



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: 24 January 2020

Appeal Ref: APP/Z5630/W/19/3237531

9A Beaufort Road, Kingston upon Thames KT1 2TH

- 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 Samantha Milne against the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 19/01666, is dated 27 June 2019.
 - The development proposed is the demolition of existing dwelling and garage. Erection of 2 storey dwelling with full basement and 2 no. parking spaces.
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Decision

1. The appeal is dismissed and planning permission for the demolition of existing dwelling and garage, and the erection of 2 storey dwelling with full basement and 2 no. parking spaces is refused.

Preliminary Matters

2. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council have subsequently issued a statement for the purposes of this appeal highlighting that it would have refused the application for the proposed development. I have had regard to this statement and the appeal plans in framing the main issue.
3. The appeal property lies close to the Grove Crescent Conservation Area. There is no dispute between the parties that the proposed development would not have an adverse effect on the setting of the Conservation Area. Having considered the proposal and visited the site I concur with that view. Accordingly, it is my view that the development proposed would preserve the setting of the designated area and I shall make no further reference to this matter.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the locality.

Reasons

5. This stretch of Beaufort Road is a leafy suburban street of primarily residential development. The road features a variety of architectural styles and ages of development ranging across three-storey Victorian villas, two-storey Edwardian dwellings, post-war and modern flats and houses. Notwithstanding those

- variations, the properties are typically set behind short front gardens and generally along consistent building lines with close siting.
6. The appeal site is an anomaly to this character in that it is formed from part of the garden area associated with a property fronting Geneva Road. The land accommodates a single storey building skewed to the road and a hardstanding where a garage building previously stood. The building is in residential use and is accessed via a gated driveway on the Beaufort Road frontage.
 7. The current effect of the lower form of development within a separate contained area of the garden is to provide a visual break in the rhythm of higher development along this side of Beaufort Road. This is augmented by third party trees which lie close to a diagonal boundary cutting in front of the existing building, providing a greening of the gap and complementing the regular roadside trees.
 8. The break within the otherwise complete row of development derives from a wayleave along the line of a water main which crosses Beaufort Road on a diagonal, forward of the existing building. The subsequent proposed site layout reflects this constraint to development by stepping the proposed main body of the dwelling back within the site whilst maintaining a parallel alignment with the road frontage. The set back position would conflict with Policies CS8 and DM10 of the Royal Borough of Kingston upon Thames Local Development Framework Core Strategy (2012) (CS) as they relate to responding to local character including existing building lines.
 9. However, the evidence before me identifies that this is a similar approach to that taken within an active redevelopment site on the opposite side of the road. Here a break remains in the continuity of roadside development and a terraced row of properties, orientated to front on to Beaufort Road, are set back behind a parking court to accommodate the wayleave. Reflecting the circumstances of the existing building on the appeal site, the proposed siting would appear as an anomaly to the regimented development on Beaufort Road in a similar manner to that diagonally opposite.
 10. Taken with the formation of a landscaped front garden area alongside the existing trees lying adjacent to the site, and the close siting of the building to 7 Beaufort Road, the positioning of the main element of the house would retain a sense of space and a green interlude within the road frontage. Together these circumstances would lead me to conclude that the set back position of the dwelling in response to the easement would not cause any greater conflict to the Beaufort Road streetscene than presently exists.
 11. The scale and design of the proposed building takes reference from elements of the surrounding development. The wide footprint is reflective of adjacent buildings between the site and Grove Lane and the simple main roof form with gable features is common to the locality. The window proportions, design and headers, along with projecting bays reflect examples of local architecture.
 12. Whilst this approach would result in a pastiche of architectural styles, the main element of the building would assimilate suitably within the locality. However, the overall aesthetic would be substantially undermined by the proposed forward flat-roof projection. In seeking to achieve a more active role in the Beaufort Road frontage this element would appear incongruous both in the

overall design of the building and within the context of the streetscene due to its siting, scale and flat roof design.

13. Although the front face of the projection would be set back from the main building line and appear subordinate on account of its lower overall height, it would represent a prominent and highly conspicuous feature by virtue of its contrasting form. As such, this element would jar significantly with the surrounding built form to the detriment of the character and appearance of the locality.
14. Whilst I acknowledge the view in the appellant's grounds of appeal that the design of development has sought to reflect previously stated concerns¹ in relation to an earlier proposal on the site, for the reasons above, I find that the proposal would not successfully integrate into its locality.
15. There is disagreement between the parties as to the planning status of the site and whether the development subsequently constitutes garden development for the purposes of applying Policy Guidance 8 of the Residential Design SPD (2013). Based on the evidence before me I am unable to draw a conclusion on this matter. However, at the time of my site inspection I noted that the uncharacteristically large original rear garden of 18 Geneva Road had been subdivided in a manner to reflect the neighbouring plot sizes, both on Geneva Road and Beaufort Road. As such, the subdivision of the land would not, in itself, adversely impact on the characteristic urban grain of the locality.
16. Furthermore, the development would achieve a similar plot ratio to surrounding sites. However, notwithstanding these aspects of the proposals and my finding in relation to the siting of the dwelling, for the reasons described above, the development would fail to successfully integrate with the Beaufort Road frontage.
17. Consequently, I conclude that the development would have a harmful effect on the character and appearance of the locality and the development conflicts with Policies CS8 and DM10 of the CS as they seek to secure the high-quality design of development that relates well to the distinctiveness and character of its locality.

Other Matters

18. The Council advises that it is unable to demonstrate a five-year supply of deliverable housing land. Under the terms of the National Planning Policy Framework the presumption in favour of sustainable development, as described in paragraph 11d, is consequently engaged. However, notwithstanding the small benefit to housing supply and the associated economic and social benefits that would arise, these would not, to my mind, outweigh the harm I have identified to the character and appearance of the locality.

Conclusion

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

R Hitchcock

INSPECTOR

¹ APP/Z5630/W/17/3182764