



Appeal Decision

Site visit made on 31 October 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 10 November 2017

Appeal Ref: APP/Z5630/D/17/3179141

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 17/14453/HOU, dated 6 April 2017, was refused by notice dated 23 June 2017.
 - The development proposed is described as the erection of hip to gable roof extensions, new roof, raising ridge height, veluxes to the front and dormers to rear.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of a hip to gable roof extension and three rear dormers and five front roof lights to facilitate a loft conversion. The appeal is allowed insofar as it relates to the erection of a single storey rear extension at 1 High Drive, Kingston upon Thames KT3 3UJ, in accordance with the terms of the application, Ref 17/14453/HOU, dated 6 April 2017, and the plans submitted with it, so far as they are relevant to erection of the single storey rear extension hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans only in so far as they relate to the erection of a single storey rear extension: P/eR3 and P/L2R.
 - 3) The materials to be used in the external surfaces of the building shall match those used in the existing building.

Procedural Matters

2. The submitted plans show a ground floor kitchen extension although this is not included in the description of the proposed development as contained on the planning application form. The Council changed the description of the application from that contained on the application form to 'erection of hip to gable roof extension and three rear dormers and five front roof lights to facilitate loft conversion. Erection of single storey rear extension'.
3. I am aware that the previous appeal decision (Ref APP/Z5630/D/16/3164181) granted planning permission for the erection of a single storey rear extension at the appeal property. However, I have no evidence to confirm whether or not

the single storey rear extension granted planning permission in that appeal is the same as that proposed in this case. I have therefore determined the appeal on the basis of the plans submitted with the application and the amended description of the development which were considered by the Council. In light of these matters, I have also used the amended description as this is a more accurate description of the development proposed.

4. 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. I have no reasons to disagree with the Council's view. Consequently, the appeal is allowed in respect of the ground floor rear extension.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

6. The appeal property comprises two storey, hipped roof detached dwelling positioned close to the junction of High Drive with Combe Lane West. Although there are chalet bungalows on the opposite side of the street, the majority of High Drive comprises of detached and semi-detached properties having well-proportioned hipped roofs and very few roof extensions to the front roof slope of the properties.
7. The proposed development would involve the construction of a hip to gable roof extension that would increase the height of the ridge by 1m from that which currently exists. Five regular spaced roof light would be inserted on the front roof slope and three dormers would be constructed in the rear roof slope.
8. The effect of the proposed development would be to substantially increase the mass of the roof to the extent that the dwelling would appear disproportionately top-heavy and incongruous in its composition. The proposals would transform the current modest roof into a large dominant and prominent feature. The extended roof would appear as an overly-bulky feature that would have the visual effect of unbalancing the dwelling.
9. The scale, mass, height and design of the extended roof would be at odds with the overall predominant character and appearance of the roof scape on the majority of the street. As such, it would represent an incongruous and unduly dominant feature that would cause unacceptable harm to the character and appearance of the surrounding area.
10. The Council suggest that the rear dormers would be acceptable and would meet the requirements of Policy Guidance 39 as set out in the Council's Residential Design Guide Supplementary Planning Document (2013) by being set down from the ridge by approximately 0.7m, set up from the eaves and set in from the sides. However, these requirements are only met within the context of the extended roof which for the reasons identified above would be an unacceptable addition to the property. In my view, the proposed rear dormers within the context of the extended roof would serve to emphasise the significant scale of the overly-bulky roof.
11. I have taken into account the fact that both the appeal property and No 1a High Drive were built in the late 1960's and as such, have a different

appearance to the predominant bay fronted properties on the rest of the street. However, the roof scape of No 1a and the appeal property reflect the appearance of the predominant roof scape on the majority of the street in terms of design and relationship in mass, scale and height to the host properties. Therefore, although the elevational design of the appeal property is different, this does not alter the fact that the existing roof appears as a modest, well balanced feature in relation to the rest of the building that reflects the appearance of other roofs on the street.

12. I have also taken into account the appellant's view that permitted development rights would, in any event, permit some aspects of the proposed development to be constructed. Whilst this may be the case, such rights would not extend to the full extent of the proposals before me.
13. Taking the above factors into account, the proposed development would appear as an incongruous addition to the property that would cause unacceptable harm to the character and appearance of the surrounding area. As such, it would conflict with Policies CS 8 and DM10 of the Royal Borough of Kingston upon Thames Local Development Framework - Core Strategy (2012) and Policies 7.4 and 7.6 of The London Plan (Consolidated with alterations since 2011) (2015) (The London Plan). These policies, amongst other things, require new development to be of a good design that relates well to its surroundings and complements the local character and distinctiveness of the street scene or area.
14. The Council has also referred to a conflict with Policy 7.8 of The London Plan. The policy relates to heritage assets and archaeology. Although the Council indicate that the appeal property is within 50m of a Strategic Area of Special Character and 30m from a Local Area of Special Character, I have no evidence to suggest how the appeal proposal would affect these areas or how any other heritage assets would be harmfully affected by the proposed development. On the basis of the evidence provided it appears that this policy has little relevance to the planning issues in this case and as such I have afforded it little weight in the determination of this appeal.

Conditions

15. In addition to the standard time limit condition, I consider it necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty. In order to protect the character and appearance of the area, I have also imposed a condition concerning the external materials to be used.

Conclusion

16. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed insofar as it relates to the erection of the rear single storey extension and dismissed insofar as it relates to the erection of a hip to gable roof extension and three rear dormers and five front roof lights to facilitate a loft conversion.

Stephen Normington

INSPECTOR