



Appeal Decision

Site visit made on 14 October 2019

by Jamie Reed DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 December 2019

Appeal Ref: APP/Z5630/D/19/3231004

47, Wilverley Crescent, New Malden KT3 5LW

- 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 David Sheridan against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 19/00862/HOU, dated 28 March 2019, was refused by notice dated 13 June 2019.
 - The development proposed is demolition of existing porch and erection of a new one.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal property and the surrounding street scene.

Reasons

3. The appeal property is a 2 storey dwelling situated on the end of a small terrace of four properties. Wilverley Crescent is characterised by small terraces of this nature. The properties either end of each terrace feature a set-back detail at first floor level with a porch beneath. These porches respect the building line to the front of each terrace and do not project further beyond this. The porches typically feature a mono-pitch roof of a similar pitch to the main roof of their hosts. Overall, such detailing results in a generally well ordered and uniform streetscene throughout the crescent.
4. Due to the curvature of the crescent, a number of these small terraces are set at varying angles to one another. This results in the next terrace closest to that of the appeal property being set further forward and on a slightly different alignment. Consequently, a significant portion of the flank wall of the end terrace neighbour, No 49 Wilverley Crescent, is evident when standing at the front of the appeal property.
5. The proposal seeks to construct a new porch of larger proportions than that which is currently present. This would extend significantly forward from the building line of the terrace of the appeal property, in order to match that of the neighbouring terrace. It is noted that the proposed porch has been designed with a pitched roof to the front of a similar scale and pitch, in order to reflect

that which it seeks to replace. Such an arrangement results in a flat roofed section behind this, which would cover over the remainder of the porch.

6. As a result of its forward positioning and part-pitched, part-flat roof design, the proposal would be a prominent, incongruous and bulky addition to the dwelling.
7. For these reasons, the proposal would be harmful to the character and appearance of the appeal property and the surrounding street scene.
8. The proposal would be contrary to Policies CS8 and DM10 of the Royal Borough of Kingston upon Thames Local Development Framework Core Strategy (CS)(2012) and the guidance in the Royal Borough of Kingston upon Thames Residential Design Guide SPD (2013). When read together, these require proposals to be of a high quality design that respects the character and appearance of the original building and the prevailing character of the surrounding area.

Other Matters

9. The appellant has explained that he has discussed the proposal with his neighbours who are supportive of the scheme and has highlighted that in its Officer Report, the Council states that it does not consider the proposal would result in any undue harm with regard to overlooking, loss of privacy, daylight or outlook provision of neighbouring properties and as such would comply with the relevant criteria of Policy DM10. The appellant then questions how the report goes on to conclude that the proposal would be contrary to this policy.
10. Policy DM10 is general in its approach and consists of a long list of criteria that proposals should adhere to. Whilst the proposal accords with some of these criteria, in particular those that relate to the living conditions of neighbouring residents, it is contrary to others, notably those relating to character and appearance. The fact that the neighbours are supportive does not mean that the development is acceptable.

Conclusion

11. For the reasons given above, I conclude that the appeal is dismissed.

Jamie Reed

INSPECTOR