



Appeal Decision

Site visit made on 30 July 2025

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12th of August 2025

Appeal Ref: APP/P5870/W/25/3360420

5 Paisley Road, Carshalton SM5 1SR

- 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 A Dean against the decision of the Council of the London Borough of Sutton.
 - The application Ref is DM2024/01367.
 - The development proposed is described as the 'erection of an attached single storey dwelling with refuse, cycle storage and parking to the front including the extension of an existing vehicle crossover, provision of hard and soft landscaping and alteration to the existing property ground floor front fenestration'.
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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;
 - whether the proposal would provide satisfactory living conditions for the future occupiers having specific regard to the size of the dwelling and the quantity of outdoor amenity space; and
 - whether the proposal would make adequate provisions to reduce carbon emissions.

Reasons

Character and appearance

3. The appeal site comprises 5 Paisley Road (No. 5), a semi-detached dwelling which occupies a prominent corner plot at the junction of Paisley Road and Waltham Road. The surrounding area is predominantly residential in character, including 2 storey terraced and semi-detached properties of a similar appearance. The undeveloped nature of the side garden area to No. 5 contributes to a pleasant sense of openness at the junction, which reflects the spacious character of corner properties nearby.
4. The appeal proposal would see the construction of a single storey attached dwelling to the flank elevation of No. 5. It would project a considerable distance from the host dwelling and would exceed the width of its front elevation. Despite its single storey nature, and resulting subservience in height to No.5, together with

the use of matching materials, the introduction of a new dwelling of the scale and massing proposed in this position would nonetheless be at odds with the pattern and layout of the residential development locally. Consequently, the proposed dwelling would be an incongruous feature which would diminish the sense of spaciousness that currently exists on this corner and would detract from the character and appearance of the area. While views of the proposed dwelling may be localised, this would not undermine the harm which would arise from the proposal.

5. My attention is drawn by the appellant to examples of side extensions and garages at properties nearby. While I do not have full details in respect of the works so I cannot be sure of the circumstances of these cases, these examples appear to relate to development which differs from the appeal proposal, in terms of use, scale and site context and therefore has a different effect upon the character and appearance of the area. In any case, I have determined the appeal on its own merits, based on the evidence before me.
6. For the foregoing reasons I conclude that the proposal would harm the character and appearance of the area. In that regard the proposal would fail to accord with the combined aims of Policies H1, H2 and D3 of the London Plan 2021 (LP) which, among other things, support housing delivery and development which optimises site capacity, including on small sites, provided it enhances local context by delivering buildings and spaces that positively respond to local distinctiveness and responds to the existing character of a place, and the presumption in favour of sustainable development set out in Policy 1 of the Sutton Local Plan 2016-2031, adopted February 2018 (SLP), Policy 28 of the SLP which seeks development of a high quality design which respects the local context and responds to local character.
7. The Council's second refusal reason also alleges conflict with Policy D4 of the LP, which focuses principally upon processes which assist in ensuring the delivery of design quality. However, it is unclear from its submissions as to how specific conflict in that regard would arise.

Living conditions

8. The appeal submissions, including the proposed floor plan, indicate that the single storey dwelling would be a studio, for occupation by a single person. With a gross internal floor area of 44m², this would exceed the minimum gross internal floor area of 37m² required for this type of accommodation, as set out in Table 3.1 of the LP.
9. Future occupiers of the dwelling would be provided with private rear amenity space measuring 8m². While this would be less than the minimum standard of 25m² of private garden space for 1 bedroom units set out in the Council's Urban Design Supplementary Planning Document (SPD), the Mayor of London's Housing Supplementary Planning Guidance indicates that a minimum of 5m² of private outdoor space should be provided for 1-2 person dwellings. I am also mindful that Policy 9 of SLP sets out that in some cases, the minimum standard in the SPD may be considered too onerous.
10. While modest, the outdoor space would nonetheless enable future occupiers of the dwelling to carry out the usual outdoor activities associated with a residential use, such as the drying of clothes or the siting of a table and chairs. In addition, the site

lies a short distance from the St Helier open space, which may meet some recreational needs of future occupants of the dwelling.

11. Having regard to the above considerations, I therefore conclude that the proposed development would provide satisfactory living conditions for the future occupiers having specific regard to the size of the dwelling and the quantity of outdoor amenity space. Accordingly, it would not give rise to conflict with Policy D6 of the LP which requires housing development to be of high quality design and provide adequately-sized rooms or Policy 9 of the SLP which sets out that planning permission will not be granted for new residential development which does not meet the internal space standards set out in the London Plan.

Carbon emissions and water use

12. Policies Policies SI 1 and SI 2 of the LP seek to improve air quality and minimise greenhouse gas emissions. Policy 31 of the SLP sets out that all minor residential developments should achieve at least a 35% reduction in regulated CO₂ emissions on site. It requires all planning applications for new dwellings to be supported by an Energy Statement incorporating 'as-designed' Building Regulations Part L outputs to demonstrate how the relevant targets for reducing CO₂ emissions will be met.
13. The Council contend that, in the absence of an adequate Energy Strategy, there is insufficient evidence to demonstrate that the proposal would provide a satisfactory reduction in carbon emissions. However, the planning application was accompanied by a letter from an Independent SAP Assessor, dated 24 October 2024, which sets out that the regulated CO₂ emissions will be reduced by over 35% and that at least 10% of the energy demand for the proposed dwelling will come from on-site renewable energy. There is no clear reason as to why this could not be achieved or that a condition could not be imposed to secure further details should these be necessary.
14. Consequently, while I am mindful that the Council has declared a Climate Emergency, there is no substantive evidence that a proposal could not incorporate measures to satisfy the policy requirements. As such, I am satisfied that, subject to a planning condition to require the implementation of such measures, the proposal would make adequate provisions to reduce carbon emissions. As such, it would not conflict with Policies SI 1 and SI 2 of the LP or Policy 31 of the SLP.

Other Matters

15. The proposal would offer benefits in terms of housing supply, which is a key objective of the National Planning Policy Framework (the Framework), which seeks to significantly boost the supply of housing, in a location where future occupiers would have access to local amenities, facilities and transport links by means other than the private car. It would also reflect policies in the Framework that recognise the important contribution small sites in particular can make to meeting the housing targets of an area and encourage the effective use of underutilised land and would accord with relevant development plan policies with the same aims. If I were to accept the site is brownfield land, there are also policies within the Framework which weigh in favour of the development, including those which encourage the use of brownfield sites and give substantial weight to the value of using suitable brownfield land within existing settlements for homes.

16. However, the contribution towards housing provision in this case would be tempered by the scale of the development for a single unit.
17. The absence of objection from the occupiers of neighbouring properties or interested parties would not render the scheme acceptable.
18. Furthermore, while I note that the appeal proposal is an amended scheme which sought to address issues previously raised by the Council, I can only assess the current proposal on the basis of the information before me.

Conclusion

19. The harm identified in respect of the first main issue means that the proposal would conflict with the development plan as a whole. There are no other considerations, including the provisions of the Framework, which outweigh this finding to justify granting planning permission contrary to the development plan. The appeal should therefore be dismissed.

E Worley

INSPECTOR