



Appeal Decision

Site visit made on 21 January 2020

by Ian Harrison BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/P5870/W/19/3240633

6 Belmont Rise, Cheam, Sutton SM2 6EQ

- 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 Ms Wendy Hick and Mr Anthony Stagles against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/01311, dated 26 July 2019, was refused by notice dated 20 September 2019.
 - The development proposed is a new three storey single dwelling house with detached single storey garage and store.
-

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 site and the surrounding area.

Reasons

3. Belmont Rise is a busy road that passes through an area of detached dwellings. Although the road is dominating of the area, the grass verges, the trees they contain and the vegetation within residential plots creates a green suburban environment. Most dwellings of the surrounding area feature roofs of similar overall height, eaves height and pitch. Most roofs rake away from the road, with gable end projections to the front that reflect the presence of first floor or 2 storey projections. Whilst there is a degree of consistency to the appearance of the dwellings within the wider locality, the appeal site sits at the end of a group of dwellings that include significant variety in terms of appearance.
4. The properties at this side of Belmont Rise are set back from the road by a similar distance. The positioning of the dwellings, the gaps between them and the size of the plots creates a sense of spaciousness around the built form that contributes positively to the character of the area. The appeal site is a triangular plot of land that is currently part of the garden of 6 Belmont Rise which, due to the shape of the plot it sits within, is served by a small garden to the rear.
5. The proposal would see the erection of a detached dwelling with accommodation over 3 floors. The dwelling would be of similar height as the existing dwelling at the appeal site with a crown roof and two projecting gables. However, the eaves would be set well above those of the existing dwelling and the other adjacent dwellings. The dwelling would also feature a

- single storey projection to the front that would be adjacent to the footpath at the frontage of the site. Furthermore, a detached garage would be erected at the narrowest part of the site which would be adjacent to the footpath, with a long brick wall fronting the road that would continue forward of the garage and include gates that would correlate with a new vehicle access.
6. Although the main front elevation of the dwelling would loosely align with the building line of the properties at this side of Belmont Rise, this would result in the dwelling, particularly the single storey forward projection, sitting in close proximity to the footpath. The absence of a setback would cause the dwelling to appear at odds with the spacious character of the locality. The proximity of the dwelling to the road would not reflect the pattern of development within the vicinity of the site and would give the impression that the dwelling has been squeezed onto the plot. This would cause the development to appear contrived in the context of the surrounding area.
 7. As a result of the roof form and the particularly high eaves, the proportions of the dwelling would relate poorly to the other dwellings of the surrounding area. The replication of the roof pitch of the neighbouring dwellings would not be sufficient to avoid the roof of the dwelling appearing at odds with the other nearby dwellings. Furthermore, the single storey flat roofed projection at the front of the building would lack visual interest at the front elevation and the window detailing of the building would be inconsistent. As such, the dwelling would have an appearance that would be markedly different to any other dwelling within the surrounding area. The dwelling would, therefore, have a discordant appearance that would not be sympathetic to local character.
 8. The proposed outbuilding and the boundary treatments that would extend forward of it, would combine to result in a long wall being presented to the public domain, which would be unlike the boundary treatments of the surrounding area. The roof of the garage would be visible above the wall and would therefore cause the outbuilding to be a prominent feature at the site, in a location where outbuildings are not readily visible from the public domain. This additional contrast with the existing arrangement of built form within the locality would add to the sense that the proposed development would be incongruous within its context.
 9. Both main parties have identified that the site is located outside, but close to the Burton Estates Area of Special Landscape Character (ASLC). Policy 30 of the Sutton Local Plan 2016-2031 (SLP) creates an expectation that development conserves or enhances the ASLC. However, limited details of the ASLC have been provided other than it being identified that the SLP refers to it as one of the best examples of inter-war suburbia. In this regard, a previous appeal decision¹ at the site concluded that the relationship between a development at this site and the ASLC would be limited due to the intervening vegetation and fencing. Based on the evidence before me, I have no reason to reach a different conclusion. However, whilst the effect on the ASLC would be limited, this does not alter my assessment in relation to the abovementioned harm to the character and appearance of the site and its surroundings.
 10. The appellant has identified that a number of the design features have been incorporated to ensure that the development sits comfortably within its environment, with the aim being to maximise solar gain, enable energy

¹ APP/P5870/W/18/3208208

generation and minimise the effect of noise from the adjacent road. Whilst taking advantage of energy efficiency and generation opportunities is a positive aspect of the proposal, the arising benefit would not mitigate or compensate for the visual harm that would be caused by the development. Moreover, ensuring that future occupiers are not subjected to undue noise is a conventional expectation and this does not, therefore, represent a benefit of the proposal.

11. Although it has been suggested that the proposed dwelling would reduce the traffic noise that is experienced in the garden of the existing dwelling, no evidence has been provided to demonstrate that this would be achieved or that the existing situation requires mitigation. As such, I am not able to give this suggested benefit of the proposal any weight. Furthermore, designing and arranging the development in order to ensure that the living conditions of existing residents are not harmed is a neutral factor of the proposal.
12. For the reasons given above, the proposal would have an unacceptable effect on the character and appearance of the site and the surrounding area. The development would therefore be contrary to policy 28 of the SLP which requires that development is designed to the highest standard, respects the local context, responds to local character and makes a positive contribution to the street frontage and the streetscene. The development would also conflict with policy 7.4 of the London Plan (2016) which seeks to ensure that development has regard to the pattern and grain of the existing street in terms of orientation, scale, proportion and mass. The proposal also fails to accord with the Council's Urban Design Guide² which states that development should respect the unique characteristics of the site and the neighbourhood, including building lines, street patterns and massing.
13. As the garden land that is the subject of this proposal is enclosed and functions in the same way as a back garden, I have had regard to Policy 13 of the SLP which seeks to control the development of such land. However, in this case, the existing site does not contribute to the character and appearance of the area to such an extent that the development of this site would be contrary to the aim of this policy. Whilst I do not agree with the Council that this policy prevents the proposed development, neither does it provide grounds to support the proposal in light of the identified conflict with the development plan.
14. Policy 7.3 of the London Plan has been referred to by the Council but as this relates to Designing Out Crime, I do not consider it to be relevant to the main issue.

Conclusion

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

Ian Harrison

INSPECTOR

² Supplementary Planning Document 14 – Creating Locally Distinctive Places - Sutton's Urban Design Guide.