



Appeal Decision

Site visit made on 8 June 2022

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2022

Appeal Ref: APP/P5870/W/22/3290332

1 Elgin Road, Wallington SM6 8RE

- 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 AM Building and Management Ltd against the decision of London Borough of Sutton.
 - The application Ref DM2021/01033, dated 17 May 2021, was refused by notice dated 22 November 2021.
 - The development proposed is the erection of a two-storey, 1-bedroom dwelling house on the land at the property known as 1 Elgin Road, Wallington SM6 8RE. The development site accommodates a two-storey building, which will not be impacted by the proposal.
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Decision

1. This appeal is dismissed.

Main Issue

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

Reasons

3. This part of Elgin Road is mainly characterised by two storey semi detached houses with design features including traditional pitched roofs, bay windows and similar plot widths. These features and their recurrent nature make a positive contribution to the character of the area. There are also a limited number of more modern three and four storey blocks of flats. Nevertheless, overall, the area has a reasonably consistent, traditional residential character. The site for the proposed dwelling is a side garden to 1 Elgin Road, which forms part of a row of semi-detached properties characteristic of this location.
4. Between the junction with Stafford Road and the bend in the road Elgin Road is more varied. It contains commercial development including a single storey car sales building and housing including a contemporary dwelling at no 4a¹ with an asymmetric zinc roof. Notwithstanding the policies that the application for 4a was assessed against, this property forms part of the character and appearance of the area. Albeit its style is uncommon and as such asymmetric roof forms do not form part of the overriding character of the area. Furthermore, this part of the road is separated from the appeal site by the hardstanding and parked cars associated with the car sales area and the highway. Consequently, it is distinct from and different to the setting of the appeal site.

¹ LPA ref D2010/62501

5. The development would create a small contemporary dwelling in modern materials with an asymmetric roof form. From the front it would appear as a single storey building and its eaves and ridge height differ from the proportions of the nearby houses. Its location and orientation mean that it would be seen primarily in the context of the traditional residential properties adjacent and opposite.
6. The design of the proposed dwelling, including the roof style, height and the overall proportions of the building would be incongruous in this area. It would not respect the key positive components of the streetscene and would undermine the regular appearance of houses in this location. For these reasons it would be harmful to the character and appearance of the surrounding area.
7. My attention is drawn to the fact that contemporary dwellings have been approved elsewhere in the Borough², however these are somewhat distant from the site and therefore would have differing surroundings to the appeal before me now. As such, they do not alter my conclusions.
8. The width of the plot would be similar to others nearby and, although shorter in length, this plot size and shape follows the pattern of development to this part of Elgin Road with an angled rear boundary.
9. The proposed development would provide landscaping to this poorly maintained site, however I am not satisfied that the proposals before me now are the only way that improvements could be achieved. I am not presented with evidence that 1 Elgin Road is insecure. There is also no dispute between the main parties with regard to accessibility, security, robustness, car parking, landscaping, living conditions of future occupiers or effect on trees. However, whilst I do not find harm in these respects, this is a neutral factor that does not overcome the harm identified above.
10. Consequently, the proposed development would have a harmful effect on the character and appearance of the area. As such it would be contrary to Policy D3 of the London Plan 2021 (LP) and Policy 28 of the Sutton Local Plan 2016-2031 (2018). Together these provide criteria to achieve the highest quality of design using a design led approach. Also to the advice in the Supplementary Planning Document Creating Locally Distinctive Places (2008) (the SPD) which encourages contemporary design that improves the character of the site and surrounding area, amongst other things.
11. Policy D1 of the LP provides design recommendations for allocated sites, amongst other things, Policy D4 of the LP provides detail as to how high quality design can be demonstrated and scrutinised, and Policy D6 of the LP mainly relates to housing quality and standards. Therefore, the policies set out above are most relevant to this main issue.

² DM2018/00814, DM2018/01083, DM2019/02058, DM2020/00781, DM2021/01361

Conclusion

12. The proposal would not accord with the development plan and there are no other considerations to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

H Miles

INSPECTOR