



Appeal Decision

Site visit made on 10 December 2021

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2021

Appeal Ref: APP/Z5630/D/21/3283692

3 Liverpool Road, Kingston Upon Thames KT2 7SX

- 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 Dewey Atkins against the decision of Royal Borough of Kingston Upon Thames Council.
 - The application Ref 21/01527/FUL, dated 07 May 2021, was refused by notice dated 05 July 2021.
 - The development proposed is 'Proposed first floor extension above approved ground floor extension under 19/02816/HOU'.
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Decision

1. The appeal is allowed and planning permission is granted for 'Erection of single storey rear extension and first floor side extension with associated changes to fenestration' at 3 Liverpool Road, Kingston Upon Thames KT2 7SX in accordance with the terms of the application, Ref 21/01527/FUL, dated 07 May 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development was amended following submission of the application to '*Erection of single storey rear extension and first floor side extension with associated changes to fenestration*'. The original description of development better reflects the development proposed and I have referred to the original description for the purposes of this appeal. The amended description is somewhat misleading, as the side extension element of the scheme would be at ground-floor, and the first-floor extension would be to the rear elevation only.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the host building and surrounding area, particularly whether the proposal conserves or enhances the significance of Liverpool Road Conservation Area; and,
 - The effect of the proposal on the living conditions of occupiers of neighbouring properties, specifically no. 5 Liverpool Road.

Reasons

Character of the Area

4. The appeal site is a modestly proportioned semi-detached dwelling at the western end of Liverpool Road, close to its junction with Queens Road. The site is within the Liverpool Road Conservation Area (CA) and is close to Richmond Park. The Conservation Area 5 Liverpool Road Planning Information Document (PID no.5) states that the CA was designated in 1980 and its special character is summarised as 'an area of individually designed detached and semi-detached houses dating from the 1850s set in a mature landscape on the edge of Richmond Park'. The variety of dwelling types, sizes and designs within the CA reflect the characteristic individual designs described in the PID no.5, though the appeal site is one of a number of semi-detached dwellings of similar style which have an early 20th Century appearance.
5. The appeal scheme would introduce a single storey rear extension across the full width of the rear elevation, as well as a small section of side extension which would project from the rear elevation but not wrap around the existing flank wall. The scheme would also introduce a first-floor rear extension which would span just under half the width of the rear elevation. The ground floor element was permitted as part of a separate scheme in January 2020 (Council ref. 19/02186/HOU).
6. The scheme would appear subservient to the host dwelling due to its overall modest scale, particularly at first-floor level. It would also respect the proportions of the existing dwelling. The first-floor element of the scheme would be visible in the public realm from Queens Road, the junction of New Road and would have some limited visibility from the exit of Richmond Park itself. However, it would be viewed within the existing built context, which includes a similar first-floor extension at the attached no.1 Liverpool Road and it would restore a sense of symmetry across the semi-detached pair in this respect.
7. The Council has expressed concern that such development would set a precedent for the wider CA, however, each scheme is to be considered on its own merits, and for the reasons outlined above, I consider the appeal scheme would not cause detriment to the character of the area.
8. Given its modest and proportionate scale and siting, the visibility of the scheme would not have an adverse effect on the character of the host dwelling, area or the special character of the CA, which is in part defined by the individualistic design of dwellings. For these reasons, the proposal would accord with policies CS8 and DM10 of the Kingston Core Strategy (CS), adopted in 2012, and policies HC1 and D3 of the London Plan (LP), adopted in 2021. These policies seek, amongst other things, high quality design which recognises distinctive local character and has regard to the historic environment.

Living Conditions

9. The first-floor rear extension of the appeal scheme would have a width of just under half that of the rear elevation of the property and would be sited to the outside edge of the elevation, away from the attached no.1 Liverpool Road, to maximise the distance with its first-floor windows. No. 1 Liverpool Road has a similar first-floor extension, and the appeal scheme would create a reciprocal relationship between the properties.

10. As such, the extension would be on the half of the elevation which is closest to no. 5 Liverpool Road. The main rear window in the first elevation of no. 5 is sited closer to its boundary with no.7 Liverpool Road, at some distance from the appeal site. No.5 does have a narrow, secondary window in its side elevation, however, this is already sited facing the flank wall of the appeal site and as such, the appeal scheme would have little impact on the outlook and light to this window. The combination of distance, fenestration arrangements and the modest proportions and depth of the extension would not have an unacceptable adverse impact of the living conditions of occupiers of no.5.
11. There is an existing degree of mutual overlooking across the rear gardens of the properties from the first-floor windows. The appeal scheme would not provide additional opportunities for overlooking or result in a loss of privacy.
12. For these reasons, the proposal would accord with policies CS8, DM10 and DM12 of the CS, and policy D3 of the LP. These policies seek, amongst other things, high quality development which relates well to its surroundings and has regard to the amenities of occupants and neighbours.

Conditions

13. I have imposed the standard conditions requiring the development is carried out in a timely manner in accordance with the approved plans.

Conclusion

14. For these reasons, the proposal accords with the relevant policies of the development plan and material considerations do not indicate that the appeal should be determined other than in accordance with the development plan. The appeal is accordingly allowed.

Kim Langford Tejrar

INSPECTOR

Schedule of Conditions

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: Block and Location Plans 4D-114 E00 dated 12 April 2021, Proposed Drawings Floor Plans 4D-114 P01 dated 12 April 2021, Proposed Drawings Floor Plans 4D-114 P02 dated 12 April 2021, Proposed Drawings Elevations 4D-114 P03 dated 12 April 2021, Proposed Drawings Elevations 4D-114 P04 dated 12 April 2021, Proposed Drawings Elevations 4D-114 P05 dated 12 April 2021, Proposed Drawings Section 4D-114 P06 dated 12 April 2021, Proposed Drawings Section 4D-114 P07 dated 12 April 2021, Proposed Drawings Isometric View 4D-114 P08 dated 12 April 2021, Proposed Drawings Isometric View 4D-114 P09 dated 12 April 2021.