



Appeal Decision

Site visit made on 29 June 2022

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2022

Appeal Ref: APP/P5870/W/21/3284741

Land to the rear of 44 and 44a, Link Lane, Wallington SM6 9EB

- 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 Renovare Developments LTD against the decision of the London Borough of Sutton.
 - The application Ref DM2021/01055, dated 17 May 2021, was refused by notice dated 10 September 2021.
 - The development proposed is described as 'construction of a two-bedroom bungalow with associated landscaping, refuse and cycle store, a dropped curb and 1 off street parking space.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the area.
 - Whether the proposal would provide satisfactory carbon reduction, sustainable drainage and water efficiency measures.

Reasons

Character and Appearance

3. The proposed bungalow would front onto Redford Avenue and thus be read as part of that street scene. The road is long and features a mix of detached and semi-detached dwellings set back from and facing the road. Whilst different in their design, the houses have a similar style and features. They are predominantly 2-storey, thus there is a strong consistency to scale in the area. The overall size of plots in the area is generous, with largely open and undeveloped gardens to the front and rear, creating a pleasant sense of spaciousness. This is supported by trees, hedges and lawned areas resulting in something of a verdant quality. These aspects contribute positively to the character and appearance of the area.
4. As a bungalow, the single storey nature of the building would jar with the scale of the built form of its surroundings and as a result appear awkward and out of place. It would be sat on a contextually very small plot, positioned quite far forward therein and almost fill its width. It would therefore appear cramped, diminishing the area's spaciousness. Despite the appeal site being somewhat

overgrown, the planting thereon adds to the verdant quality of the street scene. This would be lost to the proposed development.

5. While the proposed boundary hedge would make the building less obvious and add to the greenery along the street. It would still lead to a less open form of development. In any event, the roof profile would be seen just above the hedge and thus this measure would not be sufficient to make the proposed development acceptable. In addition, I appreciate that the unkempt state of the appeal site and the boarding to the frontage could be argued to be unsightly and this its redevelopment an improvement. Be this as it may, this would be at the expense of additional harm to the street scene and the wider area in the terms I have set out.
6. The appeal scheme would therefore harm the character and appearance of the area. As a result, it would conflict with the aims of Policies 13 and 28 of the London Borough of Sutton Local Plan 2018 (LP) that seek, amongst other things, to protect the character and appearance of the area.

Carbon Emissions, Sustainable Drainage and Water Efficiency

7. There is no substantive evidence before me regarding how the proposal will reduce regulated carbon emissions, incorporate effective sustainable drainage measures, or limit domestic water consumption. These details could affect the design and layout of the development, which could have a significant impact on the feasibility of the proposal in its current form, particularly given the restricted size of the site.
8. Paragraph 55 of the National Planning Policy Framework (NPPF) makes it clear that planning conditions should be kept to a minimum. Also, they must only be used where they satisfy certain tests. In this case, there is no evidence that a condition would be enforceable and subsequently reasonable, as meeting the requirements may warrant material changes to the design and layout of the development. Furthermore, Policies 31, and 32 make it clear that details demonstrating a reduction in carbon emissions, sustainable drainage measures, and site drainage should be submitted as part of a planning application.
9. Therefore, the proposal would conflict with the aims of policies 31, 32 and 33 of the LP that seek to reduce carbon emissions, incorporate effective sustainable drainage and limit domestic water consumption.

Other Matters

10. It may be that the bulk and massing of the proposal has been significantly reduced, the layout altered, and the proposed bungalow designed to be in keeping with other bungalow development within the area, following a previous scheme on the site reference APP/P5870/W/19/3234840. However, I have considered this appeal proposal on its own merits and concluded that it would cause harm to the character and appearance of the area for the reasons set out above.
11. I have also had regard to the examples of similar development in the area, which I visited, and the appeal decision for 5 Sandy Lane South, reference APP/P5870/W/14/3000898. While these developments have similarities to the appeal proposal, it appears to me that the merits and circumstances of these schemes are different. The character of The Mead differs somewhat from the character of Redford Avenue and the size and shape of the bungalows' plots

and how they relate to the street scene also varies. Each scheme needs to be considered on its own merits and circumstances. The approval of 5 Sandy Lane South is perhaps the closest relatively speaking in characteristics to the appeal scheme, but does not lead me to allowing the appeal, given the harm I have found.

12. It may be that the site lies within an Area of Potential Intensification (API) and would be supported by policies within the London Plan that seek to realise the potential of all new housing sites, in particular small ones, to deliver housing in London. However, the benefits associated with one dwelling would be modest and not significant enough to outweigh my conclusions on the main issues.

Conclusion

13. With regard to the above, I find that the proposal would conflict with the development plan, read as a whole. It has not been demonstrated that there are any material considerations of sufficient weight to indicate that a decision should be taken otherwise in accordance with it.

Hannah Guest

INSPECTOR