



Appeal Decision

Site visit made on 7 November 2023

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2023

Appeal Ref: APP/P5870/W/23/3321754

76 Croydon Road, Beddington, Sutton CR0 4PD

- 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 A Yar against the decision of the Council for the London Borough of Sutton.
 - The application Ref DM2023/00351, dated 3 March 2023, was refused by notice dated 19 April 2023.
 - The development proposed is the demolition of a single storey extension and erection of detached house with access to side car parking from Aldwick Road.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of a single storey extension and erection of detached house with access to side car parking from Aldwick Road at 76 Croydon Road, Beddington, Sutton CR0 4PD in accordance with the terms of the application, Ref DM2023/00351, dated 3 March 2023 subject to the conditions in the attached schedule.

Applications for Costs

2. An application for an award of costs was made by the appellant against the Council. This application is the subject of a separate Decision.

Preliminary Matters

3. Additional plans showing the manner of vehicle access to the site were submitted to the Council prior to its determination of the application but did not form part of its decision. I have had regard to these plans in this decision as all parties have had the opportunity to comment upon them.

Main Issues

4. The main issues are:
 - a) the effect of the proposed development on the character and appearance of the area, and
 - b) the effect of the proposed vehicle access on highway safety.

Reasons

Character and appearance

5. The appeal site comprises one of a pair of semi-detached houses that address Croydon Road. It is set within a predominantly suburban area formed mainly of 20th century semi-detached homes. Nevertheless, there are numerous notable exceptions to this including the commercial estate opposite, the Link Secondary

School and dental surgery on the opposing side of Aldwick Road. The site itself is a brick built home with tile hanging and long and narrow side projecting extension. The plot is unusually wide compared to its adjoining neighbour at number 78 and other similar houses at 2-2C Aldwick Road. Parking for one vehicle is available via an existing gated access onto Aldwick Road.

6. The proposed dwelling would be formed as a detached building in a similar design vernacular to the existing pair of semi-detached homes at 76 and 78. The vehicle access would be utilised for the new dwelling whilst vehicle parking provision for the existing house would be expunged.
7. The proposal would result in built form projecting towards the side boundary with Aldwick Road. However, it would still retain an approximately 5 metre gap between the side elevation of the new dwelling and boundary with Aldwick Road. This distance is considerably greater than others in the locality including the dental surgery on the opposite side of the road. Indeed, this is substantially more than the arrangements at the junctions between Croydon Road and The Ridgeway and Lavington Road. These are the junctions to the immediate east and west of the appeal site. This is therefore a pattern of development consistent with the road hierarchy where Croydon Road is the main thoroughfare.
8. The side wall of the new dwelling would project beyond the main elevation of 2-2C Aldwick Road. The porch to number 2 is not representative of the main elevation of this row. It is an open sided structure which does not change the impression of a building line for 2-2C which is the main front wall to all these homes. Nevertheless, the new dwelling would only project marginally beyond this 'building line' which in any case steps back between 2/2A and 2B/2C. Moreover, the area does not have a particularly spacious character that would infer it is of particular merit and worthy of retention. Indeed, the presentation of a greater amount of built form along Croydon Road appears entirely consistent with the pattern of development in the area.
9. I accept that some instances of these arrangements, for example at The Ridgeway, are within a different Borough and therefore subject to a differing development plan. Nevertheless, these arrangements are part of the area's character, regardless of the change of administrative authority.
10. The introduction of additional built form would marginally impair some longer views. However, such views do not appear to have any great value and the loss of views, per se, are not a planning matter. There is a greater distance between the rear of number 74 Croydon Road and 1A Aldwick Road. However, this is not an exceptionally large distance at present, or indeed, a particular feature that warrants special attention.
11. The proposal represents a logical continuation of the pattern of buildings addressing Croydon Road and would not be harmful to the character and appearance of the area. I therefore conclude that the development complies with policies 1 and 28 of the Sutton Local Plan 2018 (SLP) and policies H2 and D3 of the London Plan 2021 (LP). These policies promote good design which respects context and responds to local character.

