



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: 15th September 2021

Appeal Ref: APP/P5870/W/21/3274934

48 Central Road, Worcester Park KT4 8HY

- 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 Mrs Trinh Phuong Nguyen against the decision of London Borough of Sutton.
 - The application Ref DM2020/01541, dated 18 August 2020, was refused by notice dated 11 December 2020.
 - The development proposed is described as, 'single storey rear extension, new one bed flat with associated refuse and recycle bins and cycle parking'.
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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 Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;
 - whether the proposed development would provide a suitable living environment for future occupiers with regard to outlook; and
 - whether the proposed development would accord with the Council's development plan strategy for carbon emissions and water efficiency.

Reasons

Character and appearance

4. The site is a plot of undeveloped land located to the rear of a terrace of commercial units with residential properties above. While the site and adjacent land have little areas of greenery, since the area to the rear of the terrace of commercial units is largely undeveloped, the area has a spacious pattern of development to which the site provides a positive contribution. The rear elevations of the existing commercial units have a traditional appearance with

pitched roofs and fenestration that result in a pleasant character and appearance.

5. The scheme would introduce a single storey flat roof dwelling to the rear of No 48 Central Road (No 48). While I note the two storey buildings nearby, the proposal would occupy the majority of the site, thereby significantly diminishing the sense of openness. While the size of the private amenity space would accord with the development plan, since the proposed building would occupy the majority of the plot, it would appear overly large for the size of the site.
6. I note the proposed use of sedum roof, however, given the harm to the prevailing pattern of development, this would not override the detrimental effect on the spacious quality of the area.
7. In addition, three walls of the building are proposed to be blank brick walls which would be devoid of any interest or articulation that would appear discordant when viewed against the rear of the commercial and residential units.
8. Consequently, the proposed development would harm the character and appearance of the area. Therefore, it would conflict with Policy 28 of the Sutton Local Plan 2016 – 2031 February 2018 (LP) 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 D3 which seek among other things development that has regard to urban form and structure and enhance local context. Furthermore, the scheme would conflict with the National Planning Policy Framework (Framework) in this respect.

Living environment

9. The proposal would have two windows and a door at one end of the building. Therefore, the only outlook from the living, dining and kitchen area would be through the single window serving this open plan space. The view from this window would be likely to be dominated by the boundary treatment which would be in fairly close proximity to the building. While I acknowledge that the sky lights would provide light to the internal space, the limited number of windows and short depth of the private amenity space would result in an oppressive living environment for future occupiers.
10. Consequently, the proposed development would not provide a suitable living environment for future occupiers with regard to outlook. Therefore, it would conflict with LP Policy 29 which, among other things, resists development that adversely affects the amenities of future occupiers.

Carbon emissions and water efficiency

11. LP Policy 31 states, among other things, that all planning applications for new dwellings or major non-residential developments should be supported by an Energy Statement incorporating 'as-designed' Building Regulations Part L outputs to demonstrate how the relevant targets for reducing CO2 emissions will be met.
12. LP Policy 32 states, among other things, that all development proposals should include details of how each SuDS measure, and the site drainage strategy as a

whole, will be managed and maintained throughout its lifetime, including proposed arrangements for adoption where relevant.

13. LP Policy 33 requires that proposed developments should minimise vulnerability of people and property and be fully adapted and resilient to the future impacts of climate change.
14. I have considered the use of conditions to require an energy statement and additional information to be submitted with respect to the above policies. However, given the lack of information in this respect, there is no certainty that the requirements of the policies would be met.
15. Consequently, the proposed development would not accord with the Council's development plan strategy for carbon emissions and water efficiency. Therefore, it would conflict with LP Policies 31, 32 and 33. In addition, it would conflict with the aims of London Plan policies SI 2 and SI 13 which relate to minimising greenhouse gas emissions and sustainable drainage respectively.

Other Matters

16. I acknowledge the evidence regarding housing supply and the Government's objective of significantly boosting housing supply. I also note that the building would be acceptable in terms of internal space and light as well as comments from the Highway Authority. However, given the unacceptable harm to the character and appearance of the area and that the proposal would not provide a suitable living environment for future occupiers, these matters do not override the harm identified.
17. I note the evidence regarding No 60 Central Road. However, from the evidence that scheme was the conversion of an existing building and is therefore not directly relevant to this appeal. In any event, each case must be determined on its individual merits.

Conclusion

18. 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