
Appeal Decision

Site visit made on 8 October 2019

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd October 2019

Appeal Ref: APP/Z5630/D/19/3233169

Oakleigh House, Golf Club Drive, Kingston Upon Thames KT2 7DF

- 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 S Creely against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 19/00864/HOU, dated 28 March 2019, was refused by notice dated 12 June 2019.
 - The development proposed is construction of glazed side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for construction of glazed side extension at Oakleigh House, Golf Club Drive, Kingston Upon Thames KT2 7DF in accordance with the terms of the application, Ref 19/00864/HOU, dated 28 March 2019, subject to the conditions set out in the attached schedule.

Procedural Matter

2. I have taken the description of development in the banner heading above from the application form. Although different to that on the decision notice, no details have been provided to indicate any change was agreed.

Main Issue

3. The main issue of the appeal is the effect of the proposal on the character and appearance of the area, having particular regard to the heritage significance of the appeal property and the Coombe Hill Conservation Area (CA).

Reasons

4. The appeal site is located within the CA. As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing its character or appearance. For the purposes of the National Planning Policy Framework (Framework), the CA is a designated heritage asset.
5. From my observations, and the Coombe Hill Conservation Area Designation Document, I consider that the significance of the CA lies, in part, in its links to Victorian estates in the area. The CA has a verdant appearance with properties set behind dense boundary vegetation. While it contains a number of traditional properties in spacious grounds, there is variation to the scale, materials and plot sizes of dwellings across the CA. The appeal property is an example of the

- variation in the built form and has mature landscaping within and alongside the plot. It makes a positive contribution to the significance of the CA.
6. It is not disputed by the main parties that the building is a non-designated heritage asset. When considering the effect of a proposed development on the significance of a non-designated heritage asset, paragraph 197 of the Framework advises that a balanced judgement will be required having regard to the scale of any harm, or loss, and the significance of the heritage asset.
 7. The significance of the appeal property lies, in part, in its former use as a squash court within the grounds of, and association with, Cedar Court. The visual link to Cedar Court has been eroded by the subdivision of the surrounding land and construction of properties between it and the appeal site.
 8. The scheme would alter the form of the original building. Nevertheless, it has already been adapted as a result of its conversion to residential use. The extension would be single storey and would not extend the whole length of the elevation. Moreover, the extensive glazing would allow the original architectural buttress/pier features that have been retained, along with the external walls and other detailing on this elevation, to remain visible through the extension. Furthermore, the use of glass column supports would soften the appearance of the extension and help reduce the perception of its bulk and mass. Therefore, it would not result in an unbalanced appearance.
 9. As there are boundary treatments close to the other sides of the property, the extension would be on the more open elevation. Notwithstanding this, the property is set down from the road off a private drive and behind gates. It is also extensively screened by mature vegetation within the site and along the roadside. There would only be glimpsed views over and through the vegetation from the road or from other properties given their orientation and the surrounding land levels. Where it would be seen, the use of glazing would result in the original building still being the dominant and most prominent part of the property. It would also be seen in the context of the variety of built form nearby.
 10. Therefore, the proposal would preserve the character and appearance of the building and CA. It would comply with Policies CS8 and DM12 of the Royal Borough of Kingston upon Thames Local Development Framework Core Strategy, and the Residential Design SPD. These, amongst other things, allow development that preserves or enhances heritage assets and their setting and recognise local features and character.
 11. Moreover, it would accord with the aim of the Framework to conserve heritage assets in a manner that is appropriate to their significance.

Other Matters

12. I note that a previous application at the site was refused. However, I do not have full details of this scheme. In any event, I have considered the proposal before me on its own merits and found it would not result in harm.

Conditions

13. I have considered the conditions put forward by the Council against the requirements of the national Planning Practice Guidance and the Framework.

Where necessary and in the interests of clarity and precision, I have altered the conditions to better reflect the relevant guidance.

14. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty.
15. Conditions requiring samples of the proposed materials and details of the fixings to the existing building are needed to protect the character and appearance of the area. These are required prior to any above ground works. For the same reason conditions preventing additional features such as pipework, plant and lighting are necessary.
16. The suggested condition relating to the use of the roof as a terrace is not necessary given the sloping and open nature of the roof, as well as the distances between adjacent properties and the height of the boundary treatments.

Conclusion

17. I conclude that the appeal should be allowed.

Stuart Willis

INSPECTOR

Schedule of 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: 3196-001 Site Location Plan; 3196-002 Site Plan, 3196-003 Existing Floor Plans; 3196-004 Existing Elevations; 3196-005 Proposed Floor Plans; 3196-006 Proposed Elevations; 3196-007 Reference Images; 3196-008 Proposed Sectional Details and 3196-009 Visibility Study.
- 3) Prior to any above ground works samples of the facing materials, including the reversible glass silicone jointed double glazed panels, the laminated structural glass column supports and the toughened double glazed roof panels, to be used in the extension hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved samples.
- 4) Prior to any above ground works detailed drawings at the scale of 1:10 showing window glazing, doors, joints, laminated structural glass beams and columns, the toughened double glazed roof panels and their associated reveals and their relationship with walls, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no flues or pipework shall be fixed to the elevations of the extension hereby approved and no fans, louvres, ducts, external lighting or other external plant shall be installed.