



Appeal Decision

Site visit made on 20 January 2020

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2020

Appeal Ref: APP/P5870/W/19/3237915

Land North of Parkview Close and West of 3 Parkview Close, Carshalton, SM5 3JZ

- 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 Kandasamy Nimalamurugan against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/00348, dated 26 February 2019, was refused by notice dated 17 May 2019.
 - The development proposed is a new detached house.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The address used in the description above has been taken from the appeal form and the Council's decision notice. A different address was used on the application form, but this appears to not identify the site as accurately and I have therefore used the address that has subsequently been used by both main parties.

Main Issues

3. The main issues are the effect of the development on:
 - The character and appearance of the site and the surrounding area.
 - Highway safety, with particular regard to the adequacy of the access to the site and the provision of car parking.

Reasons

Character and Appearance

4. Parkview Close is located between Stanley Park and the buildings fronting Stanley Park Road which accommodate commercial properties at ground floor and flats above. To one side of Parkview Close is the service yard areas of the commercial properties, which include single storey structures and access routes to the flats. The other side of Park View Close features several small parcels of fenced off land, including the appeal site. Further along Parkview Close is a group of 3 similar dwellings that feature metallic roofs, openings on all elevations, a mixture of cladding and brickwork to the elevations, enclosed first floor gardens and undercroft parking.
5. The appeal site appears to be used for the storage of vehicles and is enclosed with timber fencing and metal gates. The land beyond the side and rear boundary of

the site is part of Stanley Park, with a line of trees being located adjacent to the side boundary of the appeal site.

6. The proposal would involve the erection of a dwelling of similar scale and proportions as the group of nearby dwellings. The building would include an integral garage on the front elevation along with other windows and doors. Extensive glazing would be provided to the rear elevation that faces Stanley Park, but no windows would be provided at either side elevation and therefore the only feature to break up the massing of the building, when viewed from the side, would be the flat-roofed projections at the side of the dwelling. Cladding would be used at the front of the building and on the rear elevation of the single storey part of the dwelling. Otherwise the building would be constructed from brick with a zinc roof.
7. In comparison to the nearby group of similar dwellings, the cladding would not be used as effectively and there would be no windows to the side elevations. As such, the fenestration of the building would not achieve the same level of visual interest as the other dwellings and it would be striking that the building would not be of the same design standard as those dwellings. By not having the same level of visual interest as the other buildings, the proposal would not reflect the established local character. In this case, due to its detachment from the group and its location adjacent to the entrance to Stanley Park, the proposed building would be more prominent than the other dwellings, which would exaggerate the effect of the inadequate detailing of the building.
8. The appeal site is larger than the plots that serve the other nearby dwellings and, in this respect, the plot size would not be at odds with the pattern of development within the locality. Furthermore, by being of similar scale and form as the other dwellings, the proposed dwelling would appear as a continuation of the existing group. As such, the general approach to the proposed development would show some regard to the local context. This does not, however, overcome the other shortcomings of the proposal.
9. The proposal represents an opportunity to enhance the appearance of the site and the benefit of doing so has been identified by some neighbouring residents. However, as the detailing of the proposed building would not be comparable to the other dwellings of Parkview Close, even though the development would bring about some enhancement of the site and the locality, the dwelling would not fully take the opportunity that exists, as is required by paragraph 130 of the National Planning Policy Framework.
10. For the reasons given above, the development would have an unacceptable effect on the character and appearance of the site and the surrounding area. The proposal would therefore be contrary to policy 28 of the SLP which requires that development is of the highest design standard in terms of architectural detailing, seeks to improve the character of an area and respects and responds to local context and character. The proposal would also fail to accord with the Council's Urban Design Guide¹ which requires that development builds on local character.

Highway Safety

11. The site is located within an area that is served by limited public transport connections, as demonstrated by the low PTAL rating of the site. As such, the submissions of the main parties, including the appellant's Transport Appeal Statement (TAS), agree that the site should be served by 2 parking spaces.

¹ Supplementary Planning Document 14 - Creating Locally Distinctive Plans - Sutton's Urban Design Guide.

12. The TAS identifies that the garage would not be of sufficient size to comply with the Council's parking space standards. Furthermore, in relation to the open parking space, the TAS indicates that the parking space would be of adequate length along its longest edge, but not along its shorter edge. The TAS suggests that amended plans could be submitted to address any inadequacies but amended plans have not been submitted and, therefore, I must proceed on the basis of the plans available. In this case, due to the limited public transport connections within the locality and the likelihood of the occupiers of the family dwelling owning a car, the provision of inadequate parking would be likely to lead to the parking of cars within the access road or the wider area. This would be likely to lead to conditions of inconvenience and unsafety for all, particularly within the access road.
13. The provision of parking spaces in a tandem arrangement is not unusual in a residential setting and I therefore consider the Council's requirement for both spaces to be able to be used independently to be onerous. This does not, however, alter my conclusion with respect to the amount of parking that should be provided.
14. The TAS includes details of how vehicles would have to manoeuvre to use the parking spaces. In this regard, the submissions indicate that the moving car would be required to utilise all of the site frontage, including part of the site which is shown to be part of the garden of the dwelling on other plans. Accordingly, the TAS does not demonstrate that the layout of the development shown on the other plans would be adequate to enable vehicles to turn and manoeuvre within the site. As such, it has not been demonstrated that the layout of the development would enable the safe use of the access by vehicles. Although the level of activity within the access road is low, the absence of adequate turning facilities within the site would be likely to lead to the occupiers of the dwelling having to make unsafe manoeuvres within the access road, which could potentially conflict with the safety of pedestrians and other users.
15. For the reasons given above, the development would have an unacceptable effect on highway safety, with particular regard to the adequacy of the access to the site and the provision of car parking. The proposal would therefore be contrary to policies 36 and 37 and Appendix 11 of the SLP which combine to require that harmful effects on the highway network are minimised and that parking, of adequate size, is provided at a rate that is close to the maximum parking standard in areas with limited access to public transport.

Other Matters

16. The appellant has identified that there is a high demand for housing of the type that has been proposed, but evidence of this demand has not been provided and the Council has indicated that an adequate supply of housing exists. As such, whilst the provision of additional housing is a benefit of the proposal, this does not outweigh the harm that has been identified in respect of the main issues.

Conclusion

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

Ian Harrison

INSPECTOR