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## Appeal Decision

Site visit made on 21 March 2023

**by Lynne Evans BA MA MRTPI MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 April 2023**

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**Appeal Ref: APP/P5870/W/22/3304752**

**The Bungalow, Wandle Bank, Beddington CR0 4SN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr R Parrat against the Council of the London Borough of Sutton.
  - The application Ref: DM2020/00064 is dated 12 February 2020.
  - The development proposed is demolition of existing bungalow and garage and construction of two detached bungalows.
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### Decision

1. The appeal is dismissed, and planning permission refused.

### Preliminary Matters

2. After the appeal had been submitted on grounds of non-determination, the Council considered an officer's report and resolved that had the application been before it to determine, it would have refused it on the grounds that, first, the proposed houses would be an overdevelopment of the site and a discordant feature in this part of Beddington Village Conservation Area and secondly, that the proposal would fail to provide a sufficient layout to maximise a high quality landscape and therefore would not make a positive contribution to the Beddington Village Conservation Area.
3. Although the description of development refers to two detached bungalows, the submitted plans show accommodation at first floor level, whereas the standard definition of a bungalow provides for all the accommodation to be at ground floor level. The description of development does not therefore properly describe the proposal as shown on the plans. The design with a two storey front gable to each house would result in both dwellings appearing as two storey houses, albeit some of the first floor accommodation would be contained within the roof space.
4. I understand that an amended site layout was submitted at the application stage to revise the siting to keep the built development clear of the 8m buffer zone of the bank to the River Wandle. My decision is based on the amended plans.

### Main Issue

5. The main issue in this appeal is the effect of the proposed development on the character and appearance of the Beddington Village Conservation Area.

## Reasons

6. The appeal property is a vacant bungalow with a number of disused outbuildings set within an irregular shaped plot with a single access off Wandle Bank, an unmade road. The site is bordered by the back gardens to terraced housing along Wandle Bank and Beddington Road and the northern boundary is formed by a channel of the River Wandle with residential beyond. At the time of my site visit, the site was heavily overgrown.
7. The site is situated within the Beddington Village Conservation Area, which is predominantly residential in character and includes a number of Victorian terraced cottages close to and along the River Wandle which flows through the local area. The local area has a verdant appearance with the greenery along the river as well as in private gardens. These characteristics define the significance of the Conservation Area as an attractive area of historic suburban townscape and landscape. Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out in respect of development within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
8. The proposal would redevelop the site for two detached dwellings, utilising the existing access to the site. The proposed dwellings, together with their parking spaces and turning area would be spread across much of the width of the site. The main amenity areas for the dwellings would be to the rear as far as the bank to the River Wandle.
9. I recognise that both the size and shape of the existing plot and the form of the existing bungalow do not accord with the general historic pattern of development in the Conservation Area. I also recognise that most of the individual trees within the appeal site are individually of limited amenity value. Nonetheless, and as existing, its single storey build and large areas of open space around enable it to be a low profile development which still contributes to the verdant character and appearance of the local area.
10. Although the details of landscaping are not shown on the scheme plans, it is clear that the proposal would significantly increase the mass of built development on the site. Once account is taken of the parking spaces, access and turning areas to serve both properties, the opportunity for substantial planting would be limited to relatively narrow strips around the site margins. This significant increase in the bulk and massing of built development across the site together with the limited opportunities for soft landscaping would introduce a much more intensive form of development that would detract from the more verdant character and appearance of the local area.
11. As a result, I do not consider that my concerns about the amount of landscaping proposed could be resolved through the imposition of a landscaping condition as this would not overcome the unsatisfactory relationship between built development to open areas within the site.
12. The development, as proposed, in terms of the scale and extent of built development and the lack of opportunity for soft landscaping would result in a development that would be discordant within the context of the local area. It would harm the significance of the Conservation Area.

13. I therefore conclude that the proposed development would not preserve the character and appearance of the Beddington Village Conservation Area. This would conflict with Policies D3 and HC1 of the London Plan and Policies 28 and 30 of the Sutton Local Plan, as well as the National Planning Policy Framework (Framework) and in particular Sections 12 and 16, all of which amongst other matters seek a high quality of design which respects the local context and the significance of heritage assets.
14. Paragraph 202 of the Framework sets out that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal would contribute a net addition of one dwelling and work on the proposal could lead to some small benefits to the local economy. Whilst the harm to the designated heritage assets of the Conservation Area would, in my view, be less than substantial, the public benefits would not be sufficient to outweigh that harm.
15. I recognise that the existing bungalow requires substantial work or replacement, but this does not lead me to a different conclusion, given the harm I have concluded from the proposal in front of me.

### **Other Considerations**

16. A draft Section 106 Agreement in the form of a unilateral undertaking has been submitted to provide a contribution of £359,633 towards biodiversity offsetting. This figure is the sum that the Council has calculated to be required to offset the biodiversity net loss on site as a result of the proposed development to accord with the requirements of Policy G6 of the London Plan and Policy 26 of the Sutton Local Plan. Were there no other matters at issue and planning permission were to be granted, I am satisfied that this matter could have been resolved and the appropriate funding secured.
17. I have taken into account the concerns raised by neighbours in respect of other issues, including harm to their living conditions as a result of loss of privacy and increased noise and disturbance. However, the proposal would only result in an increase in one dwelling within an existing residential area and I consider that there would be appropriate distances between the existing surrounding properties and the proposed to maintain outlook and privacy to neighbouring dwellings. I do not therefore consider that there would be any material harm to the living conditions of surrounding residents.
18. There have been no technical objections raised to concerns raised by local residents in respect of flood risk and highways and I have no reason to take a different view.

### **Conclusion**

19. For the reasons given above and having regard to all other matters raised I conclude that the appeal should be dismissed, and planning permission refused.

*L J Evans*

INSPECTOR