
Appeal Decision

Site visit made on 28 February 2017

by Richard Aston BSc (Hons) DipTP MRTPI

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

Decision date: 20th March 2017

Appeal Ref: APP/P5870/W/16/3165480
68 Morden Way, Sutton SM3 9PG

- 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 Jagdid Hunjan against the decision of the Council of the London Borough of Sutton.
 - The application Ref A2016/75580/FUL, dated 6 October 2016, was refused by notice dated 8 December 2016.
 - The development proposed is described as 'erection of 2 bedroomed end of terraced house and a single storey rear extension to existing house. Widened vehicle crossover and dropped kerb to facilitate 2 car parking spaces to the existing dwelling and 1 car parking space to new dwelling'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on character and appearance of the area.

Reasons

3. The appeal property is a 2 storey semi-detached property in a street of similar properties of an attractive uniform appearance that, in combination with gaps in between at ground and first level and mature street trees positively contributes to the character and appearance of the area. It is also a corner plot, sited on a bend and therefore the dwelling and its side garden area are prominent features within the street.
 4. The proposal would be attached to the side of No. 68 and on part of the curtilage that currently contains a single storey pitched roof garage building and hardstanding. I note that changes have been made to the scheme following an earlier refusal but nonetheless, the proposal before me would be of a substantial mass and bulk, extending beyond the rear elevation of the host property at first and ground floor level.
 5. Despite being set down from the ridge of the host property and articulated from its front elevation its overall width and depth, in such close proximity to the side boundary and in combination with its size would result in an unduly dominant and overly prominent extension. The eye would be unacceptably drawn to it on the approach up and down Morden Way and when travelling around the bend. In particular, the large expanse of blank wall that would
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present itself to the street and the variations in the configuration of the roof would sit in stark contrast to the prevailing uniformity and simplicity of properties within the street.

6. Because this part of the appeal site also allows for views of mature trees around the bend, the proposal would partially block these views and diminish the contribution that the openness of this part of the site makes to the character and appearance of the area. It would be at odds with the prevailing character and appearance of the area and in its context would not represent a high quality of design.
7. For these reasons, the proposal would cause significant harm to the character and appearance of the area. It would conflict with Policies 7.4 and 7.6 of the London Plan 2016, Policies BP12 and PMP2 of the London Borough of Sutton Local Development Framework Core Planning Strategy 2009, Policies DM1 and DM3 of the Site Development Policies DPD and the guidance within the Council's Supplementary Planning Document 14: Creating Locally Distinctive Places. When taken as a whole and amongst other things, these require development to respect the positive features of Sutton's suburban character, maintain and enhance the local character and appearance of the surrounding area, be of a scale, massing and height that are appropriate to the setting of the site and be a high quality of design that contributes positively to the streetscene.
8. These policies are consistent with the National Planning Policy Framework ('the Framework') which emphasises that good design is indivisible from good planning and should contribute positively to making better places for people. In this respect, the proposal would also conflict with the design objectives of the Framework.

Other Matters

9. My attention has been drawn to an approval in 2007 of a side extension to the property, although on the evidence before me it was not implemented and is therefore not extant. I therefore attach minimal weight to it. I have also been referred to a number of appeal decisions within the wider area for what the appellant contends are similar proposals that were allowed on appeal in 2004 at Nos. 59-61 Forest Road and in 2011 at Nos. 37-39. Having viewed them at the site visit, both developments are of a slightly different form to the proposal before me, more space is retained to the side boundary and they are of a lesser effect. Therefore I do not consider that they are directly comparable to the proposal before me.
10. I have also been referred to 3 examples of planning permission being granted by the Council for two storey side extensions in the wider area. However, I have not been provided with the full details and cannot be certain that they are directly comparable to the appeal proposal before me in terms of the policy considerations and judgements required.
11. In any event, the issue at the heart of this appeal requires an inherently subjective judgement to be made and moreover, each case must be determined on its own merits. Taking everything together, such historical examples do not outweigh or justify the significant harm that I have identified to the character and appearance of the area in this particular case.

Planning balance and conclusion

12. The minimal contribution to housing in an accessible location and in an area of high demand along with the lack of any other objections from the Council does not outweigh the significant harm to the character and appearance of the area that I have identified.
13. For the reasons set out above, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that the proposal should be determined other than in accordance with the development plan and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR