



Appeal Decision

Site Visit made on 10 August 2021

by R Sabu BA(Hons), MA, BArch, PgDip, RIBA, ARB

an Inspector appointed by the Secretary of State

Decision date: 10 September 2021

Appeal Ref: APP/P5870/W/21/3267003

Griffiths Close, 209 Cheam Common Road, Sutton, Worcester Park KT4 8SL

- 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 Sutton Housing Society against the decision of London Borough of Sutton.
 - The application Ref DM2020/01355, dated 16 October 2019, was refused by notice dated 16 December 2020.
 - The development proposed is erection of extensions and alterations to provide 21 additional (56 in total) C3 older person residential apartments along with associated landscaping and works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The London Plan The Spatial Development Strategy for Greater London March 2021 (London Plan) was adopted since the Council's decision notice was issued. I have therefore made my determination having regard to the adopted London Plan rather than the former plan policies cited in the Council's reasons for refusal of planning permission.

Main Issue

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

Reasons

4. The site is located on a part of Cheam Common Road which has a predominantly residential character with primarily two storey dwellings in a mix of styles and type. There is a three-storey block of flats on the other side of the road. Large church buildings lie adjacent to the site and opposite the road and appear to be anomalies in terms of massing and add an additional level of interest in an otherwise two to three storey street scene. Overall, the area has a pleasant spacious character and appearance, which has a distinct feel compared with the more commercial busy character some distance to the north.
5. The existing building consists of three two-storey linear blocks sited behind each other and parallel to the road with a single storey corridor connecting them. While I acknowledge the proportions of the existing building, given its height, it is in keeping with the spacious character and appearance of the street scene.

6. The proposal for extensions and alterations to the existing building would result in a four-storey massing. Since the increased massing would extend along the width of the existing building, it would significantly increase its massing, resulting in a form that would dominate the street scene and greatly diminish the spacious feel of the area.
7. The proposal would maintain the existing building line which is set back from the prevailing building line. While the height would be similar to the church buildings, and the middle block would not be prominent from the street, the proposed massing overall would be significantly taller than the nearby two storey houses and would detrimentally affect the open character of the area. Therefore, notwithstanding the evidence regarding Manual for Streets and the modest set back of the upper storey, given the scale and massing of the building, it would appear unacceptably dominant when viewed from both approaches.
8. The proposed materials would modernise the some-what dated appearance of the existing building. I also note the additional design features such as the deep window recesses and central feature above the entrance. However, any improvement in this respect would not override the adverse effect on the character of the area that would result from the increased massing.
9. Taller buildings do not appear to be precluded outside an Area of Taller Building Potential and I acknowledge the evidence regarding modest height increases including the direction from the Secretary of State and the edge of centre location. However, since the proposal would not respect the local context or respond to the local character, it would conflict with Policy 28 of the Sutton Local Plan 2016-2031 (February 2018) (LP).
10. The appellant has directed my attention to a number of existing buildings that are a similar height to the proposal. These include One Central Road, Brabham Court and St Philips Gate which are located in far closer proximity to Worcester Park town centre than the site and are therefore not directly comparable with the appeal. While I acknowledge the other buildings including McMillan House, Queen Victoria House, Park House, The Avenue and Orchard Court, some of which are sited in edge of centre contexts, they are some distance from the appeal site such that they are also not directly comparable to the appeal. In any event, each case must be determined on its individual merits.
11. While I note the definition of tall buildings within London Plan Policy D9, and that the site falls within an Area of Potential Intensification, given the conflict with the LP, these matters have not altered my overall decision.
12. The Council granted planning permission for the erection of a second floor to the front block (facing Cheam Common Road) and erection of a second floor to the link building and centre block to create an additional 15 self-contained residential units for the elderly as well as the erection of a single storey rear extension and provision of additional parking spaces, cycle spaces, refuse store and associated landscaping works (extant permission). From the evidence it appears likely that that permission would be implemented should this appeal fail and it therefore forms a fall-back position.
13. Since the extant permission would be three storeys high, it would be in keeping with the other three storey blocks of flats in the vicinity without visually jarring with the massing of the churches or unacceptably reducing the spaciousness of

the area. While I note evidence regarding the proportions of that scheme, since it would be in harmony with the character and appearance of the area, that scheme has not altered my finding on this main issue.

14. Consequently, the proposed development would unacceptably harm the character and appearance of the area. Therefore, it would conflict with LP Policy 28 which seeks, among other things, development that respects the local context and responds to local character. It would also conflict with London Plan Policies D1 and D4 which together seek development that has regard to the urban form and structure and high-quality design.
15. Since London Plan Policy D9 states that the definition of tall buildings should not be less than 6 storeys, and this Policy relates to tall buildings, it is not directly relevant to this appeal.

Other Matters

16. I note the evidence regarding the accessibility of services and facilities and that opportunities to utilise edge of centre sites should be fully explored. However, given the harm identified, these matters have not altered my overall decision.
17. I acknowledge the evidence regarding local housing need including accommodation for older people. The Council has stated in its appeal statement that it is able to demonstrate a five-year housing land supply which was not contested by the Appellant.
18. The scheme would contribute 21 additional affordable dwellings, in particular accommodation for older people, to the local housing supply. However, since the extant permission would contribute 15 affordable dwellings to the local housing supply, the benefit in this respect is reduced to six dwellings to which I attribute modest weight in favour of the appeal. Therefore, even if the Council were not able to demonstrate a five-year housing supply, given the unacceptable harm to the character and appearance of the area and the resulting conflict with the development plan, the adverse effects of the development would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

Conclusion

19. For the reasons given above, the proposed development would conflict with the development plan as a whole and in the absence of material considerations to indicate otherwise, the appeal is dismissed.

R Sabu

INSPECTOR