Highway safety

12. The property is presently served by a vehicle access onto Aldwick Road. The arrangement of this access allows for a vehicle to either enter or leave the site in a forward gear. Due to the available space, one movement, while accessing or egressing, must be in reverse gear. The proposal seeks to re-use this access for the new dwelling.
13. I have had regard to the vehicle tracking plan provided by the appellant. However, I am not persuaded by its efficacy. It is a simple line diagram with the true swept path of a vehicle remaining ambiguous. The plan appears to show multiple movements on the public highway in order to enter and/or leave the site.
14. However, this is an existing access which presently serves a three-bedroom dwelling. This arrangement would not change as a result of the development and there would therefore be no intensification of use of this existing access. Although the arrangement is not ideal, particularly in such proximity to the junction with Croydon Road, it is an existing situation which would not be materially altered by this proposal. The highway authority considers there is sufficient space within the site for a vehicle to turn adequately at present. I disagree with this assessment due to the presence of the side extension and internal arrangement of the property. Much like the appeal proposal, space may be available but is highly unlikely to be used in this manner as it would no doubt be more convenient for any user of the access to reverse into, or out of, the site.
15. Therefore, as this is an established vehicle access, in use by an existing dwelling, there would be no intensification of use or additional harm caused to highway safety. I conclude that the development complies with policies 36 and 37 of the SLP which supports adequate standards of highway safety and parking provision.

Conditions

16. The Council suggested a number of conditions which I have considered and amended in the light of government guidance on the use of conditions in planning permissions, or to correct minor errors.
17. In addition to the standard time limit condition, a condition specifying the relevant drawings provides certainty, although I have amended this condition to refer to the approved plans only. Other documentation relevant to this decision remains applicable but is not necessary for inclusion in this condition.
18. Condition 3 requires the approval of materials to ensure a satisfactory appearance to protect the character of the area. Condition 4 is imposed in the interests of fire safety and to comply with LP Policy D12. Conditions 5 and 6 are to ensure adequate construction arrangements in the interests of neighbours living conditions and highway safety.
19. Conditions 7 and 8 ensure satisfactory vehicle and cycle parking provision. This is to ensure adequate parking provision and promote alternatives to car based transport and to accord with SLP policies 36 and 37.
20. Conditions 9, 10 and 11 are in the interests of biodiversity and habitat creation and to accord with SLP policy 26. Conditions 12, 13 and 14 are imposed to

ensure the development is energy and water efficient and to comply with policies 31, 32 and 33 of the SLP. Condition 15 secures adequate refuse arrangements in the interests of the living conditions of the occupants and neighbours and to comply with SLP policy 29.

21. Conditions 3, 8 and 13 are pre-commencement conditions as such details are necessary to ensure the development proceeds in an acceptable manner from the outset. The applicant has agreed to the imposition of these conditions in order to comply with S100ZA of the Town and Country Planning Act 1990 (as amended).

Conclusion

22. For the reasons given above I conclude that the proposed development complies with the provisions of the development plan, read as a whole, and that there are no material considerations that indicate that a decision should be taken otherwise. The appeal should therefore be allowed.

Nick Bowden

INSPECTOR

Schedule of Conditions

- 1) The development must be begun not later than the expiration of three years beginning with the date of this decision.
- 2) The development shall be carried out in accordance with the following plans: PL_01, PL_02, PL_03, PL_04, PL_05, PL_06, PL_07, PL_08, PL_09.
- 3) Prior to the commencement of development (excluding demolition) the type and treatment of the materials, including samples, to be used on the exterior of the buildings shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the construction of the development hereby approved and retained thereafter.
- 4) The development hereby approved shall be commenced in accordance with the approved Fire Safety Statement.
- 5) Site construction works shall only be carried out between the hours of 0800 and 1800 hours Monday to Friday, 0800 and 1300 hours on Saturday and not at all on Sundays and Bank Holidays.
- 6) No development shall commence, excluding demolition, site clearance and site remediation, an updated Demolition and Construction Logistics and Management Plan (CLMP) has been submitted to and approved in writing by the Local Planning Authority. The CLMP shall include details of:
 - (a) loading and unloading of plant and materials;
 - (b) storage of plant and materials;
 - (c) programme of works & measures for traffic management (including routing) so as to minimise the impacts of construction traffic on the highway;
 - (d) means to prevent deposition of mud or other substances on the highway;
 - (e) provision of boundary hoardings;
 - (f) hours of operation;
 - (g) means to control dust and emissions to air;
 - (h) means to control noise and vibration.

The CLMP should be in accordance with the Greater London Authority's Supplementary Planning Guidance 'Control of Dust and Emissions during Demolition and Construction'. The approved CLMP shall be adhered to throughout the construction period.
- 7) The development shall not be occupied until a vehicle parking space has been laid out within the site in accordance with the approved plan PL_08. The parking area shall be used and permanently retained exclusively for its designated purpose.

- 8) Prior to the commencement of the development (excluding demolition works), full details of the secure cycle storage facilities shall be submitted to, and approved in writing by, the Local Planning Authority which shall show their positioning within the site, the size and materials of the enclosure and the means of access. The approved details shall be implemented on site prior to the first occupation of the development hereby approved and thereafter permanently retained in accordance with the approved details.
- 9) Prior to rising above the damp proof course of the development hereby permitted, a scheme for wildlife and nesting features shall be submitted to and approved in writing by the Local Planning Authority. These will include:
- (a) Features on buildings, in accordance with the adopted Biodiversity Strategy, such as:
 - (i) 1 x multi-chamber swift bricks (preferred) or boxes;
 - (ii) 1 x starling boxes;
 - (iii) 1 x house sparrow terraces;
 - (iv) 1 x bat bricks or boxes;
 - (b) Other bird boxes or features, as appropriate to the site (including insect boxes / hotels etc.); and
 - (c) The scheme will include full details on; numbers of each feature, type of feature / box/ brick, location (plan and elevation views) of each feature, height above ground (if applicable), and nearest external lighting (if likely to have an impact).

Features shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

- 10) Prior to rising above the damp proof course of the development hereby permitted, a scheme for habitat creation shall be submitted to and approved in writing by the Local Planning Authority. This shall include green infrastructure, including but not limited to:
- (a) protection of existing vegetation along the eastern boundary;
 - (b) new hedge planting along site boundaries;
 - (c) biodiverse green roofs on bike / bin storage areas;
 - (d) climbers planting along fences;
 - (e) species-rich flowering lawns;
 - (f) culinary herb planters;
 - (g) a soft landscaping plan will detail biodiversity enhancements through planting schemes that provide nectar, pollen and fruit resources throughout the seasons, a variety of plant heights and larval food plants, through no less than 60% native; and
 - (h) ornamental plants will not include any genera or species on Schedule 9 of the Wildlife and Countryside Act (1981) or the LISI list and should be on the "RHS Plants for Pollinators" lists (or of documented wildlife value), to provide increased resource availability.

Work shall be undertaken in accordance with the approved scheme and thereafter retained in perpetuity.

- 11) Prior to occupation of the development hereby permitted, a Statement of Conformity shall be submitted to and approved in writing by the Local Planning Authority. The Statement of Conformity must include full details on:

- (a) photographs of habitat features under Condition 10 installed; and
- (b) photographs of landscaping for biodiversity under Condition 10 installed.

This condition is to certify that the details for each habitat / feature, as approved under the BEMP, are in accordance with the submitted information.

- 12) The development hereby approved shall be constructed in accordance with the approved Energy Statement (Ref: 232249) prepared by Innervision Design Ltd and dated April 2023. Prior to first occupation, documentary evidence must be submitted to the Local Planning Authority and approved in writing to confirm that the proposed air source heat pump (ASHP) system and solar PV array strategy have been implemented in accordance with the approved energy strategy, together with 'as-built' Standard Assessment Procedure (SAP) outputs demonstrating that the development has achieved the targeted reduction in CO2 emissions. All of the approved measures must thereafter be retained for as long as the development is in existence.
- 13) Prior to the commencement of development, an amended scheme for the management of surface water run-off must be submitted to the Local Planning Authority and approved in writing which:
- (a) includes the results of on-site infiltration testing to BRE Digest 365 confirming that infiltration SuDS measures are feasible at this location;
 - (b) includes hydrological calculations carried out by an appropriately qualified professional to show that the peak run-off rate for the 1 in 100 year 6-hour rainfall event (plus 40% for climate change) will be as close as reasonably practicable to greenfield run-off rates and volumes for the same event; and
 - (c) confirms that the 1 in 30 year rainfall event (plus 40% for climate change) can be contained without flooding; any flooding occurring between the 1 in 30 and 1 in 100 year event (plus 40% for climate change) will be safely contained on site; and that rainfall in excess of the 1 in 100 year event is managed to minimise risks.
- 14) Prior to first occupation of the development, a completed Water Efficiency Calculator for New Dwellings must be submitted to the Local Planning Authority and approved in writing to show that internal potable water consumption for each of the dwellings will be limited to no more than 110 litres per person per day (l/p/d) based on the Government's national calculation method for the purposes of Part G of the Building Regulations (or as superseded).

- 15) Prior to occupation of the development hereby approved, full details of final refuse and recycling area shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to occupation of the development and retained thereafter.

End of Schedule