



Appeal Decision

Site visit made on 12 December 2023

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2024

Appeal Ref: APP/P5870/W/23/3315651

11A Wandle Road, Beddington, Sutton CR0 4SD

- 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 Balachandran Sreedharanpillai against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2022/01348, dated 21 July 2022, was refused by notice dated 7 November 2022.
 - The development proposed is erection of a single storey side/rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development has been taken from the Council's decision notice, which is more concise than the description on the application form. I have however had full regard to the description on the application form for the purposes of my assessment.
3. The National Planning Policy Framework (the Framework) was revised in December 2023. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the host property and the Beddington Village Conservation Area; and
 - the effect of the proposal on the living conditions of the occupants of 9 Wandle Road, with particular regard to daylight, sunlight and outlook.

Reasons

Character and appearance

5. The appeal site is located in the Beddington Village Conservation Area, which covers the historic core of Beddington. From the evidence, and my own observations, its significance lies in the collection of traditional buildings, including Victorian cottages, and their relationship with open spaces and the river Wandle which meanders through the village. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. The appeal property is a small one-bedroom property that lies to the rear of 11 Wandle Road which, in turn, forms part of a distinctive row of semi-detached Victorian cottages, positioned adjacent to the river Wandle. The host building faces the river, with a small garden positioned to the side. A single storey side extension, with sloping roof, has previously been added to the host dwelling.
7. The appeal property is prominent in views towards the river from Wandle Road. These views help to reveal and preserve the relationship between the river and the historic buildings around it, which includes No 11. Consequently, the site contributes positively towards the significance of the Conservation Area as a designated heritage asset.
8. The proposal would add an additional single-storey element to the side elevation of the host building, which would be constructed with materials to match the existing dwelling. However, notwithstanding its modest footprint, the extension would occupy a large part of the garden and would be disproportionate in scale when compared to the small size of the host property. The retained garden space would be uncharacteristically small when compared to most, albeit not all, gardens nearby. Moreover, the proposed flat roof would have a visually awkward relationship with the sloping roof on the existing extension. Consequently, due to its size, design and siting, the development would have an incongruous appearance that would be unsympathetic to the host building and would be out-of-keeping with local character.
9. The proposed extension would be set back from the front elevation of the host property and, therefore, views from Wandle Road would be limited. However, the absence of publicly accessible views does not negate the need to secure high-quality design, which is a clear requirement of the Framework. Moreover, due to its discordant relationship with the host property, the development would be unduly prominent in views from the rear windows and gardens of neighbouring properties, including views towards the river Wandle. Given that the spatial relationship between the buildings and the river contributes to the special historic interest of the area, the development would neither preserve nor enhance the character or appearance of the Conservation Area and, consequently, it would cause less than substantial harm to its significance.
10. I attach great weight to the conservation of the Conservation Area and consider the harm to its significance to carry considerable weight and importance in my decision. Paragraph 208 of the Framework specifies that where a development would lead to less than substantial harm to a designated heritage asset, that harm should be weighed against its public benefits including, where appropriate, securing its optimum viable use.
11. The development would provide additional living space for the occupants of the appeal property by way of a dedicated dining room. It is clear from the evidence that the additional space would have a significant positive effect on the living conditions of the occupants of the dwelling. However, whilst I recognise that the existing living space is very modest in size, the addition of a dedicated dining room would be a private benefit to the occupiers of the property, and there is limited evidence before me of it serving a wider public benefit. Therefore, the public benefits do not outweigh the harm that would be caused to the significance of the Conservation Area.
12. I conclude that the proposed development would cause harm to the character and appearance of the host property and the Beddington Village Conservation

Area. Accordingly, it would conflict with Policies 28 and 30 of the Sutton Local Plan 2016-2031 (LP) and the Framework which, taken together and amongst other things, expect development proposals to respond to local character and to conserve and, where practicable, to enhance those elements which contribute to a Conservation Area's special character or appearance.

Living conditions

13. The proposed development would extend the built form of the host dwelling beyond the rear building line of 9 Wandle Road. However, any impact on overshadowing would be tempered by the single-storey height of the proposed development. Even if some overshadowing were to occur, it would be limited to a small part of No 9's garden and a room with an obscured glazed window and therefore would be unlikely to cause material harm to the living conditions of the occupants of No 9. Moreover, the west-facing windows and garden of No 9 would continue to receive direct sunlight and daylight for a large part of the day, especially during the afternoons and evenings.
14. The outlook from No 9 would include views of the roof of the proposed extension. However, the proposal would only be marginally taller than the fence between the two properties and therefore is unlikely to cause material harm to the outlook from No 9. Furthermore, direct views of the river and across the rear gardens of other neighbouring dwellings would be unaffected by the proposed development. Accordingly, the neighbouring garden would retain a sense of openness and would not be unduly enclosed by the appeal proposal.
15. Taking all of the above into account, I conclude that the proposal would not cause harm to the living conditions of the occupants of 9 Wandle Road, with particular regard to daylight, sunlight and outlook. Accordingly, there would be no conflict with Policy 29 of the LP which, amongst other things, resists development that would adversely affect the amenities of neighbouring occupants.

Other Matters

16. The appellant has suggested that the development could be made acceptable by altering the roof pitch of the existing extension to accommodate the proposed development. It falls beyond the scope of this appeal to consider alternative development proposals, which would need to be considered by the Council as part of a separate planning application.

Conclusion

17. Whilst I have found no harm in respect of the living conditions of the occupants of 9 Wandle Road, I have found the development would cause harm to the character and appearance of the host building and the Beddington Village Conservation Area. The harm I have identified is sufficient to bring the proposal into conflict with the development plan when read as a whole. There are no material considerations before me to indicate a decision should be made otherwise than in accordance with the development plan. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

E Catchside

INSPECTOR