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## Appeal Decision

Site visit made on 3 April 2018

**by Jonathan Price BA (Hons) DipTP DMS MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 May 2018**

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**Appeal Ref: APP/P5870/W/17/3187855**  
**27 Montrose Gardens, Sutton SM1 3BZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Abdol Hossein Zavarehi Ebrahimi against the decision of the Council of the London Borough of Sutton.
  - The application Ref B2017/77337/FUL, dated 8 June 2017, was refused by notice dated 7 August 2017.
  - The development proposed is erection of one bed, one person single storey house.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. On 26 February 2018 the Council adopted the Sutton Local Plan (SLP) which replaces the Core Strategy (2009) and the Site Development Policies DPD (2012). My decision therefore reflects the policies of the current development plan, rather than those extant at the time of the Council's decision.

### Main Issues

3. The main issues are: (i) the effect on the character and appearance of the area, (ii) whether adequate living conditions would be provided for future occupiers, with particular regard to internal living space, and (iii) the effect on the safety and convenience of users of the adjacent public highway.

### Reasons

4. The appeal address comprises a semi-detached house with a flat-roof garage set back towards the rear at the side. The street comprises very similar inter-war suburban housing comprising semi-detached homes. These are quite sparsely arranged with detached garages often either to the side or set back within good-sized gardens. The proposal is to replace the existing garage with a slightly longer, shallow pitched roofed dwelling.
5. The accommodation would be very modest comprising one double bedroom, with an en-suite bathroom, and a combined living/dining/kitchen area. There would be a small garden to the rear fenced off from the remainder of that of the host dwelling. Car parking would share the hard surfaced area already provided to the front and side of the main house. The accommodation could provide for a couple and the one person occupation stated would not be enforceable.

*(i) Character and appearance of the area*

6. SLP Policy 28 requires new development to be attractively designed, respect the local context and respond to local character. The replacement of the garage with a small dwelling, set behind the established building line of the more substantial semi-detached houses, would comprise a cramped and incongruous development, entirely out of character with that along this street and in the wider area. Set back in the site and of a poor quality design this proposal would not respect the context of the housing in this area and have a harmful effect on the consistent suburban character and appearance of the street scene, clearly conflicting with the aims of Policy 28.

*(ii) Living conditions for future occupiers*

7. The one-bedroom dwelling would provide slightly more than 40 m<sup>2</sup> internal floorspace. SLP Policy 9 requires new residential development to meet the internal space standards applied by the London Plan (LP) to provide acceptable living conditions for occupiers. The proposal would provide significantly less living space than the minimum of 50m<sup>2</sup> sought by LP Policy 3.5 for a single-storey, one bedroom dwelling suitable for two people. Therefore the dwelling proposed would cause material harm through not providing adequate living conditions for future occupiers in clear conflict with the objectives of Policy 9.

*(iii) Safety and convenience of users of the adjacent public highway*

8. SLP Policy 37 expects new developments to provide car parking in accordance with the Council's restraint-based, maximum standards. These take into account public transport accessibility levels, existing publicly available parking provision and usage in the vicinity of the site, and the need to deter unnecessary car use while avoiding overspill parking problems. The proposal is in a location with a PTAL rating of 3, indicative of a 'moderate' level of public transport provision. The Council's maximum parking standard for a one-bedroom dwelling is one off-street parking space, with 1.5 car parking spaces required for the existing three or more bedroomed dwelling. The application form indicates the proposal would reduce the number of car parking spaces on the site from three to two.
9. The appellant advises that the on-street parking along Montrose Gardens is unrestricted. From my visit it was evident that the available on-street parking was well used. The proposal would not provide the on-site parking necessary to meet the Council's standards. This would conflict with the aims of Policy 37 and the occupation of the new dwelling would likely increase pressure on the on-street spaces available in the surrounding roads. As a consequence the proposal would result in harm by exacerbating parking stress in the nearby streets, to the detriment of safe and convenient use by other highway users.

**Conclusion**

10. The benefits to housing supply, including the need for less expensive, one-bedroom accommodation, would not outweigh the harm identified. For the reasons set out I conclude the appeal should be dismissed.

*Jonathan Price*

INSPECTOR