
Appeal Decision

Site visit made on 10 March 2020

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2020

Appeal Ref: APP/P5870/W/19/3241503

91 Sutton Common Road, Sutton SM1 3HN

- 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 Miss S Lutfullah against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2019/00923, dated 31 May 2019, was refused by notice dated 12 August 2019.
 - The development proposed is conversion of the existing dwelling house into 3 self contained residential units involving the erection of a two storey rear and side extension, conversion of loft space and erection of cycle and refuse stores and extension of the existing dropped kerb to provide additional parking.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on:
 - The supply of family houses in the area
 - The character and appearance of the area
 - Highway safety, having particular regard to the proposed parking arrangements.

Reasons

Supply of family houses

3. In order to prevent the loss of family housing, Policy 10 of the Sutton Local Plan 2018 resists, amongst other criteria, the conversion of dwellings of less than 125m² gross internal area and which are outside Areas of Potential Intensification as defined in Appendix 1, Maps 1.1 to 1.8 and the Policies Maps in the Sutton Local Plan 2018. The reason for resisting the loss of such housing stock is that 2 and 3 bedroom market houses are the most required type of housing in the area; and that unlike larger properties which can convert into well-designed flats, others, such as inter-war semi-detached properties, do not.
4. The existing property fails these criteria. It is significantly smaller than 125m² gross internal area, excluding extensions, garages and loft space as defined in Policy 10, and does not lie within an Area of Potential Intensification. As a

semi-detached house it is the type of property that the policy seeks to prevent being converted, not only because it provides the type of family accommodation that is in demand, but also because of the difficulties arising from the conversion of such properties, which I address in more detail in the second main issue.

5. The proposed scheme would provide a replacement 3 bed residential unit of a slightly larger floor area than that existing, but in my opinion it would not provide better designed or higher quality new housing as required by the policy. The existing property suits family living because of its self-containment within its own plot. Conversely the proposed flat units would inevitably have smaller gardens, more shared facilities and less self-containment, making them less desirable for family living. As such, I find that the development would have a harmful effect on the supply of family housing in the area, contrary to Policy 10 of the Sutton Local Plan 2018.

Character and appearance

6. The area is residential in nature and is characterised by mainly 2 storey, semi-detached and terraced family housing of varying designs set back from the road frontage with trees and hedging to front gardens. There is a purpose built block of 3 storey flats adjacent to the site, which is accessed by its own service road.
7. The proposed conversion scheme includes substantial additions to the existing property including part one, part two storey side and rear extensions; and a rear dormer extension. All these additions have, at different times, been confirmed as either benefiting from permitted development rights or have been granted planning permission in the recent past, and which are still extant.
8. I have concerns about the quality of design of certain aspects of the proposed additions, in particular the flat roofed element of the two storey side extension, and the size and design of the box dormer. However, I recognise these have permission and could be implemented individually. Nevertheless, cumulatively they would, in my opinion, amount to an overly dominant form of expansion that would be harmful to the appearance of the dwelling and detract from the character and appearance of the area. The need to extend the property by cumulative additions is an inherent element of the conversion and demonstrates the difficulty in converting such a property to flats.
9. Other elements of the conversion would also impinge on the character and appearance of the property and wider area. Subdivision of the amenity space at the front intended for Flat 2 would require some form of fencing or boundary treatment to provide security and privacy which would appear incongruous when compared to the relatively open front gardens of other family houses in the road. Similarly, removal of a large part of the front hedge to enable a widened access, hardstanding a large part of the front garden, and the provision of waste and cycle storage in the front garden are all features that would detract from the character and appearance of the area. Some of these changes could be undertaken individually without permission, but cumulatively they are necessitated by the conversion to flats and would be unlikely to occur if the property remains in single family occupation.
10. I note that the extensions would be built with matching materials, and the side extension would be set back from the front elevation and with a lower roof than

the existing building, but these features do not in my opinion overcome the harm identified above.

11. While recognising the individual permissions that exist, the cumulative extensions proposed and the changes to the curtilage necessitated by conversion to flats would, taken together, harm the character and appearance of the area and conflict with Policy 28 of the Sutton Local Plan 2018 and Supplementary Planning Document 4 'Design of Residential Extensions' which promote good design and require new development to respect its local context.

Highway safety

12. The proposed development would provide four parking spaces, one of which is in tandem. No comment has been made by the Council's Highways Officer on this scheme but in previous applications for similar development on the same site the advice appears to have been for one off-street parking space per unit, to reduce the likelihood of overspill parking on-street. In this case, the number of proposed spaces exceeds the number of proposed flats. The scheme would also provide cycle storage provision. In the absence of any evidence to the contrary I consider this would provide adequate parking for the proposed development.
13. As there is no under provision of vehicle parking spaces, the development is unlikely to result in an increase in on-street parking and would not adversely affect highway safety. The development would therefore comply with Policy 6.13 of the London Plan 2016 and Policy 37 of the Sutton Local Plan 2018 which promote highway safety and appropriate parking provision.

Other Matters

14. My attention has been drawn to several schemes for the conversion of dwellings into flats in the surrounding area. I do not have full details of these schemes but do note that they all predate the adoption of the Sutton Local Plan 2018, which introduced new policy considerations. In any case, each application must be determined on its own merits and I have reached my conclusion based on the evidence before me.
15. The appellant argues that the proposed increase in dwellings would help meet the acute housing shortage in London and is supported by the London Plan 2016 and advice in the National Planning Policy Framework 2019 which promotes an effective use of land in meeting the need for homes and other uses. While that is so it is necessary to balance the need for new homes against the matters of character and appearance and the supply of family houses. In this case, the benefit of increasing housing supply does not outweigh the harm identified above.
16. The proposed scheme is argued to be more sustainable and energy efficient than the existing house, in particular the ground floor flat which has been designed to meet 'lifetime homes' standards. While that may be so, the existing house is habitable, and if required it is likely that improvements could be made to it to meet similar standards. I do not consider that any benefit arising out of higher sustainability standards outweighs the harm on the main issues.
17. It has been argued that the loss of smaller affordable units through right-to-buy has increased the need for such units in the housing supply, which the

proposed development could help meet. I note the proposed flats are not affordable in the sense of being available to those in housing need at a discount to their market value. In any event, Policy 10 of the Sutton Local Plan also establishes a need to retain family housing, which is relevant in this case.

Conclusion

18. Although I have found no harm to highway safety, I do consider there to be harm to the supply of family houses and the character and appearance of the area. For these two latter reasons, the appeal is dismissed.

Guy Davies

INSPECTOR