

Appeal Decision

Site visit made on 3 May 2017

by D Cramond BSc MRTPI

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

Decision date: 17 May 2017

Appeal Ref: APP/L5810/D/17/3171179

318 Kew Road, Kew, Surrey, TW9 3DU

- 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 Ms Jennifer Powers against the decision Richmond Upon Thames London Borough Council.
 - The application Ref 16/4624/HOT, dated 29 November 2016, was refused by notice dated 14 February 2017.
 - The development proposed is a new first floor rear extension above existing kitchen.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on, firstly, the character and appearance of the host property and the locality and, secondly, on the living conditions for neighbours.

Reasons

3. The appeal property is a two storey end of terrace dwelling with existing and approved accommodation at roof level and a single storey flat roofed projection across the rear. The dwelling is of unusual design but sits comfortably as one of a variety of homes that front this south west stretch of Kew Road and it adds to the established character and pleasing appearance of the locality. The proposal is as described above and would provide for an additional bedroom with a flat roof and external dimensions of about 3 x 5 metres which would run across the width of the dwelling at first floor level.

Character and appearance

4. The site lies within the Kew Green Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Policy DM HD1 of the Council's Development Management Plan (DMP) reflects this and adds more detail about further Council actions intended to ensure the safeguarding of these heritage assets.
 5. Good practice is usually that extension work to properties should be of a subservient and harmonious nature such that the original form of the dwelling can still be appreciated. Unfortunately this scheme would meet neither criteria.
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The works before me, which as noted above would run across the whole width of the dwelling at first floor level, would pay little regard to the overall bulk, mass, style, architecture or roof form of the original dwelling and reflect very little of the local idiom in these regards. The scheme would be 'block-like' and would appear as an over-developed and ill-judged addition to the original home detrimental to its character, appearance, proportions and setting.

6. Whilst I agree with the Appellant and the Council's appraisal that the overriding quality of the Conservation Area stems from the linear relationship between the street frontages and the wall to the Royal Botanic Gardens there is nevertheless the need to have regard to the protection of other elements which form the whole. To my mind this would include seeking to maintain architectural integrity on the rear or side views of properties whether widely available to public gaze or not. The scheme before me lacks suitable subtlety of design or scale and the resultant impact on the Conservation Area adds to my concerns within this first main issue.
7. Policy CP7 of the Council's Core Strategy (CS) and Policy DM DC1 of the DMP are relevant. Taken together they call for, amongst other matters, protection of local distinctiveness with high quality design and suitable scale and massing sympathetic to the host building and its wider setting. This is reflected in the objectives of the Council's SPD 'House Extensions and External Alterations' (2015) (SPD) albeit this document cannot be expected to cover every eventuality. I conclude that the proposal would conflict with the cited development plan policies and purposes of the guidance. It would also run contrary to the aims of S72(1) of the Act and Policy DM HD1 of the DMP because there would not be preservation or enhancement of character or appearance of the Conservation Area.

Living conditions

8. The scheme would be of considerable scale and run directly along part of the shared rear boundary line with No 316 Kew Road. Outlook for these neighbours would be reduced by the massing and proximity of the development with its substantial vertical wall and the use of their garden area would feel less comfortable by the sheer bulk of building which would diagonally face them along with its sizeable and proximate additional window. Amenity for occupiers of No 316 would markedly reduce.
9. CS Policy CP7 and DMP Policy DM DC5 seek, amongst other matters, to prevent harm to the amenities of neighbours. I conclude that this scheme would run contrary to these policies for the reasons I have given; it would also conflict with the parallel objective of the SPD.

Other matters

10. I do sympathise with the wish for additional accommodation. I can see that extension works have taken place on some nearby properties but they do vary from the scheme before by reason of, for example, their style, scale and location. They do not point to a precedent for the case in hand which must be judged on its own merits in the light of the precise nature of the scheme, the dwelling itself and planning policies which now prevail. I note that neighbours support the scheme. However on the matter of protection of amenities for any neighbouring dwelling I have to look to the long term. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issues identified above.

11. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal would lead to less than substantial harm to the significance of the designated heritage asset however what public benefits there would be, such as construction employment, would not outweigh this harm. Furthermore there are no other benefits, including to the Appellant, which to my mind would be of a scale to outweigh the harm to the Conservation Area which I have identified.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on the character and appearance of the host property and the locality and on the living conditions of neighbours. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR