



Appeal Decision

Site visit made on 15 October 2019

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th November 2019

Appeal Ref: APP/P5870/W/19/3233577

40 Burnham Drive, Worcester Park KT4 8SF

- 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 V Sharma against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/00505, dated 20 March 2019, was refused by notice dated 13 May 2019.
 - The development proposed is described as 'a new build, detached, dwelling house within the rear garden of 40 Burnham Drive, fronting onto Hill Crescent and forming a new site and private family residence'.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Character and Appearance

3. Burnham Drive is characterised by pairs of semi-detached dwellings set back from the street within a traditional layout of rectangular plots. Generous spacing between pairs of dwellings, particularly at first floor level, provides for views through to long rear gardens and adds to the spacious setting around dwellings which gives a distinctive suburban character to the area.
4. The appeal relates to the rear part of the site of 40 Burnham Drive where currently there is a single-storey detached garage accessed from the cul-de-sac of Hill Crescent. Hill Crescent is generally characterised by two-storey semi-detached dwellings of like designs. Front bay features and traditional detailing are common and for the most part the dwellings are finished in pebbledash or painted render with red-tiled roofs. While the plots tend to be smaller than those of dwellings on Burnham Drive, spacing provided between the dwellings offers views of rear gardens, and there is similarly a spacious suburban character to the area. In contrast to the semi-detached dwellings typical of Hill Crescent, the appeal site is between 53 Hill Crescent, a detached two-storey house, and 57 Hill Crescent, a detached bungalow. Both neighbouring dwellings are set on relatively shallow plots. However, spacing is nevertheless provided

around these dwellings, and they are of traditional designs and materials. As a consequence, they sit comfortably within the wider street scene.

5. Policy 13 of the Sutton Local Plan 2018 (SLP) advises that permission will not be granted for the development of back garden land where the site either individually or as part of a larger street block makes an important contribution to the character and appearance of the surrounding area. SLP Policy 28 additionally seeks development that is attractive and designed to the highest standard including with regard to architectural detailing and the use of high-quality materials. It requires, amongst other things, development which respects the local context and responds to local character and which is of a suitable scale, massing and height to the setting of the site. Policies 3.5, 7.4 and 7.6 of the London Plan 2016 (LP) similarly seek high quality design that relates well to its context and enhances the quality of places.
6. The proposed dwelling would replace the existing outbuilding within the back garden of the appeal site. This is a single-storey structure and as a consequence of its height and set back from the street, as well as the gate and fencing to the boundary of the site with Hill Crescent, it is not a prominent feature in the street scene. The appearance of the outbuilding as an ancillary residential building within the long rear garden of 40 Burnham Drive and its low height also contribute to the generally spacious character of the area. Notwithstanding the somewhat poor condition of the existing outbuilding, the appeal site therefore makes an important contribution to the spacious character and appearance of the surrounding area and its local distinctiveness.
7. Turning to consider the development proposed, the plot intended to serve the dwelling would be similar in depth to those of the neighbours at 53 and 57 Hill Crescent and the separation between the rear of the dwelling and the rear of dwellings on Burnham Drive would also be comparable to that of nearby development. However, the plot and its frontage to the street would be significantly narrower than the plots typical of dwellings on Hill Crescent. I acknowledge that the width reflects the existing width of the rear part of the plot of 40 Burnham Drive. However, an independent dwelling fronting Hill Crescent on such a narrow plot would have a considerably different visual impact to the existing outbuilding, and would be a conspicuous departure from the pattern of development on Hill Crescent and the wider area more generally.
8. The proposed dwelling would be set on the boundary with No. 53 and would extend across the majority of the width of the plot as well as covering much of its depth resulting in limited spacing around the development. While I note the comparison provided by the appellant of the density, plot coverage and separation to the boundaries proposed with that of other dwellings in the surrounding area, I have not found an example within the evidence before me of a dwelling with such a narrow street frontage, high coverage of the plot and limited separation to its flank site boundaries as is proposed in combination on the appeal site. Although the proposed dwelling would in part be single storey, these factors together would nevertheless erode the spacious character of the surroundings and the development would be a discordant feature at odds with the prevailing pattern of the area.
9. Additionally, the dwelling would be of lesser height and width than the two-storey dwellings which generally characterise the area. I acknowledge that No. 57 is a bungalow and the appellant's suggestion that the height of the

proposed dwelling would provide for a graduated progression between this neighbour and the two storey development to the remainder of Hill Crescent. However, while No. 57 is a bungalow, it is an isolated example in the area and is of significant width. The small scale of the proposed dwelling would be notable as a consequence of its height and width in combination, and would be out of keeping with development in the vicinity. Together with narrow plot frontage and the lack of spacing provided around the dwelling, this would result in the development appearing as cramped and squeezed onto the site in a manner that would conflict with the prevailing layout and which would undermine the spacious suburban character of Hill Crescent.

10. With regard to its appearance, the dwelling would have a flat front elevation and an asymmetric roof form which together with the rear dormer would be finished in red/brown zinc. I note that the intention is to complement rather than replicate local architecture. However, the dwelling would be of strikingly different appearance against the bay window features, hipped roof forms and the traditional materials which predominate in the area. Although the development would provide a two-storey family dwelling which would reflect the typical form of this area, the contrasting materials, design and roof form would further reinforce the discordant relationship of the development with its surroundings. Accordingly, the dwelling would be a visually intrusive and incongruous element in the street scene of Hill Crescent.
11. I therefore conclude on this main issue that the development would cause harm to the character and appearance of the area and it would conflict with Policies 13 and 28 of the SLP and Policies 3.5, 7.4 and 7.6 of the LP. It would also conflict with the National Planning Policy Framework which includes a requirement for high quality design that responds to local character.

Other Matters and Planning Balance

12. I have been referred to development at 6 Langley Avenue in support of the appeal. However, this is a relatively isolated example of a dwelling on a more modest plot which is some distance from the appeal site and it does not justify the plot size or cramped design of the appeal scheme. I also note the examples given of permissions granted for alterations to existing houses and for new build houses in the surrounding area, including on land adjacent to 51 Hill Crescent. However, while I note these examples, I do not have full details of the circumstances that led to these proposals being accepted and so cannot be sure that they are comparable to the appeal proposal, including in respect of scale, location, and relevant development plan policy. In any case, I have determined the appeal on its own merits.
13. The Council have raised no objection to the development on grounds of impact on the living conditions of neighbouring occupiers or on traffic. Private amenity space, parking and refuse storage would be provided to serve the dwelling, and internal space would also accord with standards within the LP. However, the absence of harm in relation to these matters is a neutral factor in the planning balance.
14. I note the appellant's suggestion that the existing site attracts rubbish from passers-by which would be prevented by development, and that planting as part of the development would offer an opportunity to enhance the ecological value of the site. The proposal would reduce access to the rear of dwellings on Burnham Drive with a resulting benefit to their security and provide a frontage

to the street scene of Hill Crescent. I also acknowledge that the proposal would make effective use of the previously developed site which is within an existing residential area, and the development would provide an additional dwelling which would contribute to the supply of housing in the area as encouraged by Policy 7 of the SLP. It has also been designed as a family house and to allow for assisted living, taking account of guidance including in relation to the provision of internal space. However, even taken together, the benefits of the proposal are insufficient to outweigh the harm that I have identified to the character and appearance of the area and the resulting conflict with the development plan.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR