



Appeal Decision

Site visit made on 27 August 2019

by Felicity Thompson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th September 2019

Appeal Ref: APP/Z5630/D/19/3231400

20 Beverley Way, New Malden, SW20 0AG

- 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 Ms Katie Lei against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 19/00838/HOU, dated 27 March 2019, was refused by notice dated 26 April 2019.
 - The development proposed is described as 'double storey extension, double storey rear extension wrap around – the single storey rear extension has already been approved and loft conversion has also been approved.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description given in the banner heading above is taken from the original planning application form however, I have removed superfluous wording in the interests of clarity and brevity.
3. The Council stated that the hip to gable roof extension, three rooflights and the proposed front porch extension constitutes permitted development and therefore did not raise any objections to these elements of the proposal. Whether the hip to gable roof extension, three rooflights and the proposed front porch extension constitute permitted development is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. However, as no other party raises these elements as areas of concern, I am content to determine the appeal only on the remaining elements of the proposal, and I am satisfied that no party is prejudiced by me doing so.
4. At my site visit I noted that the loft conversion, dormer and single storey rear extension were under construction. I have therefore determined the appeal on the basis of the submitted plans and what I observed on site.

Main Issues

5. The main issues are the effect of the proposal on:
 - the character and appearance of the house and area generally; and
 - the living conditions of the occupants of 22 Beverley Way with particular regard to outlook.

Reasons

Character and appearance

6. 20 Beverley Way is a semi-detached house located in a predominantly residential area, generally characterised by semi-detached houses arranged in discernible building lines. The layout and style of the properties in the road provides a rhythm to the street scene and the pallet of materials employed in the area is reasonably consistent. However, I noted at my site visit that alterations and extensions have been undertaken to a number of properties in close vicinity of the site, including the neighbouring 18 Beverley Way, such that they no longer have a uniform appearance.
7. Policy Guidance 36 of the Residential Design Guide SPD Adopted July 2013 (SPD) sets out criteria for two storey side and first floor side extensions. The proposed extension would be set down from the existing roofline by around 200mm as opposed to the 500mm set out in the SPD. However, it would be set back from the front wall and would have a pitched roof with lower ridgeline than the main house and in this respect the extension would appear subordinate. Consequently, viewed from the front the extension would have a straightforward appearance and the overall proportions would not be out of character. Moreover, it would incorporate materials which match those used in the existing house.
8. Whilst I acknowledge the Council's concerns in respect of the symmetry of this pair of houses, the hip to gable roof extension which, as stated above, the Council considers to be permitted development, has been carried out. As such the typically characteristic hipped roof form and the symmetry between this pair no longer exists. Consequently, I find that the proposed gable ended roof form would cause no material harm in this respect.
9. I note the Council's concerns in respect of separation distances however, the appellant states that a gap of around 1.1m would be maintained between the proposed extension and the boundary with 22 Beverley Way. Even at 900mm as suggested by the Council this would only be marginally short of the 1m set out in the SPD. Furthermore, as there is no first-floor extension to the side of no.22 and as the two-storey element of the proposed extension would be set back from the front wall of the main house, this would minimise any terracing effect.
10. The Council considers that the dormer is materially wider and taller than that which they considered to be permitted development. The appellant has provided plans which show the previously proposed dormer and on the basis of those plans it appears that the dormer, subject of this appeal, is wider than that previously proposed however, it does not appear to be materially taller. In any event, I consider that the dormer is not materially more harmful than the permitted fallback.
11. The Council raise no objection to the single storey element as it would have the same depth as that for which prior approval has previously been granted and I see no reason to take a different view.
12. However, I share the Council's concerns in respect of the proposed rear two storey element, the roof of which due to its depth and width would not reflect the form or pitch of the existing house and would also have an awkward

relationship with the house, in that it would overlap the dormer. In this regard the proposed extension lacks architectural subtlety, which although not visually prominent, would diminish the character of the existing house with consequent harm to the character and appearance of the surrounding area.

13. The proposed extension would use materials that would match those used in the existing house, would be set back from the front elevation and would have a lower ridge line. However, these positive aspects of the proposal would not outweigh the harm I have identified to the house as the position, roof form, depth and width of the rear two storey extension would be particularly discordant.
14. Overall, whilst reasonably localised in its extent the effect of the proposal would be to unacceptably harm the character and appearance of the house and surrounding area contrary to Policies CS8 and DM10 of the Royal Borough of Kingston-upon-Thames Local Development Framework Core Strategy Adopted April 2012 (the Core Strategy) which together require higher standards of design generally to achieve a more attractive, sustainable and accessible environment and for development proposals to incorporate principles of good design with scale, layout, height and form (including roof form) to be respected, maintained and enhanced. It would also conflict with the design aims of the National Planning Policy Framework (the Framework).

Living conditions

15. The proposed extension would be located in close proximity to the boundary with 22 Beverley Way but would project no further beyond the existing single storey extensions at the rear of no.22. As such, and as the only window in the side elevation of no.22 and that closest at ground floor level, are obscure glazed, I consider there would be no harm to the living conditions of the occupants of no.22 with regard to outlook from either within the house or garden. Consequently, there would be no conflict with the overall amenity protection aims of Policies CS8 and DM10 of the Core Strategy or the Framework and this would not therefore be a reason alone to dismiss the appeal.

Other matters

16. The appellant has provided plans for approved extensions to the neighbouring 18 Beverley Way and 26 Beverley Way. The development at no.18 is materially different to the proposal before me and therefore is not directly comparable. In respect of no.26, whilst I acknowledge that it appears to be of a similar design to the proposal before me, I do not know the circumstances of that development being permitted and therefore I give this limited weight in my assessment. In any event I have considered the appeal scheme on its own merits. The existence of two storey extensions in the area does not justify the harm I have identified above.
17. I understand the wishes of the appellant to complete the development to make the house more energy efficient and improve their standard of living however, these personal circumstances are not sufficient to outweigh the harm that I have identified.

18. The misgivings expressed by the appellant about the way the Council dealt with this application are separate from the planning merits of the proposed development and they have no bearing on the outcome of this appeal.

Conclusion

19. For the reasons given above and having regard to all matters raised, the appeal is dismissed.

Felicity Thompson

INSPECTOR