



Appeal Decision

Site visit made on 9 April 2024

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2024

Appeal Ref: APP/P5870/W/23/3331951

3 Taylor Road, Wallington, Sutton SM6 0AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Teresa O'Connor against the decision of London Borough of Sutton.
 - The application Ref is DM2022/02259.
 - The development proposed is erection of a first floor side extension and conversion of the existing property to provide three self contained flats with associated off street car parking, cycle and refuse storage provision at 3 Taylor Road, Wallington, SM6 0AY.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - the effect of the proposed development on the character and appearance of the area,
 - the quality of living conditions for future occupiers with particular regard to garden space to flats 2 and 3,
 - whether the proposed development would result in a suitable mix of housing types with particular regard to the size of the host dwelling,
 - whether the proposal would include suitable energy and water efficiency measures.

Reasons

Character and Appearance

3. Taylor Road is characterised by traditional two storey residential buildings with pitched roofs, and front dormers are not a common feature. Many of the properties are semi-detached. The gaps between dwellings and pairs results in a pleasant sense of spaciousness in this area.
4. 3 Taylor Road is at the end of the road on an irregular shaped plot. This position results in a generous separation from the properties on Parkgate which makes a clearly evident contribution to the gaps between buildings and the spacious character of the area. It is part of a pair of semi detached dwellings. There is an existing single storey side addition which is subservient to the main dwelling due to its size and design and is appropriate to the appearance of the

host dwelling and the surroundings in these regards. Therefore, the adjoining properties have an attractive symmetry and the openness of the area is maintained and these features make a positive contribution to the character of the area.

5. The proposed development would add a substantial first floor extension to the existing side addition which would include projecting front dormer windows along with an additional front door. This results in this part of the building clearly appearing as a two storey element and a separate residential unit.
6. Although the overall height is less than the host dwelling, the siting and combined footprint and storey height would result in the proposed side addition being highly prominent. Furthermore, the front dormers would be a visually jarring feature in this streetscene and would further emphasise the scale and prominence of the proposed extension. This would be the case even though the proposed materials would match the existing property. The extension would unbalance the pair of semi detached properties, harmfully undermining the pattern of development and would considerably erode the important gap in the streetscene between the adjoining properties. As such I do not find that there would be an improvement to the townscape.
7. I understand that the proposed extension has been reduced in size from a previous application, however this does not affect my assessment of the scheme before me now. My attention is drawn to a number of applications where planning permission has been granted that affects semi detached pairs of properties¹. However, the majority of these decisions are somewhat dated and moreover these properties are located some distance from the appeal site and as such would have a different character, appearance and setting. Therefore, they do not alter my decision.
8. Consequently, the proposed development would have a harmful effect on the character and appearance of the area. As such, it would be contrary to policies 10 and 28 of the Sutton Local Plan 2018 (Local Plan) and policy D3 of the London Plan (2021) (London Plan). Together these require that development should not detract from the character of the area, seek a design led approach to development and set criteria to achieve this including that development should respond to existing character.

Future living conditions

9. Policy D6 of the London Plan requires a minimum of 5sqm of private outdoor space for 2 bedroom units where there are no higher local standards. Policy 9 of the Local Plan requires an adequate amount of private amenity space with reference to the guidance in SPD14 – Creating Locally Distinctive Places Sutton's Urban Design Guide (2008) (SPD) which sets a minimum standard of 40sqm for 2 bed houses and 25sqm for flats.
10. The proposed development would provide 21.3sqm of garden area for the occupiers of flat 2 (a 2-bedroom unit over 2 floors), and the occupiers of flat 3 (a 2 bedroom flat) would not have access to any private amenity space. No communal amenity space would be provided.

