
Appeal Decision

Site visit made on 22 March 2021

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 May 2021

Appeal Ref: APP/Z5630/W/20/3260577

7 & 8 Cleaveland Road, Surbiton, London, KT6 4AH

- 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 and Mrs S Lack, Mr T McClure and Miss S Fraser against the decision of the Council of the Royal Borough of Kingston-upon-Thames.
 - The application Ref: 20/01092/FUL, dated 16 May 2019, was refused by notice dated 13 July 2020.
 - The development proposed is the erection of two storey side and side/rear extension to No.7 and rear extensions to No.8.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of two storey side and side/rear extension to No 7 and rear extensions to No 8 at Cleaveland Road, Surbiton, London, in accordance with the terms of the application Ref: 20/01092/FUL, dated 16 May 2019, subject to the following conditions:
 - 1.) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2.) The development shall conform in all material aspects with the submitted details and the plans included with the application as listed below:

19120 01B - SITE LOCATION EXISTING PLANS AND ELEVATIONS
19120 04B - PROPOSED PLANS AND ELEVATIONS
 - 3.) The car parking areas shown on the approved plans to serve No 7 Cleaveland Road shall be provided with a hard-bound, adequately-drained, dust-free surface prior to beneficial occupation of the development to which this permission relates, and shall be permanently retained and kept free from obstruction thereafter. It shall not be used for any purposes other than the parking of vehicles for the occupiers of and visitors to No 7 Cleaveland Road.

Procedural Matters

2. I have taken the description of development from both the Appeal Form and the Council's Decision Notice, as it better describes the development. However, from the plans the extension to the rear of No 8 is more than a single storey rear extension and this is incorporated in my description.

Main Issues

3. The main issue is the effect of the development on (1) the character and appearance of the area; and (2) the effect on highway safety.

Reasons

Character and Appearance

4. The site is a pair of semi-detached houses within a residential area. The site is also within the 'Cleaveland Road/The Mall Local Area of Special Character' which the Council describes as being an area of well preserved Victorian suburban housing. As such, the site is a non-designated heritage asset.
5. Paragraph 197 of the National Planning Policy Framework (the Framework) 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."*
6. The proposed extension to the side and rear of No 7 would be a large addition and would be visible within the street scene. The extension proposed at No 8 is much more modest in scale and to the rear of the house and so would not be prominent within the street. This would mean that when viewed from the street these semi-detached houses would have clear differences, particularly due to the side additions proposed to No 7.
7. Whilst there is a pleasing symmetry to these houses, the extension to the side of No 7 is set well back from the front elevation. This allows for the front elevations of these houses to remain more prominent within the street scene and the original symmetry still evident. There would be the side garage with lean-to roof proposed with No 7, but this would be well set back from the road and not a prominent incongruous feature.
8. The extensions as proposed would be more apparent from the rear, but whilst visible from neighbouring houses this aspect of the proposal would not be prominent within the street scene. As such, I would not regard the retention of the original character of the rear of these dwellings as being a particularly important aspect when considering the visual impact to the wider area.
9. The extension to the side of No 7 would fill a gap to the side boundary of the plot with No 6 Cleaveland Road. Whilst this is acknowledged, the side extension at No 7, being well set back, would not result in these semi-detached houses appearing part of a terrace, for example. The pair of houses would still retain their semi-detached character and there would remain a gap with the side of No 6.
10. The proposal would result in the loss of the front yard/garden area to the front of No 7 to provide a parking space. This is a small area of minimal visual amenity value and so this arrangement would not have a detrimental impact to the character of this street or wider area. Furthermore, I noted that there are already examples of other properties with parking to their frontage, which is now part of the character of this part of the street.
11. To conclude on this issue, the symmetry of the original front elevations would remain prominent and provide some balance for the pair. Whilst the proposed

extension to No 7 is large, it does not overdevelop the site and is of a design and scale subservient to the original dwellings, with the roof ridges of the two storey extension being set down from the existing ridgeline for example. Although the proposed extensions are within an area of Special Character, the historic non-designated heritage asset and its significance would be conserved. As such, the proposal is in accordance with policies CS8, DM10 and DM12 of the Core Strategy 2012. These policies require development to be of a high quality design, respect the character of a street, and preserve and enhance locally distinctive heritage assets, amongst other things.

12. The Council in their Notice of Decision have referred to policies within the 2016 London Plan, although this has now been superseded. However, I do not regard the proposal would conflict with the relevant policies as updated from the 2016 edition from the evidence before me.

Highway Safety

13. The house at No 7 currently has two potential car parking spaces in a tandem arrangement. The proposal would result in one space to the front of No 7 and one to the side. The parking at No 8 is not significantly affected by the proposed extension at this house.
14. Two spaces at No 7 would be an acceptable level given the accessible location of the street. The appellant has provided a swept path analysis to demonstrate that the space to the front of the house as proposed would be possible with a relatively simple manoeuvre. There is no substantive evidence before me that this parking arrangement would result in a highway hazard. The proposed parking arrangement for up to two vehicles should not have any significant impacts to existing car parking pressures along Cleaveland Road, with there being little change from the existing situation for on-street parking.
15. On this main issue, the proposal is in accordance with policies CS7 and DM10 of the LDF Core Strategy 2012. These policies require development to manage car use to ensure sustainability and ensure highway safety, amongst other things.

Other Matters

16. These properties are in a dense residential area, with neighbours close to these proposed additions. Having observed the surroundings to the proposed extensions they would not result in any significant levels of overshadowing or overbearing impacts, over and above existing levels, for any neighbouring property. Furthermore, the arrangement and layout of the proposed extensions are such that they would not significantly impinge on the privacy of neighbours, including those at Westfield Road, given the separation distances being sufficient to mitigate against unacceptable levels of overlooking. Overall, the proposed extensions would not have any substantial adverse impacts to neighbour living conditions.

Conditions

17. I have considered the conditions put forward by the Council against the requirements of the Planning Practice Guidance (PPG) and the National Planning Policy Framework. The conditions I have included from the recommended list have been subject to some alterations to improve clarity and ensure consistency with the Framework and PPG.

18. I have attached the standard time limit condition and a plans condition as this provides certainty. I have also included a condition requiring the formation of the parking layout for No 7, to ensure a suitable level of parking provision for the house to be extended.
19. The materials to be used with the extensions has been set out sufficiently on the submitted application form, with materials I considered appropriate, and so I do not consider it necessary to impose a condition to ensure this.
20. The Council recommended condition relating to windows in the first floor east and west elevations is not necessary. If additional windows were to be introduced which were not on the submitted plans then this would either need planning permission separately or could be subject to permitted development criteria, which I would regard as sufficient control. There are no side elevation windows proposed with the submitted details that I would regard as needing to be obscure glazed to protect neighbour amenity.
21. Finally, as there is already parking access to the side of No 7, which would essentially remain much the same after the proposed development, it would not be reasonable to require a vision splay as described in the Council recommended condition, as there is no substantive evidence that the existing arrangement is hazardous. I note that parked vehicles could block some visibility, but this could also be the same currently. Furthermore, a vehicle parked to the front of No 7 could obscure some views, but there are already obstacles to the front of Nos 6 and 7 that have a similar effect.

Conclusion

22. For the reasons outlined above and in considering all matters raised, the appeal should be allowed subject to the conditions in the Decision above.

Steven Rennie

INSPECTOR