
Appeal Decision

Site visit made on 18 July 2017

by Graham Wyatt BA (Hons) MRTPI

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

Decision date: 30th August 2017

Appeal Ref: APP/P5870/W/17/3173929

1 Riverside Close, Wallington SM6 7DH

- 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 & Mrs Liliya Makaraviciute & Vyacheslav Makaravichyus against the decision of the Council of the London Borough of Sutton.
 - The application Ref D2016/76116/FUL, dated 21 December 2016, was refused by notice dated 22 February 2017.
 - The development proposed is proposed demolition of garage and erection of 2 x 2 bedroom semi-detached dwellings at north garden land at 1 Riverside Close, Wallington SM6 7DH.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Riverside Close is an established residential area with the appeal site forming the side garden to No. 1. The host property is one of a pair of semi-detached dwellings that have a similar appearance and layout to the neighbouring properties. Towards the end of the Close (west) is a row of dwellings that were approved in 2003 and have a different appearance and tighter layout to the appeal site. Notwithstanding these differences the Close has a degree of uniformity that is reinforced by the spaciousness about and between dwellings.
4. The appeal site is set back some 10 metres from the road and an existing garage would be demolished to make way for the proposed dwellings which have been designed to reflect No. 1, with hanging tiles and facing brickwork. The proposed dwellings would have a similar ridge and eaves height to No. 1, with a gap of some 1 metre separating the buildings. This gap is reduced to some 0.2 metre at eaves level.
5. As a result of the bulk, massing and siting of the proposed dwellings, at such a close distance to No. 1, little space would remain about and between the proposed dwellings which would erode the spacious qualities of the area. The development would dominate the site at odds with the prevailing open character of the area, which would be further compounded by the small rear amenity area for House 2. I appreciate that the design seeks to reflect the

local vernacular and that suitable materials could be employed. However, these positive aspects do not overcome the harm to the character and appearance of the area that I have identified above.

6. The appellant refers to an application¹ which allowed a single dwelling on the site on 22 May 2017. The appellant infers that the single dwelling exhibits a similar footprint and occupies a similar plot to the scheme before me. However, the approved scheme has a separation distance to No. 1 of some 3.4 metres and does not rely on the side garden area to provide private amenity areas for the dwelling. In providing a greater separation distance, the spaciousness of the area would not be compromised. In view of these findings, the approved scheme does not persuade me to find the current proposal acceptable.
7. I have also taken into account the development at 2 to 4 Riverside Close that was approved in 2003. This development forms a row of dwellings that are sited closely to each other and has a uniform character in themselves as a result of their layout. This cannot be replicated without harming the character of the area as the layout is quite different at the appeal site.
8. Furthermore, I have considered the appeal decision² that the appellant has referred to and the examples of other properties that have been developed close to the neighbouring property. With regard to the appeal, this is quite different to the current appeal site in that the dwelling is physically attached to the host property and there remains a degree of spaciousness about the site. As such it lends little support from the current scheme. With regard to examples that the appellant has provided, I have very little information before me detailing the circumstances in which these sites were approved. Notwithstanding this, I note that these are in the minority and do not alter the overall character of the area. Moreover, I do not find they set an irresistible precedent to find in favour of a proposal that would cause harm or lead me to alter my findings on this issue. In any event, I have considered the appeal on its own merits.
9. In view of all of the above, I conclude that the development would be contrary to Policies DM1 and DM3 of the Site Developments Policies DPD (2012) and Sutton's Urban Design Guide 'Creating Locally Distinctive Places' SPD (2008), which seek, amongst other things, to ensure that development proposals are of a scale, massing and height appropriate to the setting of the site and contribute positively to the street scene in terms of appearance.

Conclusion

10. For the reasons given above, and having regard to the development plan when read as a whole, I conclude that the appeal should be dismissed.

Graham Wyatt

INSPECTOR

¹ D2017/76806/FUL

² APP/P5870/A/08/2074984 dated 12 December 2008