¹ 2 Birchwood Avenue (D2012/65848 FUL), 238 London Road (DM2020/00253), 61 Beddington Gardens (88/31557), 13 Birchwood Road (85/28003, D2013/68093), 134 London Road (dated 30 May 2013)

11. The proposed development does not include extensions and the limited amount of private external space is all allocated as garden areas. The occupiers of flat 2 would have access to around 21sqm of usable, private outdoor space. Although the area is below the 25sqm requirement, given the site specific constraints of this conversion these occupiers would have access to an acceptable garden area in these circumstances. Nevertheless, the occupiers of flat 3 would not have access to any private amenity space, this would result in poor living conditions for these future occupiers.
12. There are parks in nearby and the proposed units would exceed the minimum internal floorspace standards, however such spaces are not used in the same way as a private garden area and therefore do not provide a replacement for this provision in this case. The appellant has offered to make a financial contribution towards a local park. However, I am not provided with the evidence that such a contribution is related in scale and kind to the proposal, nor a mechanism to secure it. As such this does not alter my conclusions.
13. Therefore, the proposed development would result in an unacceptable quality of living conditions for future occupiers with particular regard to garden space to flat 3. Therefore, the proposed development would be contrary to policy 9 of the Local Plan, policy D6 of the London Plan and the guidance in the SPD, the aims of which are set out above.

Mix of housing types

14. The site is in an Area of Potential Intensification where conversion of dwellings to self contained housing units may be permitted. However, Policy 10 of the Local Plan sets further criteria that should be achieved, which include that the gross internal area of the dwelling, excluding extensions, garages and loft space, must be at least 125sqm. The supporting text explains that this is in order to retain 2 and 3 bedroom market houses which are the most required.
15. The Council have provided historic drawings of the property which show that it has been extended to the rear, and it is also evident that there was no single storey side addition on these plans. The Council have scaled these drawings and state that the dwelling, excluding extensions, has a gross internal area (GIA) of 113sqm.
16. The appellant states that a survey was undertaken of the house and calculates the floorspace as 125.4sqm without the extension, garage or loft space. However, I am not provided with this survey and it is not clear which parts of the property have been included or excluded. I am also provided with drawing ref 714-04 entitled 'existing spaces (in sq.m.)' which shows the gross internal floor area of 178.1sqm but excluding only the single storey side addition. As such I am not provided with persuasive contradictory evidence to the Council's figure. The proposed development would provide a 3 bedroom flat, however it would not provide a 3 bedroom house that the policy is seeking to protect.
17. Therefore, the proposed development would not provide a suitable mix of housing types with particular regard to the size of the host dwelling. As such it would be contrary to policy 10 of the Local Plan, as set out above.

Energy and Water Efficiency

18. No details are provided as to how a reduction in carbon emissions, Sustainable Urban Drainage Systems or suitable water efficiency measures could be

achieved. Whilst conditions may be appropriate to secure the detail of such measures, without any information as to what strategies may be required, I am not satisfied that together such requirements would not require significant changes to the proposal before me now in this case. Consequently, in these circumstances, these matters could not be resolved by condition.

19. As such, the proposal would not include suitable energy and water efficiency measures. Therefore, it would be contrary to policies SI 2, SI 4 and SI 5 of the London Plan 2021 and policies 31, 32 and 33 of the Local Plan. Together these seek to minimise greenhouse gas emissions, reduce carbon emissions, manage heat risk, incorporate SUDs measures and minimise the use of mains water.
20. Policy SI 3 of the London Plan mainly relates to energy infrastructure for large scale or major development and development plans. Therefore, the policies set out above are more relevant to this main issue.

Planning Balance

21. The proposed development would provide an increase of two dwellings on this plot where there is currently a single dwelling in an accessible location in a residential area along with the social and economic benefits associated with this. This would provide an important, but modest contribution to the housing supply in this area.
22. However, I have identified above that the proposal would result in harm to the character and appearance of the area, poor living conditions for future occupiers, an unacceptable mix of housing and would not include acceptable water and energy efficiency measures. Together these multiple harms are significant. As such the modest benefits would not outweigh these significant harms, contrary to the development plan.

Conclusion

23. The proposal would not accord with the development plan and there are no other considerations to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that this appeal should be dismissed.

H Miles

INSPECTOR