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## Appeal Decision

Site visit made on 6 January 2026

by **G Dring BA (Hons) MA MRTPI MAUDE**

an Inspector appointed by the Secretary of State

Decision date: 15 January 2026

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**Appeal Ref: APP/P5870/W/25/3375304**

**Detached garage to rear of 242 and 242A Collingwood Road, Sutton SM1 2NX**

- 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 R Robinson against the decision of the Council of the London Borough of Sutton.
  - The application Ref is DM2025/00429.
  - The development proposed is change of use from garage into a 1 bedroom dwelling.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. Whilst the appellant has stated that the description of development has not changed since that provided on the application form, a different description is provided on the appeal form. No evidence has been provided identifying that the amended description was formally agreed to by the parties, as such I have used the description provided on the application form in the banner heading above.

### Main Issues

3. The main issues are:
  - the effect of the proposal on the character and appearance of the area;
  - the effect of the proposal on highway safety;
  - whether the proposal would provide satisfactory carbon emission reduction and water efficiency measures; and
  - whether the proposal would provide suitable living conditions for future occupants with regard to the provision of external space and outlook.

### Reasons

#### *Character and appearance*

4. The appeal site comprises two detached single storey garages located to the rear of 242 and 242A Collingwood Road. No 242 is located on the corner of Collingwood Road and Anton Crescent. Properties along the eastern side of this part of Collingwood Road are terraced or semi-detached and two storey, set back from the road and located within fairly deep plots that extend back to Anton Crescent. The appeal site is located on a bend, meaning it has frontage onto Anton Crescent on two sides.

5. Along the western side of Anton Crescent are a wide range of single storey outbuildings which serve the properties that front onto Collingwood Road. Many of the outbuildings have garage doors directly accessible from Anton Crescent, including the appeal site. Whilst the appeal site may have been severed from the rear gardens of No 242 and No 242A, it still reflects the current pattern of development prevalent in the surrounding area, appearing as an area to the rear of two storey dwellings where single storey incidental outbuildings are located. The appeal site is not subject to any heritage designations.
6. The proposal would result in the removal of the smaller detached garage and the conversion of the larger existing garage to a one bedroom dwelling. The scheme would not result in any additional footprint or massing of built form and would make use of an existing outbuilding. Whilst the existing building does reflect the scale and massing of other buildings that sit adjacent to Anton Crescent, I witnessed on site that these all appeared to be outbuildings, not separate dwellings.
7. The proposed dwelling would be single storey, which is at odds with the predominant scale of dwellings in the area. The size of the plot would also be smaller than the majority of those in the surrounding area. The dwelling would be uncharacteristically close to the rear and north eastern side boundary and the front elevation would have a much more limited set back from the road compared with other dwellings in the area. As a dwelling, both the single storey form of the development, coupled with its cramped relationship to its boundaries and plot size would directly contrast with surrounding development resulting in an incongruous character and appearance. Given the nature of the existing building in terms of its use and construction, the conversion scheme would also appear lacking in any features that would provide architectural detailing.
8. Whilst the retention of the existing boundary fence and gates alongside the road would partially screen the proposed dwelling from the south, the insertion of a window in place of the garage door in the north eastern elevation would provide for a more domestic appearance and would be visible from the road. The nature of the use of a dwelling would also be distinctly different to that of an outbuilding. In my view it would result in an obvious anomaly in the street scene and would fail to relate well to its surroundings.
9. I therefore find that the proposal would be harmful to the character and appearance of the area. It would be contrary to Policy 28 of the Sutton Local Plan 2016-2031 February 2018 (SLP) and Policies D3 and D4 of The London Plan March 2021 (TLP). These policies seek, amongst other things, that development delivers good design, with high quality materials and architectural detailing and that it responds to local character. The proposal would also be contrary to Creating Locally Distinctive Places: Sutton's Urban Design Guide – Supplementary Planning Document 14 January 2008, which seeks that future development is high quality and respects and improves local character.

#### *Highway safety*

10. The proposal seeks to use the existing dropped kerb located on Anton Crescent to access the existing driveway. Anton Crescent is restricted to one way traffic movements and a 20 mph speed limit. White lines painted on the road emphasise the presence of the existing access. It appears that both the opening and the dropped kerb are of sufficient width to allow a vehicle to access the driveway. I

noted that there was a vehicle parked on the existing driveway at the time of my site visit. I find it likely that pedestrians would make use of the footpath on the opposite side of the road rather than walking alongside the side boundary of 242 which does not have a footpath in situ.

11. Nevertheless, the use of this access and driveway for a separate dwelling would be likely to intensify its use, given that currently the occupiers of No 242 and No 242A both have driveways to the front of their properties which gives them alternative parking options. The proximity of the fence and gates to the edge of the road in combination with the height of them will have a restrictive effect on the sightlines to the southwest, where vehicles approach from. Whilst only a snapshot in time, during my site visit I noted that there were a number of cars parked to either side of the access, which would also obstruct the views of drivers exiting the appeal site. No evidence has been provided which suggests that the current level of visibility is of a safe standard and no amendments to the boundary treatments are proposed to improve the sightlines.
12. As such, there is insufficient information before me to ensure that highway safety would not be negatively impacted. The proposal would therefore be contrary to Policy 36 of the SLP which seeks, amongst other things, that development proposals should be located to minimise adverse impacts on the highway and that any improvements necessary should be secured and implemented as part of the development. The Council also refers to Policy 37 of the SLP in its second reason for refusal however, this policy relates to car parking standards. There is no dispute between the parties that the provision of one vehicle space, which is proposed, would be appropriate. This is therefore not directly relevant to this main issue.

