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## Appeal Decisions

Site visit made on 11 July 2019

**by R Morgan MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 21 August 2019**

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### **Appeal Ref: APP/P5870/W/19/3228675 35 Grennell Road, Sutton SM1 3DW**

- 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 Ben Oliver against the decision of the Council of the London Borough of Sutton.
  - The application Ref DM2018/02184, dated 4 December 2018, was refused by notice dated 31 January 2019.
  - The development proposed is the demolition of existing garage and erection of an attached part one, part two storey, two bedroom dwelling and alterations to existing access to accommodate an additional parking space.
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### **Decision**

1. The appeal is allowed and planning permission is granted for the demolition of existing garage and erection of an attached part one, part two storey, two bedroom dwelling and alterations to existing access to accommodate an additional parking space at 35 Grennell Road, Sutton SM1 3DW in accordance with the terms of the application, Ref DM2018/02184, dated 4 December 2018, and the plans submitted with it, subject to the attached schedule of conditions.

### **Main Issue**

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

### **Reasons**

3. The appeal site is located in a residential area characterised by semi-detached and terraced houses. Properties in the area display a variety of styles and ages and are generally set back from the road behind front gardens, giving the area a spacious feel.
4. The appeal property is a modern semi-detached house on the corner of Grennell Road and Longford Gardens, with an attached single storey garage and amenity space to the front, side and rear. No 35 is a similar style to its three closest neighbours on Grennell Road (Nos 37 – 41) and the properties on the nearest side of Longford Gardens.
5. The proposed development would involve the removal of the garage and the construction of a new attached two storey property with a small single storey element. The front and rear elevations of the new property would follow the building lines of No 35 and the new dwelling would be of a similar width, scale and design. Following the topography of the site, the proposed dwelling would

- have a lower ridge height than the host which would make it appear subservient. Therefore, the scale and detailed design of the proposal would be acceptable.
6. The plot widens towards the rear but at its narrowest a gap of around 1m would be retained between the boundary and the single storey element, with approximately 2m between the two storey element and boundary at its closest point. Given this spacing to the boundaries, I consider that the new development would be comfortably accommodated within the plot without it appearing cramped or overdeveloped.
  7. The development would result in the existing pair of semis (nos 35 and 37) becoming a short terrace. However, I do not consider that this would have a detrimental impact on the character of the area, given the range of property styles in the vicinity.
  8. The layout of the streets in this vicinity, with many side streets off Grennell Road, means that corner plots are common and I do not consider the appeal location to be particularly prominent. When viewed from Grennell Road the new development would be clearly visible but I consider that it would fit well within the streetscene and would not appear incongruous or over prominent.
  9. The new development would be viewed primarily in the context of Grennell Road, along which the building line would be retained. However the Council is concerned that the proposed development would not respect the existing building line on Longford Gardens. The properties on Longford Gardens are well set back from the road, and it is acknowledged that, although the existing garage sits closer to the road than those houses, the proposed development would be closer again at two storey level. This would be mitigated to some extent by the reduced ridge height of the proposed development, and it is noted that a gap between the two-storey element and the garden boundary would be retained as described above.
  10. The single storey extension of the existing bungalow which borders onto the opposite side of Longford Gardens is built up close to the boundary and already has the effect of enclosing the entrance to the street to some extent without a detrimental impact on the street. Whilst the proposed development would contribute to a greater sense of enclosure at the entrance to Longford Gardens, in my view this would not have a detrimental impact on the rest of the street.
  11. I note that return building lines are not retained on the other side of Longford Gardens where the existing bungalow has been extended up to the boundary. Similarly, the property on the corner of Grennell Road and Edinburgh Road opposite the appeal property does not follow the return building line. I therefore do not consider this to be a particular characteristic of this area which it is important to retain.
  12. Overall, I consider the relationship between the proposed development and the existing houses on both Longford Gardens and Grennell Road to be satisfactory.
  13. I conclude that the proposed development would have an acceptable effect upon the character and appearance of the area. Consequently I find no conflict with policy 7.4 of the London Plan 2016 (which requires that new development should have regard to the form and function of an area and the scale, mass

and orientation of existing buildings), or Policy 28 of the Sutton Local Plan 2018 (which requires new development to respect local context and respond to local character). I consider that the proposal complies with the general principles set out in SPD14 – Creating Locally Distinctive Places. Furthermore I am satisfied that the proposed development complies with the principles set out in the National Planning Policy Framework.

