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## Appeal Decision

Site visit made on 9 May 2017

**by Daniel Hartley BA Hons MTP MBA MRTPI**

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

**Decision date: 18 May 2017**

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**Appeal Ref: APP/Z5630/D/17/3170307**  
**41 Parkside Crescent, Surbiton KT5 9HT**

- 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 Graham Franklin against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
  - The application Ref 16/16572/HOU, dated 1 August 2016, was refused by notice dated 13 January 2017.
  - The development proposed is an extension to the side and rear of the property to create two additional bedrooms and an open-plan living space.
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### Decision

1. The appeal is dismissed in so far as it relates to the extension to the side. The appeal is allowed in so far as it relates to the extension to the rear, and planning permission is granted for an extension to the rear at 41 Parkside Crescent, Surbiton KT5 9HT in accordance with the terms of the application Ref 16/16572/HOU, dated 1 August 2016, so far as relevant to that part of the development hereby permitted, and subject to the following conditions:
  - 1) The development hereby permitted shall begin no later than 3 years from the date of this permission.
  - 2) The development hereby approved shall be carried out in accordance with the following plans: 1:1250 site location plan; revised roof plan; revised NW elevation; revised ground floor plan; revised rear elevation and revised SE elevation.
  - 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.
  - 4) The roof of the single storey rear extension hereby permitted shall not be converted or used as a balcony or a sitting out area, and no access shall be gained except for maintenance purposes.

### Main Issue

2. The main issue is the effect of the proposal upon the character and appearance of the area.
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## Reasons

3. The appeal site comprises a detached dormer bungalow which is positioned on a well-established housing estate where there is a mixture of detached and semi-detached properties which differ in terms of scale and design. However, and whilst there are some exceptions, there is generally a regularity of open gaps between residential properties (particularly at first floor level) and this adds positively to the character and appearance of the area.
4. The flat roofed single storey rear extension would project just less than 5 metres from the rear of the property. Despite the conflict with the Council's adopted Residential Design SPD 2013 (SPD), which would normally restrict such development to a maximum 4 metre projection, I agree with the Council that the proposed rear extension would be proportionate in scale with the house and would not cause material harm to the living conditions of the neighbouring residential properties in respect of light, outlook and privacy. I reach this view, taking into account the position of the detached garage belonging to No 43 Parkside Crescent, the rear building line of 39 Parkside Crescent, the set back from the boundary with No 39 Parkside Crescent and the demolition of the detached garage belonging to the host property.
5. The two storey side extension would be built in very close proximity to the boundary with No 39 Parkside Crescent. Given its height, position and close relationship with the neighbouring property, I consider that such development would have the effect of creating a dwelling which appears cramped within its plot and which significantly detracts from the sense of space which currently separates the two residential properties.
6. Given the above, I consider that the host property and No 39 Parkside Crescent would appear like semi-detached properties when viewed from the street and that the two storey side extension would not appear subordinate in scale with the host dwelling. I acknowledge the appellant's references to other examples of side extensions in the area (i.e. in Parkside Crescent and also 47 Elmbridge Avenue and 80 Greenfield Avenue) which have been built close to the boundaries with neighbouring properties. However, these are not identical to the appeal proposal and, in any event, they are the exception rather than the norm. I do not know the exact circumstances which led to these developments being built, but their existence does not alter my overall view about the general character and appearance of Parkside Crescent.
7. My above concerns are compounded by the fact that the proposed hip to gable roof would significantly depart from the design symmetry that exists for the host property. I acknowledge that the property has been extended previously and includes large box dormers which have not enhanced the appearance of the original house. However, given the design, scale and position of the proposed roof, I consider that it would cause harm to the appearance and symmetry of the house and hence would be viewed as an incongruous addition when viewed from Parkside Crescent. This is an overriding concern and is not outweighed by the proposed loss of the box dormers.
8. For the collective reasons above, I conclude that whilst the single storey rear extension would be acceptable in planning terms (despite the aforementioned conflict with the SPD), the two storey side extension would have a significantly detrimental impact upon the character and appearance of the area. Therefore, the two storey side extension would not accord with the design aims of Policies

CS8 and DM10 the adopted Royal Borough of Kingston Upon Thames Local Development Framework Core Strategy 2012 and the SPD.

### **Conditions**

9. The following conditions relate only to the single storey rear extension. Planning permission is granted subject to the standard three year time limit condition. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect. In the interests of the character and appearance of the area, a planning condition is necessary relating to materials. In the interests of the living conditions of the occupiers of neighbouring residential properties, it is necessary to impose a planning condition relating to use of the flat roof.

### **Other Matters**

10. I have taken into account the representation made by another interested party. Given the position and scale of the proposed development, I do not consider that it would result in a material loss of light to neighbouring residential properties.
11. The appellant has indicated that it would be possible to erect a flat roofed single storey extension to the side without the need for planning permission. They indicate that such development would not improve the appearance of the house. Even if it were possible to erect such an extension utilising permitted development rights, the appellant has commented that they aim to improve the appearance of the property. I therefore have my doubts as to whether such an extension would be built. In any event, such a proposal would be much different in overall scale than the appeal proposal and, at the very least, it would maintain a sense of space between properties at first floor level.
12. None of the other matters raised alter or outweigh my conclusion on the main issue.

### **Conclusion**

13. The appeal proposal includes a number of different elements. The single storey rear extension is acceptable. This development is clearly severable from the remainder of the scheme, as it is physically and functionally independent. Therefore, I shall issue a split decision in this case, and allow the single storey rear extension.
14. In respect of the side extension, I have concluded that this would have a detrimental impact on the character and appearance of the area. Therefore, and taking into account all other matters raised, I dismiss the appeal in respect of the side extension.

*Daniel Hartley*

INSPECTOR