrusively within its plot. The proposed replacement building would, however, be of an altogether different, and much larger, scale. Whilst it too would extend across almost the entire width of the Burdon Lane frontage, it would do so as a two storey building across its entire width.
 8. As well as extending across almost the entire width of the Burdon Lane frontage, the substantial roof element of the building would incorporate not just dormer windows, but a central three storey gabled feature flanked by projecting hipped roof "wings" at either end of the front elevation. The height, bulk and massing of the roof element of this element of the proposed replacement building, together with the overall scale and width of the Burdon Lane elevation, would significantly overwhelm the more modest proportions of both neighbouring dwellings. Furthermore, the central three storey element and flanking hipped roof wings would add additional cumulative bulk to the front elevation in a form and manner not commonly found elsewhere in the surrounding area.
 9. Both the Burdon Lane and Manor Road elements of the replacement building would broadly follow the building lines of the adjacent dwellings to the north. However, the alignment of both Burdon Lane and Manor Road is such that both elements of the replacement building would have a substantial physical and visual presence when viewed from the south in their respective street settings. Although the existing building sits forward of No 53, the wide single storey element effectively separates the main bulk of those two properties and this, I find, serves to maintain the sense of space generally found around the buildings along both Burdon Lane and Manor Road.
 10. The proposed replacement building would, however, remove that degree of upper floor separation between Nos 51 and 53. The significantly greater scale and bulk of the replacement building would therefore sit much closer to No 53. This would remove the spacing between the buildings and emphasise its incongruous and jarring scale. Although smaller and less extensive than the Burdon Lane element, the rear element of the building to Manor Road would nonetheless introduce a sizeable built form into an otherwise pleasing break along Manor Road. Although in isolation not dissimilar in scale and proportions to dwellings elsewhere along Manor Road, the substantial backdrop created by the rear of the Burdon Lane element would significantly erode the sense of spacing around the building.

11. For the reasons set out therefore, the proposal would appear as an incongruously large building within the streetscene that would fail to respect and consider the relationship with neighbouring buildings in terms of scale, massing and height. Thus, the proposal would fail to respect local context and the distinctive local character of the surrounding area, causing harm to the character and appearance of the Burdon Lane and Manor Road streetscenes, contrary to policies BP12 and PMP2 of the Local Development Framework: Core Planning Strategy and policies DM1, DM3 and DM5 of the Site Development Policies DPD. Together, these policies seek to maintain and enhance local character, particularly that development that respects key elements that contribute to the character of areas of special local character, and which is of a scale, massing and height appropriate to the setting of the site.
12. I acknowledge that the proposal ultimately considered by the Council represented a reduction in scale from that initially submitted, but this does not alter my conclusions, as set out above.

Other Matters

13. I have noted the appellant's stated desire to provide improved accommodation for residents within the facility. Whilst I give this desire some weight in terms of the social dimension of sustainable development set out in the National Planning Policy Framework (the Framework), it does not carry sufficient weight to overcome the harm I have identified above.
14. I have had regard to the information and drawings submitted in respect of the partly built 1990¹ consent, and also to a scheme for the development of two dwellings² fronting Burdon Lane. However, in respect of the former, I have only been provided with limited information regarding the un-built element of that approval. Further, I have not been provided with substantive evidence to indicate that there is a significant probability that that scheme would be constructed to completion should this appeal be dismissed. With regard to the latter, the evidence before me shows a form of development not of a comparable scale or nature. Thus, the weight that I can attach to these matters is limited.
15. I have taken account of other matters such as the effect of the replacement nursing home building on the residential character of the surrounding area, and the fears of local residents regarding additional vehicle movements and noise arising from staff, visitor and delivery movements. I note, however, that the appeal site has been in use as a nursing home for some time, and I am mindful that there were no objections from consultees on these matters. These matters have not therefore led me to any different conclusions, having identified harm in respect of the main issue.

Conclusion

16. For the reasons give above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR

¹ 90/35137/FUL

² 2008/59465/FUL