The Planning Inspectorate

Appeal Decision

Site visit made on 13 June 2017

by Rory MacLeod BA MRTPI

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

Decision date: 11th July 2017

Appeal Ref: APP/Z5630/D/17/3171439
3 Vale Cottages, Kingston Vale, London SW15 3RW

- 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 Xiaoming Sun against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
- The application Ref 16/15209/HOU, dated 21 November 2016, was refused by notice dated 24 February 2017.
- The development proposed is replacement of UPVC glazing with hardwood glazing; roof extension to rear of property; re-modelling of front porch; ground floor rear extension; conservation roof-lights to roof; French doors and Juliette balcony to rear elevation.

Decision

1. The appeal is dismissed.

Procedural Matter

2. Planning permission has been granted previously for the various developments that encompass the proposal apart from the roof extension to the rear of the property and the French doors and Juliette balcony. The reason for refusal of the application relates solely to the rear roof extension and so my deliberations relate primarily to the planning merits of this part of the proposal.

Main Issue

3. The main issue is the effect of the rear roof extension on the character and appearance of the existing building, on the character and appearance of the Kingston Vale Conservation Area and on the setting of the listed boundary wall to Richmond Park.

Reasons

4. The appeal site comprises a two storey mid-terraced house with a rear garden that backs on to Richmond Park. The terrace, 1-8 Vale Cottages, has been designed with distinctive roof features. The front walls of the outer pairs, nos. 1 & 2 and 7 & 8, are continued vertically to form a prominent large gable rising to the height of the roof ridge at both ends of the terrace. By contrast, the centre houses, nos. 3-6, have at the front smaller, individual gables over the first floor window on a recessed building line. At the rear of the terrace, the centre four houses each have a similar small gable over a centrally positioned rear window. These gable features are positioned low on the rear roof slope, just above eaves level, and each has a short 'cat-slide' roof on one side over an

original rear projection. Some houses in the terrace have had roof lights inserted but these do not detract from the pleasant appearance and symmetry of the roof form to the terrace as a whole.

5. The terrace is centrally located within the Kingston Vale Conservation Area. This includes other cottages and newer buildings of flats that also front Kingston Vale and back on to Richmond Park. The guide to the conservation area describes its special character as an early Victorian village made up of an eclectic mix of mainly small-scale housing and community uses. Vale Cottages are expressly identified in the guide and make an important contribution to the special character.

6. There is a brick wall about 2.5 metres high along the boundary of Richmond Park with the properties fronting Kingston Vale; the wall is a Grade II listed building and also forms part of the Kingston Vale Conservation Area. The land within Richmond Park to the rear of the site is part of a separate conservation area and is also designated Metropolitan Open Land (MOL).

7. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty for decision takers, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same act sets out a duty with respect to any buildings or other land in a conservation area, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 132 of the National Planning Policy Framework states that great weight should be given the conservation of designated heritage assets.

8. It is proposed to replace the small rear gable at 3 Vale Cottages with a new gable. This would rise to the height of the terrace's roof ridge and would occupy almost the full width of the property. It would be significantly larger than the existing structure, and would include an additional window at second floor level. The roof slopes to the side of the new gable would be steeper than those on the gables to the main roof ridge elsewhere on the terrace. The resulting size and proportion of the new addition would therefore differ markedly from the scale and character of other gables and roof features at Vale Cottages. It would be seen as a conspicuous and discordant addition when viewed from rear gardens along this side of Kingston Vale. As such, the development would unacceptably harm the character and appearance of the existing building and would fail to preserve or enhance the character of the Kingston Vale Conservation Area.

9. There would be a separation of approximately 40m between the roof extension and the listed boundary wall. The significance of the listed wall derives from its height and uniform appearance as an enclosure to Richmond Park and from its historic associations. The presence of trees within some back gardens to Vale Cottages and in Richmond Park itself would restrict views of the proposed roof alterations from many positions within the Park. Even from the few locations within the Park in which the proposal would be seen as a skyline feature over the listed wall, given the overall separation between the two, the proposal would be perceived as a distant and unrelated feature. In my opinion the

proposal would have a neutral effect and in this respect would preserve the setting of the listed wall.

10. Policy CS8 of the Royal Borough of Kingston upon Thames LDF Core Strategy (Adopted April 2012) seeks to protect areas of high quality and historic interest from inappropriate development. Policy DM10 promotes principles of good design whilst Policy DM12 guides development in conservation areas and affecting heritage assets. The proposed roof extension would not respect the character and appearance of the terrace as a whole and its contribution to the special character of the conservation area. The proposal would thereby be in conflict with these development plan policies. It would also be contrary to the provisions of the Royal Borough of Kingston upon Thames Residential Design SPD (Adopted July 2013) that provides guidance on a range of developments including roof extensions.

11. I have noted the presence of rear dormers to other buildings in the surrounding area and gable roof features at Fusion Court to the north-east of Vale Cottages, similar to that now proposed at the appeal site. However, Fusion Court is a more recent building of flats with a design, different to that at Vale Cottages, that incorporates several such gables. The appellant asserts that whilst the proposed extension is steeper in pitch than the existing front gables, it is not at all atypical or incongruous with this period of property. I have nonetheless found that the proposal would be out of keeping with the character and appearance of the existing building and with the terrace at Vale Cottages as a whole.

12. The appellant has pointed to the current state of disrepair to the appeal building and an intent to make several improvements to provide additional living space to suit present and future personal requirements. Materials have been selected to match the original condition and internal access would be improved within the building. However, these benefits do not outweigh the harm that I have identified in relation to the effect of the development on designated conservation area, an issue to which I have to accord substantial weight having regard to the statutory duty set out in paragraph 7.

Other Matters

13. The proposal also includes the provision of inward opening French doors and an associated Juliette balcony to replace the existing window at first floor level in the rear elevation. The Local Planning Authority raises no objection to this part of the proposal, having granted permission for such changes to other properties in the terrace. I have no reason to disagree with this assessment.

Conclusion

14. The rear roof extension would not have an adverse effect on the setting of the listed boundary wall to Richmond Park, given the separating distance between the two. However, the rear roof extension would detract from the character and appearance of the existing building and would not preserve or enhance the character and appearance of the Kingston Vale Conservation Area. Therefore the appeal should be dismissed.

Rory MacLeod

INSPECTOR