
Appeal Decision

Site visit made on 26 November 2019

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2019

Appeal Ref: APP/Z5630/W/19/3235463

14 Villiers Avenue, Surbiton KT5 8BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mrs Alison Persson against the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 19/00980/HOU, is dated 9 April 2019.
 - The development proposed is demolition of the existing chimney stack and finished roof level to be increased by approx. 100mm.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of the existing chimney stack and finished roof level to be increased by approx. 100mm at 14 Villiers Avenue, Surbiton KT5 8BD in accordance with the terms of the application, Ref 19/00980/HOU, dated 9 April 2019, 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 approved plans: 1389/001 (Site & Location Plans), 1389/002 (Existing & Proposed Roof Plan), 1389/003 (Existing Elevations), 1389/004 (Proposed Elevations).
 - 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.

Procedural Matters

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description. I shall determine the appeal on this basis accordingly.
3. The Council's appeal statement outlines that the proposed development is in accordance with the development plan and had the Council been in a position to determine the application, would have granted planning permission, subject to planning conditions. I will address this matter below.

Application for costs

4. An application for costs was made by Mrs Alison Persson against the Council of the Royal Borough of Kingston-upon-Thames. This application is the subject of a separate Decision.

Main Issue

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

Reasons

6. The appeal site comprises a two storey detached property with a white painted rendered brick and black painted timber façade with a plain tiled pitched roof, including a modern flat roof rear dormer extension. The property is set back from the road behind a front garden/driveway within a mature well-established residential area. The surrounding area is varied in character with a mix of detached and semi-detached houses of varied styles and ages.
7. The development entails the removal of existing brickwork chimney stack from the front elevation and raising of the roof level by approximately 100mm in order to renew the roof and comply with current Building Regulations. The chimney stack to be removed is a relatively modest feature of the building.
8. I consider that, given the modest overall changes, use of matching materials and the variation in the built form of the nearby properties, the discreet and complementary alterations do not detract from the scale, form and proportions of the existing building and the varied character of the surrounding area.
9. Consequently, I conclude that the proposed development would not adversely harm the character and appearance of the area and would be consistent with Policies 7.4 and 7.6 of the London Plan 2016, Policies CS 8 and DM 10 of the Royal Borough of Kingston upon Thames Core Strategy 2012 and the Council's Residential Design Guide Supplementary Planning Document 2013. These policies and guidance, 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 area.

Conditions

10. I have had regard to the National Planning Policy Framework, and in particular paragraph 55. In addition to the standard time limit condition, I have specified the approved plan as this provides certainty. In order to protect the character and appearance of the area, I have also imposed a condition requiring that the external surfaces of the development match those of the existing property.

Conclusion

11. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR