



Appeal Decision

Site visit made on 7 September 2020

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th November 2020.

Appeal Ref: APP/Z5630/W/20/3249415

80-83 Victoria Road, Surbiton KT6 4NS

- 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 Gareth Grant of AET Limited against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref 19/00678/FUL, dated 7 March 2019, was refused by notice dated 30 September 2019.
 - The development proposed is for extensions to the rear and additional storey to provide additional B1(a) office space and remodelling of rear parking and servicing bay.
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Decision

1. The appeal is allowed and planning permission is granted for extensions to the rear and additional storey to provide additional B1(a) office space and remodelling of rear parking and servicing bay at 80-83 Victoria Road, Surbiton KT6 4NS, in accordance with the terms of the application, Ref 19/00678/FUL, dated 7 March 2019, and subject to the attached schedule of conditions.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, in allowing this appeal I have used the one given on the original application.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, having particular regard to the significance of designated and non-designated heritage assets.

Reasons

Heritage

4. The appeal site is in close proximity to listed buildings and locally listed buildings. It is outside but adjoins the Surbiton Town Centre Conservation Area (CA). In respect of listed buildings, I have a statutory duty to pay special regard to preserving their setting.

Surbiton Town Centre Conservation Area

5. The appeal site comprises a three-storey building that is located in Surbiton Town Centre. A large, squared shaped service/plant room, located towards the building's

rear, rises above the roof of the building. The appeal building is occupied by a bank and retail shop at ground floor with commercial office space and a gym located on the floors above. It is adjoined by the Surbiton Flyer public house and Nos 77-79 Victoria Road and together these properties form a continuous three storey frontage along the southern side of Victoria Road. This group of buildings adjoins a frontage of two and three storey commercial uses that extends much of the length of Victoria Road. The appeal building is located close to a busy roundabout (the roundabout), off which is the entrance to the Surbiton railway station, while St. Mark's Hill, a street comprising commercial properties, leads off another of its arms.

6. The proposal, would in part, be constructed on the roof of the appeal building, adding a fourth storey to it. This would be primarily comprised of glazed elevations and would incorporate a flat roof. The extension would be set back from the front roof parapet and be marginally higher than the existing service and plant room. This part of the proposal would provide additional offices.
7. The adjoining CA largely comprises buildings along the northern frontage of Victoria Road, along with shorter sections of the streets that branch off it. The significant features of this part of the CA include the continuous frontage of commercial properties along the northern side of Victoria Road. This frontage is largely uniform in terms of its height. The buildings located close to the roundabout and railway station entrance display attractive architectural detailing in the form of decorative mouldings along roof cornices and a uniform arrangement of sash style windows. These features all make a positive contribution to the CA and its significance.
8. The CA's setting includes the continuous building frontage that lines the southern side of Victoria Road, along with the intervening highway from which the special qualities of the northern frontage can be observed. The CA derives its significance in part from the continuity of the built frontage along the southern side of Victoria Road, along with its board commercial character and functional role. As one element within the southern frontage the appeal property makes a small contribution to the CA's setting, although its modern design and harsh brick façade contrast with the traditional materials and finer historic detailing of those buildings opposite within the CA.
9. Together with the adjoining Public House and Nos 77-79, the appeal building is consistent in terms of its scale with those buildings opposite, and within the CA, on Victoria Road's northern frontage. However, this relationship is blunted by the presence of the rooftop service/plant room which can be seen rising above the roof of the appeal building from medium and long-distance views from the direction of St. Mark's Hill.
10. A single storey building stands at the entrance to Victoria Road's southern frontage when approaching from St. Mark's Hill, beyond this is the appeal building and the small number of three storey properties it adjoins. The rest of the southern frontage comprises two and three storey properties incorporating roofs of various forms, resulting in an altogether more incoherent roofscape, in contrast to the height of the more uniform roofs of buildings along the northern frontage within the CA. Therefore, in this context, although I appreciate that there is some symmetry in scale and form between the appeal site and the properties opposite in the CA, this makes a very minor contribution to the significance of the CA that, in my opinion, does not equate to that suggested by the Council.
11. The proposed roof extension would not significantly compromise the essential shape of the host building which would still remain the dominant element. It's set

back position from the existing front roof parapet would conceal it allowing only for glimpsed views of the extension's upper portion from close range views along Victoria Road and within the immediate setting of the CA. Whilst I accept that it would add bulk, mass and height to the building this would not be significant, while it would be relatively consistent with the height of the existing plant/service room which would be consolidated into the proposed design.

12. In the context of the street the proposal would not fundamentally alter the varied roofscape along this part of Victoria Road and in relation to the taller buildings grouped around the roundabout, which includes a six-storey office. From more medium and long-range views, particularly from St. Mark's Hill, the proposed roof extension would appear as a distinctive addition which would also replicate the curved roofs of adjacent buildings facing the roundabout. It would therefore be an acceptable addition in the context of the host building, whilst also ensuring it would not harm the significance the CA derives from its setting. Therefore, I consider that the setting of the adjoining CA would not be harmed, and its significance would be preserved.

Listed Buildings

13. Opposite the appeal building on the northern side of Victoria Road and close to the roundabout is a continuous group of Grade II listed buildings at Nos 2-8 Victoria Road (Nos 2-8). A short distance to the south west, on the same frontage, is the grade II listed building at 12 Victoria Road (No 12). In the case of Nos 2-8, the historic interest and significance of these buildings lies in their long-standing commercial use, uniform scale and historic detailing which includes traditional shop fronts, decorative cornices and evenly arranged sash style windows. No 12 has similar detailing and proportions but also includes an ornate shopfront with ironwork detailing.
14. The setting of the listed buildings includes the properties that adjoin them in the frontage. These reinforce the commercial function of the street, are of comparable architectural merit, while sited along a consistent building line that presents itself onto Victoria Road. Therefore, these buildings derive a great deal of their significance from their uniformity in scale and the historic detailing they share with adjoining frontage buildings on the northern side of Victoria Road.
15. In terms of the appeal building, its contribution to the setting and therefore the significance of the listed buildings opposite, is primarily derived from it being one element of the continuous southern frontage that reinforces the broad commercial character and functional role of the listed buildings of the street.
16. The special features of these listed buildings would primarily be experienced at close range from street level along the southern and northern sides of Victoria Road. In this context the proposed roof extension's set back position behind the roof parapet of the appeal building would result in it being well concealed with only its upper portions revealed. As such the overall scale and height increase to the appeal building would not be clearly perceptible when viewed from Victoria Road in close proximity to the listed buildings, and consequently would not detract from the ability to appreciate their significance. In more medium and long-distance views from Victoria Road and St. Mark's Hill, the appreciation of Nos 2-8 and No 12 becomes obscured by existing buildings and street trees that would make it difficult to clearly see the proposed roof extension and the historical facades of the listed buildings together. Therefore, the proposed addition to the appeal building's roof would not harm the setting of the listed buildings.

Non-designated heritage assets

17. The locally listed Nos 9-11 and 13-14 Victoria Road adjoin the listed buildings I have referred to. They are comparable in form and design to Nos 2-8 and No 12 and have a similar proximity and visual relationship to the appeal building. These buildings derive a great deal of their significance from their uniformity in scale and the historic detailing they share with adjoining frontage buildings on the northern side of Victoria Road. The setting of these non-designated heritage assets includes the properties that adjoin them in the frontage. These reinforce the commercial function of the street, while sited along a consistent building line that presents itself onto Victoria Road. These buildings derive a moderate degree of their significance from their setting. For similar reasons to the listed buildings, the proposal would not have a harmful impact on the significance that these non-designated heritage assets derive from their setting.
18. The Surbiton Flyer public house adjoins the appeal building to form a continuous, three storey frontage along part of the southern side of Victoria Road. This locally listed building stands prominently near the station entrance and displays historic character through its architecture. Its significance primarily, derives from its historic façade and its long-standing importance as a commercial use, and latterly as a meeting place in the town centre close to the transport terminus.
19. The contribution the Surbiton Flyer's setting makes to its significance largely comes from the surrounding commercial uses along Victoria Road, and its prominence from the open areas around the station concourse and adjacent roundabout which allow the building's appearance and importance to be appreciated. As an adjoining commercial building of similar height within the same frontage, the appeal building makes a small contribution to the local significance of the Surbiton Flyer.
20. The proposed roof extension's elevated siting and set back position from the continuous roof parapet that unites the appeal building and The Surbiton Flyer public house ensures that it would only be partially viewed from close quarters along Victoria Road.
21. From medium and longer distance views from St. Mark's Hill and the roundabout, the proposed roof extension would be seen rising above the existing roof line of the Surbiton Flyer. Its greater mass and height would obscure views of the public house's hipped roof feature and tall chimney, in the wider context, thus diminishing the presence of some of its architectural detailing.
22. Although the existing plant/service room on the appeal building's roof would already obscure the presence of the chimney and hipped roof, the proposed roof extension would do so to a greater extent. This would indirectly harm, albeit to a minor degree, the setting of The Surbiton Flyer. However, I do not consider that the significance of this locally listed building, which is derived from its architectural detailing and historic value as a commercial use and meeting place in the context of the town centre, would be harmed given that close range views would be largely unaffected.

Other designated heritage assets

23. Located to the rear of the appeal building is the Grade II listed Surbiton Railway Station. Whilst no concerns were raised about the effect on the listed building I am nevertheless required to have special regard to its preservation.
24. The concourse area in front of the station contributes to revealing its art deco design, while the wider commercial setting and its central location within the town also contributes towards its significance. Forming part of the Station's wider

foreground is the rear of the appeal building, which includes prominent views of the plant / service room, car park and bin storage area. Other than being part of the wider commercial setting, the appeal building contributes very little to the significance of the listed station.

25. The proposed development would improve the existing form of the appeal building, and in doing so, provides a modest enhancement to the setting of the railway station. Subject to a condition ensuring material finishes are satisfactory in the context of the area, the design of the proposal is considered acceptable. Consequently, the proposal does not harm the grade II listed Surbiton Railway Station, in light of the modest enhancement to its setting.

