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## Appeal Decision

Site visit made on 25 February 2020

**by Thomas Hatfield BA (Hons) MA MRTPI**

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

**Decision date: 25<sup>th</sup> March 2020**

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**Appeal Ref: APP/P5870/W/3241859**

**2-4 Prince of Wales Road, Sutton, SM1 3PA**

- 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 S Redmonds against the decision of the Council of the London Borough of Sutton.
  - The application Ref DM2019/00565, dated 28 March 2019, was refused by notice dated 4 October 2019.
  - The development proposed is described as "*demolition of existing buildings and erection of a 2 and 3 storey building to provide 1 no. one bed flats, 6 no. two bed flats and 3 no. three bed flats, together with associated parking, bin store, cycle store, landscaping and amenity space*".
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The description of development given above is taken from the Council's Decision Notice and the Appeal Form. This reflects amendments that were made to the scheme at application stage and the proposal was determined on this basis.
3. A signed and dated Unilateral Undertaking (UU) has been submitted that would secure a contribution towards offsite carbon reduction measures, in accordance with Policy 5.2 of the London Plan and Policy 31 of the Sutton Local Plan (2018). The Council has confirmed that a financial contribution of this nature would have overcome its second reason for refusal, and I have therefore not considered this matter in any further detail.
4. A revised Flood Risk Assessment was submitted with the appeal. The Council has confirmed that the additional information provided in this document would overcome its third reason for refusal, subject to the imposition of a suitably worded planning condition. Accordingly, I have not considered this matter further.

### Main Issue

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

## Reasons

6. The appeal site consists of 3 existing houses on the northern side of Prince of Wales Road, near to the junction with Wrythe Lane. The properties to the west consist mostly of traditional 2-2.5 storey dwellings, although there are a number of 3 storey buildings around the junction with Wrythe Lane. The vast majority of the surrounding properties have either pitched or mansard roofs.
7. The development would introduce a 3 storey flat roof building that would contain 10 apartments. It would be constructed mostly in brick and its height would reduce to 2 stories next to No 6. The proposed flat roof profile would be dissimilar from any nearby building other than the petrol station on Wrythe Lane, which has a separate design. This roof shape would appear out of keeping with the surrounding properties, and in combination with the proposed height and massing, would result in an unduly dominant building that would draw the eye. This would be particularly the case from around the junction with Wrythe Lane, where the largely featureless side elevation would be seen as a deep bulky mass of brickwork. In my view, the development would result in a discordant feature in a relatively prominent position within the street. The varied built form in the vicinity, particularly to the east, does not justify a development with these shortcomings.
8. Whilst the existing dwelling at No 2A also has a distinctive appearance, it is modest in scale and its design is broadly sympathetic to the traditional properties nearby. In addition, a 3 storey apartment block is positioned on the opposite side of the road that was consented in 1964 (according to the Council). Whilst it has a pitched roof profile, its design is relatively unsympathetic to its surroundings. However, its presence does not justify the introduction of further unsympathetic development along the street.
9. Policy 3.4 of the London Plan states that development should optimise housing delivery within the relevant density ranges shown in Table 3.2. This table states that within suburban settings with a PTAL rating of 2-3, densities should be in the range of 150-250 habitable rooms per hectare. It also states that properties of this size and location should achieve densities in the range of 40-80 units per hectare. In both cases, the development would be at the top end of these ranges<sup>1</sup>. However, Policy 3.4 also states that development should take into account local context and character, and the design principles outlined in Chapter 7 of the London Plan. In this regard, the fact that the development falls within the specified density ranges does not overcome my concerns in relation to design.
10. For the above reasons, I conclude that the development would significantly harm the character and appearance of the area. It would therefore be contrary to policies 7.4 and 7.6 of the London Plan, Policy 28 of the Sutton Local Plan (2018), and guidance contained in the Sutton Urban Design Guide Supplementary Planning Document 14 'Creating Locally Distinctive Places' (2008). These policies and guidance seek to ensure, amongst other things, that new development compliments and makes a positive contribution to local character, respects local context, and is designed to a high standard.

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<sup>1</sup> 248 habitable rooms per hectare and 78 units per hectare (according to the appellant)

## **Other Matters**

11. The development would be positioned in close proximity to the boundary with No 6 Prince of Wales Road. In this regard, the two storey part of the building would be consistent with the rear building line of No 6, although a single storey ground floor element would project out beyond this. The three storey part of the building would be set back further from the boundary. This arrangement would ensure that no significant loss of light or outlook would arise to No 6. Separately, the proposed balconies are positioned away from the boundary and would not lead to any significant overlooking in my view. In this regard, the rear flat roof sections nearest to No 6 are not proposed to be used as balconies, other than a relatively small area that would be set in significantly from the building edge.
12. The proposed parking spaces would be positioned to the rear and away from the boundary with No 6. These spaces would be unlikely to attract a significant amount of activity, and given their position within the site, I do not consider that they would result in any significant disturbance to neighbouring occupiers.

## **Conclusion**

13. As set out above, I conclude that the development would significantly harm the character and appearance of the area. Whilst it would provide new housing, including family-sized units, in a relatively accessible location and would generate some modest economic benefits, that does not alter my view that the appeal should be dismissed.

*Thomas Hatfield*

INSPECTOR