



Appeal Decision

Site visit made on 6 June 2025

by **S Poole BA(Hons) DipArch MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 June 2025

Appeal Ref: APP/P5870/W/25/3358465

1 Wildes Cottage, Cheam Village, Sutton SM3 8AS

- 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 Charlotte O'Brien against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2024/00692.
 - The development proposed is described on the application form as "Divide the plot at 1 Wildes Cottages & replace the asbestos garage with a detached dwelling and remove the uPVC porch".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) the effect of the proposal on the character and appearance of the surrounding area and the settings of locally listed buildings, and whether it would preserve or enhance the character or appearance of the Cheam Village Conservation Area,
 - ii) the effect of the proposal on highway safety, with particular regard to vehicular access and egress and refuse storage, and
 - iii) whether the proposal would provide acceptable living conditions for future occupiers, with particular regard to internal space standards.

Reasons

Background

3. The appeal property forms one end of Wildes Cottages, a 2 storey terrace of 8 houses dating from the late Victorian period. The terrace features a steeply pitched, slate-clad roof with prominent gables. The terrace has a symmetrical frontage with the 2 end properties stepping forward of the main front building line. It is a well preserved example of traditional architecture which has been identified as an unlisted building of merit and a positive contributor to the character and appearance of the Cheam Village Conservation Area (CVCA). The symmetrical and largely unaltered arrangement of the frontage are matters to which I attach significant weight.
4. The part of the CVCA within which the appeal property is situated derives its significance from the unique pattern of development and the variety of high quality architecture which illustrates the historical evolution of the area. Mature trees and

parkland on the other side of Ewell Road give the area surrounding the appeal property a verdant, village feel.

5. The appeal property occupies a larger plot than the other houses in the terrace and includes a detached garage to the side, beyond which there are Wells Court and Fitzalan Court which were originally part of a dairy and constructed around 1930 in a mock Tudor design. These buildings, which are now housing, are locally listed in recognition of their unique and attractive appearance and positive contribution they make to the character and appearance of the area. The flank wall of Wells Court abuts the side boundary of the appeal site.
6. Planning permission was granted in December 2022¹ for the demolition of the garage and entrance porch and erection of a part one, part two storey side and rear extension together with the conversion of the loft space and formation of dormer extensions to the front and rear. This permission remains capable of implementation. A pair of planning applications for the demolition of the garage and erection of 2-storey houses were refused by the Council and subsequent planning appeals dismissed in November 2024².
7. Although the proposal differs from the approved 2022 scheme and the refused proposals I attribute significant weight to the existence of the potential fall-back development and the observations made by my colleague in the consideration of the appeals.

Character and Appearance

8. The proposal would comprise the demolition of the garage and the erection of a narrow detached part-2 and part single-storey house within the space between the flank walls of the host property and Wells Court. The front building line of the proposal would be set behind that of Wildes Cottages but would be a significant distance forward of Wells Court resulting in an awkward relationship between the ornate Tudor frontage of Wells Court and the close by, largely blank, flank wall of the proposal. This juxtaposition would be jarring and would result in harm to the setting of this locally listed building and the appearance of the street scene.
9. Whilst the frontage of the proposal would mimic the appearance of Wildes Cottages, the rear would be dominated by a boxy full-width flat-roofed dormer. Whilst I note that one of the houses in the terrace features a large rear dormer, this is an anomaly rather than a prevailing feature of the character and appearance of the area and it has resulted in clear harm to the integrity of Wildes Cottages and its surroundings. The bulk and form of the appeal proposal would result in further harm.
10. For these reasons I conclude that, due to its siting, bulk and massing, the appeal proposal would have an unacceptable effect on the character and appearance of the surrounding area and the setting of the neighbouring locally listed building. It would fail to preserve, and result in substantial harm to, the character and appearance of the CVCA. As such the proposal is contrary to Policies 7, 28 and 30 of the Sutton Local Plan (2018) (SLP) and Policies HC1 and D4 of the London Plan (2021) (LP). These policies seek new development that respects the positive

¹ Application ref: DM2022/00704

² APP/P5870/W/24/3338699 and APP/P5870/W/24/3341582

features of Sutton's character, reinforces local distinctiveness and conserves and, where practicable, enhances the borough's historic environment.

Highway Safety

11. The appeal site includes a garage and hardstanding capable of accommodating 2 cars. Whilst the proposal would result in a reduction in the space available to park cars, the creation of an extra dwelling would most likely result in an increase in cars accessing and egressing from the appeal site. Due to the limited amount of space within the site cars would either need to reverse into the site or reverse into the road. It was evident from my site visit that Ewell Road is a heavily trafficked road and therefore the proposal would exacerbate an already poor situation in respect of the safety of road users and pedestrians passing the appeal site.
12. The proposal includes the provision of refuse and cycle storage at the front of the existing and proposed houses. In respect of the latter the hardstanding would be very narrow making it difficult, if not impossible to access the cycle store or to move refuse bins to the edge of the pavement when a car is parked on the hardstanding. The car would need to be temporally parked in the road to allow the bins to be moved to or from the pavement edge thus exacerbating the harm identified above.
13. For these reasons I conclude that the proposal would have an unacceptable effect on highway safety. It therefore fails to comply with SLP Policies 36 and 37 and LP Policy D6 which, amongst other matters, seek to minimise adverse impacts on the highway network.

Living Conditions

14. The proposed dwelling would include a living room and kitchen on the ground floor and 2 bedrooms on the upper floors. The information before me indicates that the total floor area would be significantly below the minimum requirement for a 2-storey 2-bedroom, 4-person dwelling set out under LP Policy D6. In addition, the largest bedroom would fall below the minimum requirement for a double bedroom and the floor to ceiling heights, particularly on the top floor, would be below the minimum requirement. As such the proposal would provide unacceptable living conditions for future occupiers.
15. For these reasons the proposal conflicts with the LP and SLP Policy 9 which states that the Council will not grant planning permission for new residential development which does not meet the internal space standards set out in the London Plan.

Other Matters

16. I note that the proposal would provide an additional housing unit and therefore accords with the aims of LP Policies H1 and H2, which set housing targets and encourage the development of small sites. However, the benefits associated with the delivery of a single housing unit would be modest and are not sufficient to outweigh the harm identified above.

Conclusion

17. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole INSPECTOR