Heritage Balance

26. The proposal would not have a harmful effect on the character and appearance of the surrounding area, including the significance of the CA, listed buildings and the non-designated heritage assets at Nos 9-11 and 13-14 Victoria Road. It would therefore accord with Policies CS8, DM10 and DM12 of the Royal Borough of Kingston Upon Thames Local Development Framework – Core Strategy, adopted April 2012 (the Core Strategy). These among other things, require development proposals to recognise distinctive local features and character, and to preserve or enhance the established character and architectural interest of a heritage asset, including its setting. Furthermore, the proposal would comply with the Framework in conserving the significance of heritage assets.
27. However, the proposal would result in some minor harm to the significance of the locally listed Surbiton Flyer, as a result of the effect the roof addition would have on the public house's setting. This would conflict with Core Strategy Policies CS8, DM10 and DM12 where they require proposals to respect features of local importance through consideration of form and scale. However, as the proposal would result in limited harm the conflict with the development plan in this respect only carries minor weight.
28. As to whether material considerations indicate that the permission should be allowed, the Framework is one such consideration. Paragraph 197 states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
29. The harm to the setting of the heritage asset would be minor. When judged against the scheme's benefits I have found that the provision of additional office floorspace would contribute towards the vitality of the town centre and the diversity of uses within it. It would also be located in a very accessible location close to Surbiton Railway station and numerous bus routes, and I attached considerable weight to them. Moreover, the weight to be attached to these benefits is increased by the provisions of Paragraph 85 of the Framework which support the growth of town centres through a variety of uses in accessible locations.
30. In terms of the proposal's design it would improve the existing form of the appeal building at its rear by absorbing the existing plant/service room into a more attractive addition that responds to the curved form of the adjacent listed station building. Accordingly, this provides a modest enhancement to the setting of the listed Surbiton Railway Station. I therefore consider that the material benefits of the proposal outweigh the minor harm to both the significance of the Surbiton Flyer and the conflict with the local plan. The proposal would in the most part accord with the development plan and where it would not the material considerations of

the scheme's benefits indicate that a decision other than in accordance with the development plan in this respect should be made in this instance.

Conditions and Conclusion

31. I have considered the Council's list of conditions, suggested without prejudice, making appropriate minor alterations in light of the Planning Practice Guidance in the interests of clarity and precision.
32. A condition specifying the approved plans is necessary to provide certainty.
33. A condition requiring a construction method statement (CMS) is necessary in the interests of living conditions of neighbouring residents and highway safety. To be effective this must be a pre-commencement condition. I have consolidated some of the requirements of the CMS, while removing others as they are overly prescriptive or require the agreement of other bodies which fall outside of the planning process.
34. I have imposed a condition relating to external materials to ensure the appearance of the development is acceptable. A cycle storage condition is considered necessary to ensure that this alternative mode of transport can be effectively stored at the site. A condition requiring details of the provision and storage of bins is necessary in the interests of character and appearance.
35. I have not included the Council's suggested condition regarding water and energy efficiency as the targets referred to have not been specifically outlined in the mentioned policies for a development of this scale. Therefore, the condition would not be necessary.
36. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should succeed.

R. E. Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this permission.
2. The development shall be carried out in accordance with the following approved plans:

858/P/001 Rev 1; 858/P/002 Rev 1; 858/P/003 Rev 1; 858/P/004 Rev 2; 858/P/005 Rev 1; 858/P/006 Rev 1; 858/P/007 Rev 1; 858/P/008 Rev 1; 858/P/009 Rev 2; 858/P/010 Rev 1; 858/S04/001 Rev 2; 858/S04/002 Rev 2; 858/S04/003 Rev 3; 858/S04/004 Rev 2; 858/S04/005 Rev 3; 858/S04/006 Rev 3; 858/S04/007 Rev 3; 858/S04/008 Rev 3; 858/S04/009 Rev 3; 858/S04/010 Rev 3; 858/S04/011; and 858/S04/030
3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The statement shall provide for:
 - a. a statement on how the proposed development will be built, with method statements to outline how major elements of the works would be undertaken;
 - b. Proposals for loading/unloading materials;
 - c. Measures to control the emission of dust and dirt during construction;
 - d. A protocol for managing vehicle deliveries and manoeuvres for works traffic in to and out of the site;
 - e. Site access warning signs.
 - f. Details of the storage of plant, materials, ancillary site buildings and operative and visitor vehicles;
 - g. Measures for the suppression of noise during construction;
 - h. Means of enclosure of the site;
 - i. Wheel washing equipment.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
4. No construction above foundation level shall take place until a sample of the facing materials to be utilised in the development to which this permission relates shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in strict accordance with these approved samples.
5. The refuse and recycling facilities as shown on the approved plans shall be provided prior to first occupation of the development to which this permission relates and shall be permanently retained for that purpose thereafter.
6. The cycle parking facilities as shown on the approved plans shall be provided prior to first occupation of the development to which this permission relates and shall be permanently retained for that purpose and kept free from obstruction thereafter.

End of Schedule