



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: 12 January 2024

Appeal Ref: APP/P5870/W/23/3324147

2 St Alban's Grove, Carshalton SM5 1NE

- 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 Wayne Dobinson against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2022/02169, dated 4 December 2022, was refused by notice dated 24 March 2023.
 - The development proposed is 2 bedroom house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the character and appearance of the area; and
 - whether the proposal would provide an adequate standard of accommodation for future occupiers, with particular regard to outlook from the proposed ground floor rear window and private amenity space.

Preliminary Matter

3. The National Planning Policy 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.

Reasons

Character and appearance

4. The appeal site occupies a spacious corner plot at the junction of St Alban's Grove and Thornton Road. It lies within the curtilage of 2 St Alban's Grove, which is the end property in a short, terraced row. The junction between St Alban's Grove and Thornton Road has a distinctive, open character provided for by the large wraparound gardens of the corner properties on both street frontages. The mix of short, terraced rows and open spaces is typical of the prevailing pattern of development within the surrounding area, which forms part of the St Helier Estate Area of Special Local Character (ASLC).
5. The proposed development would elongate the host terraced block by adding an additional dwelling adjacent to No 2. The retention of the terraced form would be in-keeping with the characteristics of the ASLC. The proposed

dwelling would also be of a similar height and scale to neighbouring properties and would be constructed with matching materials and sympathetic architectural detailing.

6. However, the proposal would add substantial bulk and mass to the side of the host terraced block which, at two storeys high, would be prominent in views from both St Alban's Grove and Thornton Road. The proposed dwelling would occupy space that, notwithstanding the presence of boundary treatments and outbuildings, is otherwise devoid of built form and allows for views across the gardens between the two principal street frontages. Accordingly, and notwithstanding that some side space would be retained and additional landscaping could be provided, the proposal would be an incongruent feature that would detract from the open character of the corner junction. It would, therefore, fail to preserve the unique positive characteristics of the ASLC, contrary to the design guidance set out in the Creating Locally Distinctive Places, Sutton's Urban Design Guide document (Design SPD).
7. Moreover, whilst the principal elevation of the proposed dwelling would align with the front building line on St Alban's Grove, its side elevation would extend significantly closer to Thornton Road than the same elevation on the terraced block opposite, which houses 1-7 St Alban's Grove. Consequently, the proposed development would detract from the uniformity of terraced rows, and the relationships between them, that are characteristic of the prevailing pattern of development in the area.
8. My attention has been drawn to other streets in the locality, including those on Larks Way and Shrewsbury Road, where dwellings have been constructed at a higher density than those nearer to the appeal site. However, the appeal scheme must be considered on its own merits and with regard to the particular context of its surroundings, which include a characteristically open and prominent corner.
9. I conclude that the development would cause harm to the character and appearance of the area. It would therefore be in conflict with policies D3 and D4 of The London Plan 2021 (LonP) and Policy 28 of the Sutton Local Plan 2016-2031 (LP) which, taken together and amongst other things, expect development to be of high-quality design that responds to local character and context. There would also be conflict with Policy 30 of the LP which, amongst other things, expects development to conserve and, where practicable, enhance the characteristics of the ASLC. There would be further conflict with Policy 7 of the LP which, amongst other things, expects the density of development to be suitable to the local character and the characteristics of ASLCs.

Standard of accommodation for future occupiers

10. The ground floor of the proposed dwelling would have an open plan layout, with a kitchen, dining area, and lounge situated within the same room. The space would include multiple windows and a rear door, spread across the front, rear and side elevations of the property.
11. The outlook from the ground floor window in the rear elevation would be towards a triangular shaped area of external amenity space, and beyond that, towards the boundary fence between the proposed dwelling and 224 Thornton Road. However, notwithstanding the proximity of the fence to the proposed

dwelling, its height is such that sight of the sky would still be available from the window. As such, the fence would not have an overbearing or unacceptably enclosing effect, having regard to outlook.

12. Moreover, even if the outlook from the rear window were compromised by the proximity of the fence, compensatory views would be available from alternative windows serving the same internal space.
13. The proposed external amenity space would exceed the minimum space standards set out in Policy D6 of the LonP. However, the Design SPD indicates that a greater quantity of 40sqm of accessible private garden space should be provided for 2-bed houses such as the appeal scheme. Although the proposed garden to the rear would fall short of the Design SPD guidance in terms of its size, it would be compensated for by alternative external amenity space to the side of the dwelling.
14. Notwithstanding that the proposed side garden could be visible from the public realm, it would reflect the wraparound nature of other gardens in the locality. Moreover, any concerns about lack of privacy within the proposed side garden could be mitigated through a condition requiring the retention or enhancement of existing boundary treatments and landscaping.
15. I conclude that the proposal would provide an adequate standard of accommodation for future occupiers, with particular regard to outlook from the proposed ground floor rear window, and private amenity space. Accordingly, there would be no conflict with Policy D6 of the LonP which, amongst other things, expects development to have a high-quality design. There would also be no conflict with Policy 9 of the LP which, amongst other things, expects development to provide an adequate amount of private amenity space.

Other Matters

16. There would be some economic and social benefits arising from the proposed development, including the provision of an additional dwelling within an existing built-up area. The proposal would, therefore, make more efficient use of land and would contribute towards local housing needs. These benefits are supported by the Framework. However, the evidence does not indicate that there is a particular shortage of housing in the locality and, in any event, the contribution that would be made to local housing needs by a single dwelling would be very minor. Accordingly, I attach limited weight to these benefits.

Conclusion

17. Whilst I have found no harm in respect of the standard of accommodation for future occupiers, I have found the development would cause harm to the character and appearance of the 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 that 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