



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: 10 January 2022

Appeal Ref: APP/Z5630/D/21/3282897
46B Mount Road, New Malden KT3 3JX

- 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 Tse against the decision of Royal Borough of Kingston Upon Thames Council.
 - The application Ref 21/01426/HOU, dated 28 April 2021, was refused by notice dated 29 June 2021.
 - The development proposed is 'Erection of hip to gable and rear/side dormer roof extension with installation of 2no. front rooflights to facilitate loft conversion'.
-

Decision

1. The appeal is allowed and planning permission is granted for 'Erection of hip to gable and rear/side dormer roof extension with installation of 2no. front rooflights to facilitate loft conversion' at 46B Mount Road, New Malden KT3 3JX in accordance with the terms of the application, Ref 21/01426/HOU, dated 28 April 2021, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The description of development on the application form was "*loft conversion with hip to gable roof and rear/side dormer. Installation of no.2 roof lights to front roof slope*". This description was amended following submission of the application. I have referred to the amended description for the purposes of this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and surrounding area.

Reasons

4. The appeal site is a semi-detached dwelling situated within Mount Road, which is a predominantly residential street.
5. Mount Road comprises of a variety of dwelling types, sizes and styles, although it has a predominance of semi-detached and terraced houses with a front gable and a tight pattern of development. This arrangement creates a strong sense of regularity. The appeal site does not feature a front gable and it is sited at slightly further distance from the adjacent terrace than is typical of the tighter

arrangement of other semi-detached dwellings; this creates an uncharacteristic small gap in the streetscene.

6. The appeal scheme would introduce a partial second-storey side extension and a roof extension, with a hip to gable conversion. Whilst hipped roof forms are the predominant roof type in Mount Road, there are a varied mix of roof forms within Mount Road, including many side and front gabled roofs. Despite their frequency, gable roofs are not a prominent feature within the streetscene by virtue of the tight grain of development. Nonetheless, gabled roofs are an established part of the local character of Mount Road. As such, the proposed gabled roof of the appeal scheme would not be out of keeping with the local vernacular. Furthermore, the appeal site is somewhat dissimilar to the surrounding dwellings, as outlined above, and any minor difference in its appearance would not interrupt the characteristic sense of regularity in Mount Road.
7. Although the similar gabled roof form of the adjoining 46C Mount Road does not establish an irresistible precedent, it is part of the built context of the appeal site and Mount Road. The appeal scheme would create a greater sense of uniformity and balance across the semi-detached pair and would therefore contribute to the sense of regularity which is characteristic of Mount Road.
8. Previous applications which sought certificates of lawful proposed development to establish that a hip to gable conversion and roof extension at the appeal site would be permitted development have been refused. The Appellant has indicated that several similar applications at nearby properties have been approved, and that they disagree with the decisions relating to the appeal site. However, those applications are not before me for determination as appeals. Whilst a hip to gable conversion and rear extension may well be achievable as a permitted development, I have not found there to be a realistic likelihood of such development taking place regardless of the outcome of this appeal. As such, I have not taken into account any 'fallback' position in reaching my decision. The existence of a 'fallback' position would not alter my conclusions in any case.
9. For these reasons, I consider that the appeal scheme would not cause undue harm to the character of the host dwelling or area. The scheme would therefore accord with policy D3 of the London Plan (LP), adopted in 2021, and policy DM10 of the Local Development Framework Core Strategy (CS), adopted in 2012. These policies seek, amongst other things, development of a high quality design which respects, maintains or enhances character and local distinctiveness.

Conditions

10. I have imposed the standard conditions requiring the development is carried out in a timely manner in accordance with the approved plans. The Council has requested an additional condition which would require the submission of details for secure cycle parking in accordance with policy DM8 of the CS and policies T2 and T4 of the LP. Policy DM8 requires that new development provides facilities on-site for cyclists as appropriate in accordance with standards set out in the Sustainable Transport Supplementary Planning Document (SPD). The SPD sets out cycle parking standards for new dwellings but does not include requirements for residential extensions. Policies T2 and T4 set out strategic aims to promote healthy streets and sustainable modes of transport across

London in line with standards and strategies set out in development plans; these policies make no specific requirements for cycle parking provision for extended dwellings. I therefore consider that the suggested condition would not meet with the requirements of the relevant tests for the imposition of conditions.

Conclusion

11. 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 Plan, Location Plan, Drawing 1 Floor Plans P001 dated 10 March 2021, Drawing 2 Existing and Proposed Elevations E002 dated 10 March 2021, , Drawing 4 Proposed Section PS004 dated 10 March 2021, Drawing 5 Proposed Second Floor P005 dated 10 March 2021, Drawing 6 Existing and Proposed Roof Plans R006 dated 10 March 2021.