
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: 21st March 2017

Appeal Ref: APP/P5870/W/16/3164925

6 Inverness Road, Worcester Park KT4 8PT

- 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 C Y Developments Ltd against the decision of the Council of the London Borough of Sutton.
 - The application Ref A2016/75366/FUL, dated 9 September 2016, was refused by notice dated 4 November 2016.
 - The development proposed is erection of a new two bedroom dwelling following demolition of an existing detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is formed by the side garden area of No. 6 Inverness Road, a 2 storey residential dwelling. It has a gap between its side elevation and the boundary with No. 5A that contains a single storey pitched roof garage. It is located in a street of similar properties that slopes upwards from the junction with Trafalgar Avenue and appeared to have been previously extended by a seamless 2 storey side extension.
 4. The gap between the host dwelling and No. 5A is substantial and along with the combination of other gaps between properties in this part of the street, positively contributes to the suburban character and appearance of the road. Furthermore, because the garage is single width and sited on the boundary with No. 5A it also frames views of a mature tree to the rear that positively contributes to the appearance of the streetscene. Despite the use of sympathetic materials and detailing, the appearance of the proposal would mean it would be clearly read as a new house as opposed to a side extension.
 5. The separation distance of 1m to the boundary and lower ridge height than No. 6 would be insufficient to prevent the perception of an almost continuous frontage that would result in a cramped and harmful terracing effect. The combination of its width and the juxtaposition of the roof with No. 6 would be noticeably out of keeping with the pattern and appearance of the properties within this part of the street when viewed on the approach both up and down
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the road. It would also block views of the mature tree and substantially diminish the contribution that the gap and view makes to the character and appearance of the area. In its context it would appear as an unsympathetic and incongruous addition that would not be a high quality of design.

6. For these reasons, the proposal would cause 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 and Policies DM1 and DM3 of the Site Development Policies DPD. 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 and are of a high quality of design that contributes positively to the streetscene. These policies are consistent with the National Planning Policy Framework ('the Framework') which emphasises that good design is indivisible from good planning and the proposal would also therefore conflict with the design objectives of the Framework.

Other Matters

7. My attention has also been drawn to a number of 2 storey flat roof and other side extensions¹. At No. 8 Inverness Road a greater degree of space has been left at first floor level to the side and it therefore has a lesser effect than the appeal proposal would have. For all examples I not been provided with the full details and cannot be sure that they are directly comparable. Moreover, I share the appellant's view that they do not represent good design or contribute positively to the character and appearance of the area. To my mind, such poor design does not justify allowing further poor and harmful design. Consequently, they do not alter my view in relation to the main issue and in any event each case must be determined on its own merits.
8. The appellant also refers to the presumption in favour of sustainable development within the Framework. However, the proposal would not accord with an up to date development plan. It is not absent, nor is it silent and on the evidence before me there are no relevant policies that are out of date. As such, it would not be the sustainable development for which the Framework indicates a presumption in favour. In the unweighted balancing exercise required the minimal economic and social benefit from the provision of one additional dwelling, even in an area of high demand does not outweigh the harm to the character and appearance of the area that I have identified.

Conclusion

9. 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. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

Richard Aston

INSPECTOR

¹ 8, 16, 19, 20 and 21 Inverness Road – Paragraph 5.23 of appellant's statement.