The Planning Inspectorate

Appeal Decision

Site visit made on 20 December 2016

by F Rafiq BSc (Hons), MCD, MRTPI

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

Decision date: 11th January 2017

Appeal Ref: APP/Z5630/D/16/3160117
12 Liverpool Road, Kingston Upon Thames, KT2 7SZ

- 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 Christopher Waite against the decision of the Council of the Royal Borough of Kingston Upon Thames.
- The application Ref 16/14779/HOU dated 28 July 2016 was refused by notice dated 26 September 2016.
- The development proposed is the demolition of the existing garage, erection of two storey side extension to include garage at ground floor and habitable accommodation at first floor.

Decision

1. The appeal is dismissed.

Procedural Matter

2. In the interests of conciseness and accuracy, I have adopted the description on the Council's decision notice.

3. The existing garage had been demolished at the time of my visit and I have considered the appeal on this basis.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Liverpool Road Conservation Area.

Reasons

5. The appeal property is a large detached Victorian villa located on the south side of Liverpool Road. It is situated within the Liverpool Road Conservation Area which consists of a variety of large detached and semi-detached houses. The individual design of the houses, which have a varied form and architectural detailing, as well as the setback and spacing between buildings, contribute to the special character of the Conservation Area.

6. The appeal development, following the demolition of the garage, seeks permission for a two storey side extension with the design detailing and materials to match the existing house. I note the substantial size of the main dwelling in relation to the proposal and that the eaves of the proposed

extension would be lower than the head of the existing ground floor windows ensuring that the appeal development appears subordinate to the existing house. Reference has also been made to a previous approval for a garage of an increased width. Despite the limited increase in height of the extension over the garage that has approval and the garage which existed prior to its demolition, this proposal would be for a two storey development that would extend the dwelling up to the side boundary of the appeal site with No. 10. Given this, I do not consider that the 1.75m set back from the front elevation of the existing dwelling would be sufficient to provide an adequate visual gap and prevent a noticeable terracing effect due to the height and width of the extension proposed.

7. I acknowledge that the appeal property would retain an individual style but this would not outweigh the harm that I have identified to the Conservation Area by way of the terracing effect arising from the proposal. The appeal property is not listed, and the appellant has made reference to the Planning Practice Guidance[1], which states that an unlisted building that makes a positive contribution to a Conservation Area is individually of lesser importance than a listed building. However, a Conservation Area is nevertheless a designated heritage asset, which Paragraph 132 of the National Planning Policy Framework (Framework) states, that in the consideration of the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation.

8. I note that other properties in the area have been subject to a variety of extensions including where a garage is directly attached to the main house. I am not aware of the full circumstances of the referenced cases and from the information provided and my site observations, these examples show a considerable variance in their design and form, with the examples that contain a garage at ground floor and accommodation above, generally having a greater setback from the front elevation of the respective property. Each application and appeal requires consideration on its own merits and I can confirm that I have considered the appeal before me on its own circumstances.

9. I conclude that the proposed development would fail to preserve or enhance the character and appearance of the Liverpool Road Conservation Area. This would be contrary to Policy CS 8, DM 10 and DM 12 of the Council's Core Strategy and The London Plan Policies 7.4, 7.6 and 7.8. It would also be contrary to Section 12 of the Framework, which seeks to conserve or enhance the historic environment.

10. In relation to designated heritage assets, paragraph 134 of the Framework indicates that where there would be harm that is less than substantial, as in this case, it must be weighed against the public benefits of the proposals. The proposal would make a positive contribution to the Conservation Area by replacing unsympathetic brick materials and roller shutters on the now demolished garage and replacing with a traditional brick external facing material and wood and glass panel garage doors. I do not however consider that these factors would outweigh the harm I have identified to the Conservation Area.

[1] Paragraph: 018 Reference ID: 18a-018-20140306

Other Matters

11. The appeal development would be located close to the neighbouring dwelling at No. 10 Liverpool Road but as it would be positioned to the side of and set against the large main property, I do not consider that there would be any unacceptable impact on the neighbours outlook.. The lack of harm arising from the appeal proposal in this respect or in relation to other matters such as access are however neutral considerations and not benefits of the development.

Conclusion

12. For the reasons given above and having considered all other matters raised, including the appellant seeking to provide a decent sized garage and additional living accommodation and representations objecting to the proposal, I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR