

Appeal Decision

Site visit made on 8 November 2016

by Helen Hockenhull BA(Hons) B.PI MRTPI

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

Decision date: 22 November 2016

Appeal Ref: APP/Z5630/D/16/3155611

72 Aragon Road, Kingston upon Thames KT2 5QD

- 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 Sam Haque against the decision of the Council of the Royal Borough of Kingston upon Thames.
 - The application Ref 16/12474/HOU, dated 4 May 2016, was refused by notice dated 8 July 2016.
 - The development proposed is the erection of a 2 storey /single storey side extension for a 2 storey end terrace Tudor type house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of part two storey/part single storey side and rear extensions at 72 Aragon Road, Kingston upon Thames KT2 5QD in accordance with the terms of the application, Ref 16/12474/HOU, dated 4 May 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 1609-E-01 – Existing Plans, Elevation and Section, Drawing No. 1609-P-01 Revision 004 – Proposed Plans, Elevation and Section.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The description I have used in the banner heading is that provided on the original planning application form. The appeal form states that this has not changed however a slightly different wording has been entered. As this better reflects the development proposed I have used this description in my decision.

Main Issues

3. The main issues in this case are:
 - the effect of the development on the character and appearance of the area;
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- the effect of the development on the living conditions of the occupants of neighbouring properties with particular regard to outlook and daylight.

Reasons

Character and appearance

4. The appeal property forms a two storey end terrace mock Tudor style house with a hipped roof located in a residential area of similarly designed dwellings. The property has existing front and rear bay windows and single storey side and rear extensions. It is located in an area designated as a Local Area of Special Character.
5. It is proposed to erect a part two storey part single storey side and rear extension. The proposal would in effect create a double fronted dwelling. The appellant has brought my attention to a number of other corner plots in the locality where similar two storey side extensions have been implemented. I observed a number of these on my site visit. These developments establish the principle of two storey side extensions in the area.
6. The property occupies a corner plot and has a good size side and rear garden area. The dwelling lies at an angle to the side boundary fence so that the extension would be sited around 0.5 metre at its closest point extending to about 3.3 metres away at its furthest. Having regard to the proximity of other extended corner dwellings to their side boundary, I consider that the siting of the proposal would be acceptable.
7. The proposed design reflects the mock Tudor style to the host property and the terrace row as a whole. It maintains the regular pattern of bay windows and respects the proportions and symmetry of the front facade of the existing terrace. The proposal also includes the alteration of the existing hipped roof to a gable. The Design and Access Statement submitted by the appellant to accompany the planning application provides photographs of a number of semi-detached and end terrace houses within the wider Tudor Estate that have altered a hip roof to a gable. I noted examples of this on my site visit. As a result I consider that the proposed roof design would not be out of keeping with other properties in the area.
8. Consequently I consider that the appeal proposal would be acceptable in terms of its siting, overall size, and design. It would complement the existing property, be acceptable in the street scene and cause no material harm to the character and appearance of the Local Area of Special Character. The development would therefore comply with Policies CS8 and DM10 of the Kingston Local Development Framework Core Strategy 2012. These policies aim to protect the character of the Borough and secure high quality design.

Living conditions

9. The Council has raised concern that the development would affect the living conditions of the occupiers of the neighbouring property, No 70 Aragon Road, as a result of loss of outlook and daylight. The rear extension aligns with an existing single storey rear extension at this neighbouring property. There would therefore be no impact on ground floor windows in terms of light or outlook.

10. It is confirmed by the appellant that the closest first floor window to the appeal proposal forms a bathroom with a bedroom window beyond. I consider that the proposed two storey extension, whilst it would be offset the property boundary, would have the effect of reducing light to this bathroom window. This window does not however form a habitable room where a higher standard of amenity would be expected. Some loss of light to this window would therefore not be unacceptable.
11. With regard to the bedroom window, I note the 45 degree line illustrated on the plans by the appellant to show that daylight would not be adversely affected to this window. It is unfortunate that the plans do not illustrate the precise position of the window concerned. However having considered the plans and undertaken a site visit, I am satisfied that having regard to the distance from the flank wall of the proposed extension to this window, that the proposal would not have a significant enclosing or overbearing effect. The proposal would not adversely affect outlook or materially affect the level of daylight to this window.
12. I therefore consider that the appeal proposal would not cause harm to the living conditions of the occupants of the neighbouring dwelling. It would comply with Policy DM 10 of the Kingston Local Development Framework Core Strategy 2012 which aims to promote the principles of good design and ensure that development has regard to the amenities of occupants and neighbours.

Conclusion

13. I have found that the appeal proposal would not cause harm to the character and appearance of the area or the living conditions of the occupiers of neighbouring dwellings.
14. For the reasons given above and having regard to all other matters raised I allow this appeal and grant planning permission subject to conditions that are necessary for the avoidance of doubt and in the interest of proper planning and to safeguard the character and appearance of the area.

Helen Hockenhull

INSPECTOR