
Appeal Decision

Site visit made on 4 January 2017

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 30th January 2017

Appeal Ref: APP/P5870/W/16/3160140
111 Burdon Lane, Cheam, Sutton, SM2 7BZ

- 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 A Cooper against the decision of the Council of the London Borough of Sutton.
 - The application Ref A2016/73692/FUL, dated 9 February 2016, was refused by notice dated 6 May 2016.
 - The development proposed is demolition of the existing building and erection of a residential development of two 2-storey detached blocks with basement accommodation comprising 8 flats (2 x 1b2p; 4 x 2b4p; 1 x 3b5p; 1 x 3b6p); 10 car parking spaces; secure cycle parking; provision of refuse store and alterations to access.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. During the course of the appeal the appellant submitted a Townscape Assessment by Peter Stewart Consultancy. I am satisfied that the document does not introduce new evidence but rather expands on the appellant's grounds of appeal. The Council, who has had the opportunity to comment on it, is not prejudiced by my consideration of it as an appeal document.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is located within a primarily residential area at the junction of two roads, Northdown Road and Burdon Lane. It comprises a substantial detached house, Newlands, which appears to have been constructed during the interwar period. The building has a linear form and is set at the back of its plot with a substantial area of garden in front of it.
5. The immediately surrounding area has a sylvan suburban character to which street trees and mature vegetation along site boundaries make a significant contribution. Residential development, which predominantly comprises family sized detached houses, generally two-storeys in height, is laid out in a regular pattern on clearly defined building lines set back from the highway with gardens and parking space in front. With the notable exception of the appeal

site, dwellings generally appear to fill a large proportion of their plot widths and have sizeable rear gardens.

6. The proposal seeks the demolition of the existing single dwelling and the erection of two buildings accommodating a total of eight flats. The blocks, which are intended to resemble two large detached dwellings, would be slightly off-set from each other with Block 1 fronting Burdon Lane and Block 2 fronting Northdown Road. A car parking area with parking and manoeuvring space for eight vehicles would be provided to the north-east corner of the site with two further spaces to the front of Block 1. Garden areas would be provided in front of the buildings and soft landscaping is proposed around the site.
7. The proposal would result in a density of development that would be considerably greater than that of the existing development in the area. Nevertheless, I have not been referred to any development plan policy that would specifically preclude a development of flats per se. Rather, the issue is the effect of the development proposed on the character and appearance of the area. This is a sizeable plot and it seems to me, capable of accommodating a greater quantum of development without compromising the prevailing pattern of development.
8. However, whilst the units are designed to reflect some of the features of surrounding development, I share the Council's concerns about the bulk and massing of the development and its impact on the street scene. The massing of the individual blocks would be sizeable in relation to the family dwellings in the vicinity. Their roofs would have an unusual flat central section, in contrast to the pitched roofs of neighbouring dwellings, indicating a tension that results in development of bulky proportions. The bulk of Block 1, which would be higher than its neighbour at No 109, would be particularly apparent from around the road junction. In addition Block 2 would be set at an angle to and slightly forward of the prevailing building line on Northdown Road resulting it being dominant in the street scene.
9. I recognise that being set at the back of its plot, the existing development on site does not reflect the pattern of development and I agree that in terms of the streetscape there is some merit in bringing development closer to Northdown Road. However, any benefit from this is outweighed by the harm caused by the massing of the units and the dominance of the development in the street scene. I am unconvinced that the proposed landscaping, which would take some time to mature, would successfully mitigate against the harmful effects of the development.
10. In addition, neither of the two blocks would have a rear garden area, contrary to the prevailing character of the area. Whilst I accept that views of the car park would be limited, parked vehicles would be apparent in glimpses from the street and would be particularly visible from the neighbouring properties. I acknowledge that it is not uncommon for there to be hardstanding and vehicles parked at the front of dwellings, albeit that these areas tend to be smaller than that of the proposed car park. However, rear gardens, by their nature, have a private, tranquil character. In contrast, the car park, accommodating eight vehicles, would be busier and commercial in terms of its character and appearance. I recognise that a collection of small domestic outbuildings occupies this part of the site and I note the appellant's contention that the area covered by those structures is less than that of the car park. Be that as it may,

the quantum of development on the site as a whole would be significantly greater than that on the site at present. Moreover, although now dilapidated, those outbuildings reflect the quiet, domestic character of the site.

11. The site lies at a distance from the designated Area of Special Local Character, and as such the development would have no bearing on it. However, the National Planning Policy Framework (the Framework) makes it clear that it is proper to seek to promote or reinforce local distinctiveness.
12. I acknowledge that there is a newly constructed block of flats at the corner of Northdown Road and Belmont Rise. However, Belmont Rise is a busy classified road with a different character to the semi-rural character of Burdon Lane. In addition there are other buildings of sizeable massing around it. Accordingly the context of those flats is different to that of the appeal site.
13. Consequently the proposal would be contrary to Policies BP12 and PMP2 of the Council's adopted Core Planning Strategy 2009 and Policies DM1 and DM3 of the Site Development Policies Development Plan Document 2012 which seek to ensure that development maintains and enhances local character and contributes positively to the street scene, by, amongst other things, being of a scale and massing that is appropriate to the setting of a site.
14. The proposal would provide a net increase of 7 residential units in a sustainable location and thereby would make an, albeit limited, contribution to the supply of housing. In addition, the mix of development and unit sizes would add to housing choice. However, as outlined above, the proposed development would be harmful to local character and distinctiveness and contrary to the development plan and Framework when considered as a whole.

Conclusion

15. For the reasons set out, and taking into account all other matters raised, the appeal is dismissed.

S Ashworth

INSPECTOR