

Appeal Decision

Site visit made on 31 January 2017

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 6 February 2017

Appeal Ref: APP/Z5630/D/16/3164181

1 High Drive, Kingston upon Thames, KT3 3UJ

- 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 Elshad Huseynov against the decision of the Council of the Royal Borough of Kingston upon Thames.
 - The application Ref 16/14949/HOU, dated 13 September 2016, was refused by notice dated 15 November 2016.
 - The development proposed is change roof to accommodate rooms in loft, ground floor rear extension to kitchen, change all windows, render all external walls and paint.
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Decision

1. The appeal is allowed in part and permission is granted for a ground floor rear extension to kitchen at 1 High Drive, Kingston upon Thames, KT3 3UJ in accordance with the terms of the application, Ref 16/14949/HOU, dated 13 September 2016, subject to the conditions set out in the attached schedule.

Procedural Matters

2. For clarity, permission is only granted for that part of the development referred to under the decision above. The appeal is dismissed in so far as it relates to other matters.
3. The Council states that the single storey rear extension would be acceptable in terms of design and finds no other harm arising from this part of the proposal the subject of this appeal. Consequently, the appeal is allowed in respect of the ground floor rear extension to kitchen.

Main Issue

4. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal property is a two storey detached dwelling. It is located in a residential area, comprising largely detached two storey dwellings and dormer bungalows, of varying styles.
 6. Houses are set back from the street behind gardens and/or parking areas and have larger gardens to the rear. This, along with the presence of occasional street trees, provides the area with a green and spacious quality.
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7. During my site visit, I observed that a number of properties in the area have been extended and/or altered and that generally, such changes appear in keeping with local character. Whilst the neighbouring property to the appeal site, No 1a High Drive, has prominent and to some degree, unusual, rear-facing dormers, the overall scale of roof-level development at that property is significantly less than that proposed as part of the application the subject of this appeal.
8. Three front and three rear dormer windows are proposed to the appeal property, which currently has a long hipped roof slope. This would transform a modest roof into a large and prominent feature. The presence of three dormers to the front of this altered roof, in a street where no such front-facing dormers exist, would result in an incongruous form of development.
9. Furthermore, the dominant appearance of the proposal would be exacerbated as a result of the proposal to incorporate three dormers to both the front and to the rear of the roof. This would add a significant scale of development to the host property at roof level such that it would result in the proposal drawing attention to itself as an awkward and overly-bulky feature, resulting in the appeal property appearing top-heavy and unbalanced. The proposal would fail to appear as a subordinate addition to the host property and would draw attention to itself as an unduly dominant development.
10. Taken all of the above into account, the proposal would harm local character, contrary to the Framework, London Plan (2015) policies 7.4 and 7.6, Core Strategy¹ policies CS08 and DM10, and the Council's Residential Design Supplementary Planning Document (2013), which together amongst other things, protect local character.

Conditions

11. I have considered the conditions suggested by the Council against the six tests set out in paragraph 206 of the Framework. A condition relating to the relevant plans is necessary for the avoidance of doubt and in the interest of proper planning.
12. A condition controlling materials is necessary to protect local character.

Conclusion

13. For the reasons given above, whilst the appeal succeeds in respect of the ground floor rear extension, it is dismissed as far as it relates to other matters.

N McGurk

INSPECTOR

¹ Royal Borough of Kingston upon Thames Local Development Framework Core Strategy (2012).

**Schedule of Conditions attached to
Appeal Decision APP/Z5630/D/16/3164181
1 High Drive, Kingston upon Thames, KT3 3UJ**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as they relate to a ground floor rear extension to kitchen: P/eR2 and P/L1R.
- 3) The materials to be used in the external surfaces of the building shall match those used in the existing building.
