



Appeal Decision

Site Visit made on 22 June 2021

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2021

Appeal Ref: APP/P5870/W/21/3268747

25 North Street, Carshalton SM5 2HW

- 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 Thavapalan Veerakathipillai against the decision of London Borough of Sutton.
- The application Ref DM2020/01841, dated 9 November 2020, was refused by notice dated 22 January 2021.
- The development proposed is the addition of conservatory of depth 3.0m and height no more than 3.0m.

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 host building and wider Carshalton Village Conservation Area (CVCA).

Reasons

3. S.72 of the Act¹ requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Paragraph 93 of the Framework² states that, when considering the impact of a proposed development on the significance of a designated heritage asset, such as a conservation area, great weight should be given to the asset's conservation.
4. The appeal property is at the edge of, but within the CVCA. Together with two other buildings it forms a short terrace that marks a clear division between older, period properties within the CVCA and newer, larger buildings particularly to the north and west that are outside of this designated area. The CVCA is characterised by buildings from differing eras and of differing designs, interspersed with planned green spaces that illustrate the evolution and development of the area. Indeed, I note that adjacent to the appeal site is North Lodge, a grade II listed building which dates from around the seventeenth century, yet the area also contains examples of what appear to be Victorian terraced housing.
5. The appeal property and its attached neighbours have been subject to a number of historic alterations, most notably the ground floor front extensions to incorporate the retail/commercial units. However, the character and

¹ Planning (Listed Buildings and Conservation Areas) Act 1990

² National Planning Policy Framework (2019)

appearance of the Conservation Area derives not just from its architecture but the scale and proportions of the buildings. Buildings are generally modest but proportionate relative to their plot size. Notwithstanding some more recent additions and alterations, there is a cohesiveness in the simplicity and uniformity of many of the properties, which contribute to the significance of the CVCA as a whole and gives the area a pleasing and high-quality environment.

6. In addition to the ground floor forward projection, the appeal property has also been subject to alterations and extensions to the front of the building on the upper floor. To the rear, it already benefits from a large extension. This distinguishes this property from the rest of the rear of the terrace. Whilst the proposed additional extension itself would be modest in size, when taken together with the previous extension, it creates an over-extended appearance and a scale of building and plot coverage which is out of keeping with the neighbouring properties and the established character and pattern of development within the CVCA.
7. Although the works are not prominent in views from the public realm, neighbouring occupiers will be able to see more of the extensions, particularly from upper floor windows. Whilst such views would be private, this would not diminish the harm that would occur. Indeed, given the number of neighbours who might see the extension, this would be a legitimate matter of public interest. As I have previously noted, the significance of the CVCA is derived not just from the architecture of the properties but also from their layout and relationship with their plots. Both the development plan and Framework aim to ensure good design, something which is not limited only to proposals which are highly visible.
8. Accordingly, the proposal would cause harm to the character and appearance of the host building and wider CVCA. As such, it would be contrary to Policies 28 and 30 of the Local Plan³ which, amongst other things, seek to ensure that development respects the local context and integrates into the historic environment.

Other Matters

9. I acknowledge that the proposal is intended to help support the shop with additional storage and that the Framework supports economic growth. Although the shop is a private business, its presence no doubt offers some social benefits to some members of the local community as well as to the local economy more generally. The extension is said to provide "much needed commercial storage for the shop to the front." However, I saw on my site visit that the extension is currently used to store mainly lockers and chairs. There is no substantive evidence before me to explain in what way the storage is needed, that the existing floorspace associated with the commercial use is insufficient, or that the viability of the unit would be threatened were this appeal to be dismissed. I am therefore only able to give this matter very limited weight.
10. On my site visit I saw a car port type structure to the rear of No. 29 North Street. I have no information regarding whether or not it has the benefit of planning permission but even if it were to have planning permission, it is a

³ Sutton Local Plan (2018)

different type and form of development which would not lead me to allowing the appeal proposal.

Planning Balance

11. The harm I have identified to the CVCA would, given the limited extent and visibility of the proposal, be considered to be 'less than substantial' within the terms of the Framework. In accordance with paragraph 196 of the Framework, where such harm occurs, it must be weighed against any public benefits. As I have reasoned above, any public benefits that I could attribute to the scheme would carry very limited weight. As such, neither the public benefits, nor any other material considerations, outweigh the harm to the CVCA that I have identified and they are therefore insufficient to justify allowing the appeal in the light of the conflict with the development plan and provisions of the Framework.

Conclusion

12. For the reasons given above, having had regard to the development plan as a whole along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Stewart Glassar

INSPECTOR