### **Other Matters**

14. Neighbours have raised concerns that the proposed development would cause harm to their properties by blocking light, reducing privacy and contributing to existing parking problems. I agree with the Council's assessment that, due to the orientation and degree of separation between the proposed development and neighbouring properties, the development would not cause harm in terms of loss of outlook, light or privacy. I appreciate that there may be parking issues in the area at particular times, however the proposed development would provide an acceptable level of off-street parking as it would meet the Council's car parking standards. Therefore, it should not have a significant effect upon the current on-street parking situation.

### **Conditions**

15. I have attached conditions listing the plans in the interests of certainty and requiring similar materials to the adjoining property in the interests of appearance. The Council has suggested conditions relating to energy use, surface water runoff and water efficiency which I have imposed in the interests of sustainable development and to comply with relevant policies. I have made some slight amendments to the Council's suggested conditions to make them more succinct and improve enforceability.

### **Conclusion**

16. For the reasons given above the appeal should succeed.

*Rosie Morgan*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 10734 10 rev A; 10734 11 rev A.
- 3) All external facing materials, treatments and finishes shall be similar to those of the original building and maintained and retained thereafter.
- 4) Prior to the commencement of development, an Energy Statement incorporating 'as-designed' Standard Assessment Procedure (SAP) outputs must be submitted to the Local Planning Authority and approved in writing which demonstrates how the proposed dwelling/s will apply the Mayor's energy hierarchy (use less energy, supply energy efficiently and use renewable energy) to achieve at least a 35% reduction in CO<sub>2</sub> emissions below the target emission rate (TER) based on Part L1A of the

2013 Building Regulations and at least a 10% reduction in total emissions (regulated and unregulated) through on-site renewable energy generation. The development should exceed the minimum Part L1A emissions standards through energy efficiency measures alone. The development shall be carried out in accordance with the approved details and thereafter retained.

- 5) Prior to first occupation of the development, 'as-built' Standard Assessment Procedure (SAP) outputs must be submitted to the Local Planning Authority and approved in writing to demonstrate that the development has been carried out in accordance with the approved details. If the development is unable to meet the required reduction in CO2 emissions through the approved energy strategy, then any shortfall shall be made up through the application of further sustainability measures unless otherwise approved by the Local Planning Authority in writing. The further sustainability measures shall be carried out in accordance with the approved details before the first occupation of the dwelling and the sustainability measures shall be thereafter retained.
- 6) Prior to first occupation of the development, a completed Water Efficiency Calculator for New Dwellings must be submitted to the Local Planning Authority and approved in writing to show that internal potable water consumption for each of the dwellings will be limited to 110 litres per person per day (l/p/d) based on the Government's national calculation method for water efficiency for the purposes of Part G of the Building Regulations. The Water Efficiency Calculator should be accompanied by details of the location and type of all appliances or fittings that use water, the capacity or flow rate of any equipment and any rainwater or greywater collection systems incorporated as part of the development. The development shall be carried out in accordance with the approved details and the water efficiency measures shall be thereafter retained.
- 7) Prior to the commencement of development, a scheme for the management of surface water runoff must be submitted to the Local Planning Authority and approved in writing, which identifies appropriate site drainage and flood risk management measures. The details shall include a scheme for the implementation and validation of the drainage measures. The development shall be carried out and maintained thereafter in accordance with the approved details.