

Appeal Decision

Site visit made on 6 September 2016

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 September 2016

Appeal Ref: APP/Z5630/W/16/3152710

99 Ditton Road, Surbiton KT6 6RJ

- 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 Gilbert Andrews, Milverton Nursing Home against the decision of the Royal Borough of Kingston Upon Thames Council.
 - The application Ref 15/16783/FUL, dated 13 September 2015, was refused by notice dated 11 May 2016.
 - The development proposed is for the construction of a first floor rear extension to an existing nursing home to provide additional guest rooms and additional staff facilities.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a first floor rear extension to an existing nursing home to provide additional guest rooms and additional staff facilities at 99 Ditton Road, Surbiton KT6 6RJ in accordance with the terms of the application, Ref 15/16783/FUL, dated 13 September 2015, subject to the following conditions:
2. The development hereby permitted shall begin not later than three years from the date of this decision.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: 1408/000, 1408/100D, 4108/102D, 1408/103B, 1408/202G, 1408/203E and 1408/206D.
4. The facing materials to be used in the construction of the extension shall be as those specified on the application form and the approved plans.

Application for Costs

5. An application for costs has been made in respect of this appeal and is the subject of a separate decision.

Main Issue

6. The main issue in this case is the effect of the appeal proposal on the character of the host building, in accumulation with previous extensions; and whether the proposal would preserve or enhance the character or appearance of the Southborough Conservation Area.

Reasons

7. The subject building is a substantial detached property situated within a low-density predominantly residential street, which comprises generally well conserved, vernacular dwellings on generous plots. The majority of buildings date from between approximately the 1860s to 1930s as highlighted within the Southborough Conservation Area no.4 Guide.
8. The care home has been altered over time, but as a whole, the building is composed of a number of well articulated component parts. The proposed extension would be to the rear of the building, such that any views of this from the street would be oblique. Further, the visual gaps adjacent 97 and 101 Ditton Road would be largely maintained due to the fact that it would be set in from the flank elevations of the main building.
9. At the rear of the appeal building is a contemporary single storey extension of a considerable footprint and with a predominantly flat roof. Whilst the proposal would increase the bulk of the host building at first floor level, this built form would be well within its overall physical spread and would be kept in close proximity with the massing of the main and original range. The extension would be built over the flat roof link to the rear extension and, in itself, would appear subordinate to the whole. Consequently, whilst I acknowledge that cumulatively the subject building has been extended quite significantly, the proposal before me would not materially increase the overall massing of the building. Taking into account the size of its plot which is far larger than any of the immediate dwelling plots, I consider that it would not give rise to an overdevelopment of the site. Furthermore, by virtue of the largely obscured location of the proposal, I find that its impact would not be materially harmful to the host building and would, at the very least, conserve the character and appearance of the Conservation Area.
10. Therefore, I consider that the proposal would not lead to any form of harm to the significance of a designated Heritage Asset. It complies with the general spirit of the National Planning Policy Framework, including one of its core planning principles which is to conserve Heritage Assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. The Council has not explained how the proposal conflicts with their Residential Design SPD (2013). However, I find that the proposal complies with Policies CS8 and DM10 of the Kingston Upon Thames Core Strategy 2012 which require the primarily suburban character of the Borough to be protected and existing buildings and areas of high quality and historic interest protected from inappropriate development, as well as requiring the character and local distinctiveness of a street or area at the very least to be maintained with respect to, amongst other things, scale, layout, height, form and massing.

Other Matters

11. I acknowledge the frustrations of third parties with regard to some of the accuracy of the submissions, including facts as to whether or not there are other nursing homes within Ditton Road. However, these are not material to the proposal, with the Council's reasons for refusal centring upon matters of character and appearance rather than principle.

12. I also note reference to the economic growth argument, but as I have found no harm to the significance of the designated Heritage Asset, it is not necessary for me to weigh up the public benefits of the proposal, with the proposal complying with the Development Plan and National Policy. I consider, due to the presence of the existing two and a half storey main range and the relatively compact nature of the first floor rear extensions, that the proposal would not give rise to a material level of overlooking or overshadowing upon adjoining neighbouring residential properties.

Conclusion and Conditions

13. For the reasons given above, and having regard to all other matters raised by third parties, I conclude that the appeal should succeed.
14. Other than the standard time limit condition the Council has recommended that conditions requiring the development to be carried out in accordance with the approved plans, as well as facing materials to be used in the construction of the building to be as those specified within the application form and drawings to be imposed. I consider in the interests of the character and appearance of the surrounding area that these are appropriate conditions. However, as no permitted development rights exist for the insertion of additional windows within a care home, it is not necessary to impose the Council's suggested fourth condition.

C J Tivey

INSPECTOR