



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: 24 December 2021

Appeal Ref: APP/Z5630/D/21/3281265

12 St Andrews Road, Surbiton KT6 4DT

- 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 Mrs Lesley Lee against the decision of Royal Borough of Kingston Upon Thames Council.
 - The application Ref 21/01151/HOU, dated 13 April 2021, was refused by notice dated 24 June 2021.
 - The development proposed is 'Erection of a single storey / part two storey rear extension'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was amended following submission of the application; I have utilised the amended description.

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 St Andrews Square Conservation Area; and,
- The effect of the proposal on the living conditions of occupiers of neighbouring properties, specifically no. 11 St Andrews Road.

Reasons

Character and appearance

4. The appeal site is located on St Andrews Road, adjacent to the Grade II listed Church of St Andrew at the centre of the St Andrews Square Conservation Area (CA). The Church of St Andrew has a commanding presence within the CA and particularly within St Andrews Road due to its scale, proximity to the street, large bell tower and detailed architectural design. The Conservation Area 3 St Andrews Square Planning Information Document states that the CA was designated in 1971 and is an area of Victorian Housing dating from the 1860s-1880s, in Gothic and Italianate styles. The houses in question are predominantly four storeys, often with accommodation within a lower ground

floor and either a full fourth storey or within the roof. The houses are arranged in terraces on a block pattern, of relatively tall, shallow built forms separated by deep gardens. This pattern of development creates a sense of grandeur arising from the massive built form and architectural detailing, as well as a sense of spaciousness as a result of gaps at junctions and within the streetscene, despite the limited setback of the houses.

5. The appeal site is a four-storey end of terrace house; its accommodation is arranged in a partial lower ground floor, two full floors and within the roof. The lower ground floor is only marginally below ground level and as such, the 'ground floor' is at first floor height; this is particularly apparent at the rear. The terrace is of a more gothic style, which complements the detailed design of the listed church. The space between the end of the terrace and the Church of St Andrew provides relief from built form within the streetscene. The appeal site, and other houses within the terrace, have lower ground and ground floor rear extensions, as well as some first floor and roof extensions; these outriggers vary in width and depth, but they are predominantly flat roofed, shallow in depth and they are to some extent set away from the boundary.
6. The appeal scheme would introduce a part single storey, part two storey lower ground and ground floor rear extension to the house. These extensions would project a considerable depth from the original rear wall of the house and across most of its width, as a result they would have uncharacteristic scale which would not respect the original vertical emphasis arising from the tall, shallow form of the terrace.
7. Moreover, the flank elevation of the appeal site is particularly prominent within the streetscene due to its relationship with the church; the rear extension would also be visible in short range views along the street, as would the erosion of the vertical emphasis of the terrace. The depth of the extensions would be readily visible within the CA and within the setting of the listed church.
8. Further, the pitched roof element and introduction of Juliet balconies would be uncharacteristic of the built form at the rear of the terrace and would emphasise the incongruous scale of the scheme.
9. For these reasons, the scale, form, siting and design of the extension would fail to respond to the character of the host building and surrounding area and cause less than substantial harm to those elements of the CA, identified above, which contribute to its significance. For the same reasons, the site and wider CA are also part of the setting of the listed church, and the scheme would result in less than substantial harm to that setting.
10. The Appellant has indicated that the purpose of the extensions would be to improve the accessibility of the property and to provide access for future carers. Whilst I give substantial weight to increased accessibility and inclusivity as a benefit which would arise from the scheme, I am not satisfied that the same benefits could not be achieved in a manner which would not result in less than substantial harm to the CA, character of the host building and area. As such, the less than substantial harm would not be outweighed by this limited public benefit.
11. It is also acknowledged that the Appellant had sought pre-application advice from the Council and has made attempts to respond to that advice in designing

the scheme. Nonetheless, for the reasons outlined above, the proposal is contrary to policies HC1 and D3 of the London Plan (LP), adopted in 2021, and policies DM10 and DM12 of the Local Development Framework Core Strategy, adopted in 2012, as well as the National Planning Policy Framework (the Framework). These policies seek, amongst other things, development of a good design which appreciates the character of its surroundings and conserves or enhances the significance of the historic environment.

Living Conditions

12. The existing relationship between the appeal site and the adjoining property, no. 11 St Andrews Road, has mutual elements of overbearing and overshadowing due to the proximity of rear extensions and a high boundary wall, as well as the outrigger at no. 11 St Andrews Road slightly exceeding the depth of that at the appeal site. Whilst the lower ground floor element of the scheme would hardly exceed the height of the boundary wall with a parapet flat roof to the lower ground floor element, the ground floor element would introduce a significant additional projection of built form at height, in close proximity to the boundary. Although the ground floor element is somewhat set in from the boundary, it would exacerbate the existing tunnelled effect to the windows of no. 11 which are set back into the original rear elevation, abutted by the outriggers. The scheme would therefore cause overshadowing and be overbearing to the neighbouring property.
13. For these reasons, the scheme would have an unacceptable adverse impact on the living conditions of occupiers of neighbouring property, contrary to policy D3 of the LP and DM10 of the CS. These policies seek, amongst other things, to have regard to the amenities of occupants and neighbours.

Conclusions

14. For the reasons stated above, I find that the appeal proposal is contrary to the relevant policies of the Development Plan, would have an unacceptable adverse impact on the living conditions of occupiers of neighbouring property, would fail to respect local character and would cause less than substantial harm to the significance of the CA. This harm is not outweighed by the public benefits arising from the proposed development. The appeal is accordingly dismissed.

Kim Langford Tejrar

INSPECTOR