



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/23/3323016

29 Waverley Way, Carshalton, Sutton SM5 3LQ

- 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 Mr B Navaratnarajah against the decision of London Borough of Sutton.
 - The application Ref is DM2022/01474.
 - The development proposed is first/second floor extensions to existing detached two storey building.
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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 and on the living conditions of nearby occupiers with particular regard to the light to the garden at 27 Waverley Way.

Reasons

Character and Appearance

3. Waverley Way is mainly characterised by detached and pairs of semi-detached dwellings mainly in brick and render with pitched, hipped tiled roofs in a similar appearance. This results in a pleasant sense of consistency in this road.
4. 29 Waverley Way is a detached two storey commercial building in brick set back from the road, with a hipped pitched roof. It has a single storey side addition adjoining 27 Waverley Way. It is different in appearance to the nearby buildings, however elements such as its two storey height, traditional materials and pitched roof integrate the building with the character of the surrounding area.
5. There is a small commercial area to the east. Although the appearance of this area is different to Waverley Way, the commercial uses are generally within two storey buildings with pitched roofs. Although works were being undertaken at the time of my site visit, I am provided with evidence that the property on the corner of Waverley Way and Beeches Avenue includes a flat roofed side addition. This modest single storey addition appears secondary to the main building and flat roofs are not so common that they are part of the prevailing character of the area.
6. The proposed development would result in a mostly three storey building with a flat roof in zinc cladding. It would remove or harmfully erode many of the

features of the host building which have a positive effect on this streetscene such as the pitched roof, two storey height and traditional materials. The resultant building would have a tall and boxy appearance which would be visually jarring in this context and overall, the proposed additions would result in a dominant extension to this property. Although the building is set back from the road, the proposed additions would be clearly visible from the street and as such this harm would be experienced.

7. Therefore, the proposed development would be harmful to the character and appearance of the area. As such it would be contrary to policy 28 of the Sutton Local Plan 2016-2031 (2018) (LP) which sets criteria to achieve the highest standard of design including that development respects the local context, and is of a suitable scale, massing and height.

Living Conditions

8. 27 Waverley Way has a long rear garden. At present the single storey element of no. 29 adjoins a short length of the garden further back into the plot than the dwelling at no. 27 and is located broadly to the east.
9. The proposed development would extend this part to two storeys. The increase in height in this location is therefore likely to result in some loss of morning light to the adjoining garden. However, given the size of the garden relative to the size of the proposed addition as well as its orientation, based on the submitted evidence, it is likely that the majority of the garden space would receive adequate levels of light. It follows that the effect to properties further away, including no. 25, would be lesser.
10. The proposed additions would be highly visible from the nearby properties in Waverley Way and Beeches Avenue, however considering their location and the size of the existing building, the nearby properties would retain an acceptable outlook and for similar reasons the development would not be overbearing. There would also be an improvement to privacy to some properties as a result of the removal of the first floor terrace.
11. Therefore, the proposed development would not have an unacceptably harmful effect on the living conditions of neighbouring occupiers with particular regard to the light to the garden at 27 Waverley Way. As such it would be in accordance with Policy 29 of the LP which, amongst other things, requires that development should not adversely affect the amenities of nearby occupiers including with particular regard to sunlight, daylight and overshadowing.

Conclusion

12. 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