#### *Carbon emissions*

13. Policy SI 2 of TLP seeks to minimise greenhouse gas emissions. Policy 31 of the SLP requires minor residential development to achieve at least a 35% reduction in regulated CO2 emissions on site. It states that all applications for new dwellings should be supported by an Energy Statement (ES).
14. An amended ES was submitted with the appeal which identifies a reduction in CO2 emissions of 19%, through the use of passive design principles and solar panels. This figure falls short of the requirements of Policy 31 of the SLP. I therefore find, based on the evidence before me, that the proposal would fail to provide satisfactory carbon emission reduction measures. It would therefore be contrary to Policy 31 of the SLP and Policy SI 2 of TLP, the aims of which are set out above.

#### *Water efficiency*

15. Policy SI 5 of TLP seeks to protect and conserve water supplies and resources. Policy 33 of the SLP states that all new dwellings should limit domestic water consumption to 110 litres per person per day, in line with the Government's higher 'optional requirements' for water efficiency set out in Part G of the Building Regulations as amended.
16. Whilst the Council state that no water calculations have been submitted, the submitted ES identifies that total internal water consumption will not exceed 105 litres per person per day and a list of appliances with flow rate and capacities have been provided. There is no clear evidence before me as to why this could not be

achieved or why a planning condition could not be imposed to secure further details should these be necessary.

17. Consequently, I find that there is no substantive evidence that the proposal could not incorporate satisfactory water efficiency measures and I am satisfied that a planning condition could be used to require any further details or implementation measures necessary in this respect. As a result, there would be no conflict with Policy 33 of the SLP or Policy SI 5 of TLP, the aims of which are set out above.

### *Living conditions*

18. Whilst more limited than some outlooks from properties nearby, the large bi-fold doors proposed in the western elevation to serve the kitchen and bedroom would provide clear outlooks over the proposed patio area. Whilst I agree that the external space and parking area would be a more intimate arrangement than is common, it is proposed to screen views of the parking space beyond through the use of mixed shrub planting and it appears there is some space to provide this. As a result, I do not find that the external space nor the particular outlooks from the bi-fold doors would be unacceptably harmful. The bi-fold door serving the kitchen would go some way to compensate for the secondary window serving this space which would have constrained outlooks due to the limited separation distance between the window and the close boarded fence directly opposite.
19. However, the window in the north eastern side elevation that would serve the living room would face directly onto a hard surfaced area adjacent the road where a vehicle was parked at the time of my site visit. It is likely therefore given the relationship with the public realm, that this window would be obscure glazed or the outlooks limited by blinds or curtains in order to protect privacy. The other window serving the living room area would be located in the southern elevation and would have a very limited separation distance to the close boarded boundary fence directly opposite. This window arrangement in the living room area would result in an oppressive relationship and future occupiers would feel a significant sense of enclosure to the detriment of the use of this living space.
20. Overall, I do not find that the proposed arrangement of the external space would be unacceptably harmful, therefore the proposal would accord with Policy 9 of the SLP which seeks, amongst other things, that the provision of private amenity space is adequate. However, I find that the outlook from the proposed dwelling would be substandard which would result in unacceptable harm to the living conditions of future occupiers. Whilst not referred to under the fourth reason for refusal in the Council's decision notice, the Council did find conflict with Policy D6 of TLP in its Officer Report. I also find that the proposal would be contrary to Policy D6 of TLP which seeks, amongst other things, that development is of high quality design and provides comfortable and functional layouts which are fit for purpose.

### **Other Matters**

21. The appellant asserts that the proposal would enhance the range of house types and tenures available in the area, contributing one small dwelling to the housing supply in an area with access to employment, services, facilities and public transport options. I also recognise that there would be some economic benefits during the construction phase and after with future occupants supporting the local economy. Nevertheless, the contribution towards housing provision in this case would be tempered by the scale of the development for a single unit.

22. I note that no concerns were raised by the Council in terms of the effects on the living conditions of neighbouring occupiers. Even if I were to agree, a lack of harm in this respect would weigh neither for nor against the proposal.
23. The absence of objection from the occupiers of neighbouring properties or interested parties does not lead me to a different conclusion on the main issues set out above.
24. I recognise that the initial application sought permission for a one bedroom one person dwelling, whereas later submissions refer to a one bedroom two person dwelling. The Council raise concerns about insufficient internal floor space if the latter were to be implemented. The appellant has confirmed in their final comments that the proposal is for a one bedroom one person dwelling. Nevertheless, given my findings above on the main issues, I will not consider this matter further.
25. Whilst I note that the appellant has confirmed that they are agreeable to the Council's suggested conditions in the event the appeal is allowed, I do not find these would overcome the conflict I have found above.

### **Conclusion**

26. Whilst I have found that the proposal would not conflict with the development plan with regards to water efficiency measures and the arrangement of the external space, I have found conflict in relation to the character and appearance of the area, highway safety, carbon emission reduction measures and the living conditions of future occupants with regard to outlook. Consequently, the proposal conflicts with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I conclude that the appeal is dismissed.

*G Dring*

INSPECTOR