The Planning Inspectorate

Appeal Decision

Site visit made on 7 January 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2020

Appeal Ref: APP/Z5630/W/19/3238040
131 Kingshill Avenue, Worcester Park KT4 8BZ

- 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 Vera Jones, Atelier Set Architecture against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
- The application Ref 19/01200/FUL, dated 4 May 2019, was refused by notice dated 27 August 2019.
- The development proposed is the erection of a two storey dwelling with associated car parking to the rear of the site curtilage. The proposal is to split the existing plot into two equal parts; once the plot is divided into two equal parts, each plot size will be around 150m^2. The existing dwelling will maintain a decent front garden, as well as a 50m^2 rear garden (the outbuildings at the rear and side of the existing house will be demolished). The proposal comprises a three-bedroom dwelling unit over two storeys with a front garden as well as a 50m^2 rear garden. Parking for the newly proposed dwelling will be at the rear of the property which is accessible from a private road on the rear.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. It is clear from the appellant's appeal submissions that the local planning authority granted planning permission[1] establishing the principle of a dwelling, associated gardens and parking upon the site. From the evidence I have before me, it is apparent that this appeal proposal differs from the previously approved scheme predominantly in respect of its roof form. The planning permission granted proposed a traditional hipped roof with subordinate gable features to the front and side. The appeal proposal is for a full side-gabled roof with a rear dormer window and subordinate gable feature to the front.

3. Development has commenced on the site that is similar to that shown on the appeal plans, however, some deviations were apparent between the development and the submitted plans. For the avoidance of doubt, this appeal is determined on the basis of the plans as submitted with planning application reference 19/01200/FUL.

Main Issue

4. The main issue is the effect of the proposed roof form on the character and appearance of the area.

[1] 18/00167/FUL

Reasons

5. Kingshill Avenue is a suburban road characterised by close-sited consecutive terraces of four dwellings with occasional semi-pairs. Whilst the original terrace blocks show variation in detailing they have common scale, materials and generally have hipped roof designs emphasising the spaces between them. These terrace blocks form a strong characteristic of the Kingshill Avenue and the adjacent Hughenden Road streetscene.

6. The proposed roof form would consist of a forward roof slope incorporating rooflights and forward-facing gable feature above the front bay. The roof would present a gable end above the side elevation and large dormer-styled projection to the rear.

7. The use of a continuous ridge to form a side gable would add significantly to the overall length of the combined ridgeline of the terrace. Notwithstanding that the block would unusually consist of five dwellings, the subsequent length of the overall roof would be appreciably greater than the typical combined roof massing of the terraces within the locality. Furthermore, the absence of a hipped roof would unbalance the symmetry of the terrace taken as a whole, which is a characteristic of the original terraces.

8. When viewed from the rear, this massing would be exacerbated by the substantial absence of a rear roof slope due to the full width of the dormer element and its deep face. Although the submitted side elevations suggest this would be set up from the eaves line, the proposed rear elevation indicates that the structure would present as a three-storey façade on approach along Hughenden Road. Even if the dormer element were set back from the line of the rear elevation, its additional mass in conjunction with the extension of the terrace's ridgeline would, to my mind, result in a roof form of significant visual bulk and massing.

9. As the site lies on a prominent corner plot and forms part of the closing vista when travelling towards it along Hughenden Road, the scale of the roofscape would be highly conspicuous within that streetscene. For the above reasons, the effect of the combined structure would be considerable and would result in harm to the character and appearance of the locality in relation to both the Kingshill Avenue and Hughenden Road street scenes.

10. In support of the development the appellant has drawn my attention to other properties in the area that have hip-to-gable and rear dormer roof extensions. Whilst examples are present in the area, these do not have the prominence of the appeal site. Furthermore, I noted that these examples are in the minority and in any case the existence of development elsewhere does not represent an appropriate reason to find in favour of a proposal that would cause harm. As acknowledged by the appellant, precedent is rarely an argument that should carry great weight in planning decisions which should be made on their own merits in the context of the development plan and other material considerations. These examples do not, therefore, lead me to alter my findings on this issue.

11. It is contended that the policies within the development plan do not describe clear expectations with respect to roof design and therefore the more recent provisions of the National Planning Policy Framework (the Framework) should prevail. The appellant draws my attention to paragraph 130 in relation to

meeting design criteria. However, consistent with the terms of the local development plan, the Framework seeks to secure a high quality of design of development that adds to the overall quality of an area and is sympathetic to the local character.

12. For the reasons described above, I conclude that the proposed roof would conflict with Policies CS8 and DM10 of the Royal Borough of Kingston upon Thames Local Development Framework Core Strategy (2012), Policies 7.4 and 7.6 of the London Plan (2016), the Council's Residential Design Supplementary Planning Document, and the Framework which require, amongst other things, that development recognises and positively reflects the local character and appearance of development.

Other Matters

13. The appellant submits that additional costs have been incurred through implementation of the previous planning permission and have rendered the project borderline financially viable. It is stated that the provision of additional accommodation within the roof space would compensate for the losses incurred. However, I am not provided with any substantive evidence of these matters and therefore cannot attribute them weight in favour of the development.

Conclusion

14. For the reasons above, I conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR