



Appeal Decision

Site visit made on 23 November 2023

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 8 December 2023

Appeal Ref: APP/P5870/D/23/3329358

2 Felnex Avenue, Hackbridge SM6 7DP

- 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 Mr Robert Streetley against the decision of the Council of the London Borough of Sutton.
 - The application Ref: DM2023/00546 dated 6 April 2023, was refused by notice dated 21 June 2023.
 - The development proposed is conversion of existing garage into additional living space. Replace external garage door with window to match existing.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Outline planning permission was granted by the Council under its Ref: C2014/68760 for the redevelopment the former Felnex Trading Estate for a residential led, mixed use development, with a number of subsequent permitted amendments and approval of details. I am advised that permitted development rights under Classes A-E of the General Permitted Development Order 2015 were restricted under Condition 6 of the Reserved Matters Application C2016/73672/ARM.
3. The Officer's report by the Council lists an extensive number of previous planning applications under Site History, as well as a number of enforcement related complaints, but the majority of these relate to the previous use of the site and surrounding area as a trading estate. Most of these are not therefore relevant to the current proposal before me.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the existing property and on the local area.

Reasons

5. The appeal property is an end of terrace residential property on the west side of Felnex Road, and forms part of a recent residential led development, comprising predominantly short terraces and small development blocks. There is a very strong uniform character and appearance to the residential development, including the scale and massing of the individual terraces, as well

as the treatment of fenestration and materials used. The regularity of the design approach to the terraces is a defining characteristic feature of the immediate context to the appeal property.

6. The proposal would replace the existing garage door with a window, associated with the proposed use of the internal space as an additional living space. The proposed window would match the style of the existing windows in the existing property and the terrace.
7. As set out above, the character and appearance of the terrace and indeed the wider estate is defined by the very strong uniformity of the design approach. I did not see on my site visit and my attention has not been drawn to any other similar changes to the one proposed under this appeal, which have been permitted or undertaken in the immediate vicinity. Although the proposal, in itself, would be small scale and the fenestration would match the other fenestration used on the front façade, the change from a garage door to a window would be disruptive to the pattern of the development in the terrace and the wider development. It would result in a visually obtrusive amendment that would be seen as a marked and harmful change to the uniform character and appearance of the wider terrace and street scene.
8. I therefore conclude that the proposal would unacceptably harm the character and appearance of the local area. This would conflict with Policy 28 of the Sutton Local Plan 2018 and the National Planning Policy Framework, and particularly Section 12, both of which amongst other matters, seek a high quality of design which respects the local context.

Conclusion

9. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR