
Appeal Decisions

Site visit made on 29 November 2019

by Paul Griffiths BSc(Hons) BArch IHBC

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

Decision date: 05 December 2019

Appeal A: APP/Z5630/W/19/3229248

126 Maple Road, Surbiton KT6 4AU

- 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 & Mrs M Cowan against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref.18/16767/HOU, dated 1 November 2018, was refused by notice dated 25 March 2019.
 - The development proposed is described as 'the erection of a 2 storey side extension and alterations'.
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Appeal B: APP/Z5630/Y/19/3229252

126 Maple Road, Surbiton KT6 4AU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs M Cowan against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref.18/16768/LBC, dated 1 November 2018, was refused by notice dated 25 March 2019.
 - The works proposed are described as 'the erection of a 2 storey side extension and alterations'.
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Preliminary Matters

1. In their decision notices, the Council amended the description of development/works to read 'erection of two-storey side extension with new front driveway and storage access door'. That better describes the proposal that is the subject of Appeal A but in terms of Appeal B, while the two-storey extension and the storage access door obviously constitute works, the new front driveway does not¹. I have dealt with the appeals on that basis.

Decisions

Appeal A

2. The appeal is allowed and planning permission is granted for erection of two storey side extension with new front driveway and storage access door at 126 Maple Road, Surbiton KT6 4AU in accordance with the terms of the application, Ref.18/16767/HOU, dated 1 November 2018, subject to the following conditions:

¹ Having regard to Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is not an alteration or extension that would affect the listed building's character as one of special architectural or historic interest.

- 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: LOC1: Location Plan; 126MR-100: Site Block Plan; 126MR-101: Existing & Proposed Site Plans; 126MR-102: Proposed Floor & Roof Plans; 126MR-103 Rev.A: Existing & Proposed Front Elevation; 126MR-104: Existing & Proposed Rear Elevation; and 126MR-105: Existing & proposed Side Elevation.

Appeal B

3. The appeal is allowed and listed building consent is granted for erection of two storey side extension and new storage access door at 126 Maple Road, Surbiton KT6 4AU, in accordance with the terms of the application Ref.18/16768/LBC, dated 1 November 2018, and the plans submitted with it, subject to the condition that the works authorised by this consent shall begin not later than three years from the date of this consent.

Main Issue

4. Nos.124 and 126 Maple Road are a pair of semi-detached dwellings that date from the early 19th Century. As a pair, they form a Grade II listed building. The main issue to be considered here is the effect of the proposals on the special architectural and historic interest of the listed building, and its setting.

Reasons

5. Nos.124 and 126 were originally a symmetrical pair of Neo-Classical Villas. However, that symmetry was seriously compromised by a two-storey side extension to No.124 that is significant in size and creates an imbalance between the pair.
6. The two-storey extension proposed to No.126 at issue here would be a much more modest composition, deferential in scale, set back from the frontage, and taking on appropriate design pointers from the main frontage.
7. In my view it would represent a sensitive addition that would respect what remains of the symmetry of the pair. As a result, it would preserve the special architectural and historic interest of the listed building. I note that a colleague took a similar view of a broadly similar proposal in 1999².
8. The formation of a door opening to provide external access to the space below the staircase that leads up to the main entrance would be similarly harmless.
9. Having regard to the different ways the front gardens of Nos.124 and 126 have been treated, with that to No.124 being left open to the street, and that to No.126 contained behind boundary walls, the manner in which it is proposed to alter the front garden of No.126 to adjust the driveway and provide parking spaces would have no detrimental impact on the setting of the listed building.
10. Bringing those points together, the proposals would have no detrimental impact on the special architectural interest of the listed building or its setting. There is compliance with the requirements of Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

² T/APP/Z5630/A/99/1020088/P2 and T/APP/Z5630/E/99/1020087/P2

11. For similar reasons, there would be no departure from the requirements of the Royal Borough of Kingston Upon Thames Core Strategy Policy CS8, that seeks to protect buildings of historic interest, amongst other things, Policy DM10 that requires good design, or Policy DM12 that sets standards for development affecting heritage assets. Moreover, the proposal would accord with the requirements of the National Planning Policy Framework (the Framework).
12. I have considered the suggested conditions in the light of advice in the Framework. Commencement conditions are required and in the case of Appeal A, a condition setting out the approved plans. The third condition suggested, requiring detailed aspects of the development to be carried out in accordance with the approved plans is rendered otiose by the plans condition referred to.
13. For the reasons given above I conclude that the appeals should be allowed.

Paul Griffiths

INSPECTOR