



Appeal Decision

Site visit made on 21 June 2022

by Elizabeth Lawrence BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH July 2022

Appeal Ref: APP/Z5630/D/22/3297096

74 Tolworth Road, Tolworth, Surbiton, KT6 7SZ

- 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 Ms Tatiana Preobrazhenskaya against the decision of the Royal Borough of Kingston Upon Thames.
 - The application Ref 22/00054/HOU, dated 3 December 2021, was refused by notice dated 7 March 2022.
 - The development proposed is described as proposed side extension with associated new windows and doors. Proposed roof extension with roof light and two dormer windows to rear.
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Decision

1. The appeal is dismissed.

Preliminary matters.

2. The appellant has submitted two revised drawings which have not been formally considered by the council or made the subject of any public consultation. Drawing 2107(PL)10 Revision P2 includes the removal of gates and gate piers along the front boundary of the property. Given the minor nature of this change I consider that it can be taken into consideration in the determination of this appeal without prejudice to the Council or any third parties.

Drawing 2107(PL)30 Revision P2 includes changes to the fenestration on the front elevation of the proposed resultant dwelling. Collectively, the changes would have a material impact on the overall design, character and appearance of the resultant dwelling. As such, I am unable to take them into consideration in assessing the merits of the appeal proposal.

Main Issues

3. The first main issue is the effect of the proposal on the character and appearance of the host dwelling and the neighbouring properties in the immediate surrounding area. The second main issue is the effect of the proposal on traffic congestion, the demand for parking in the surrounding area and highway safety.

Reasons

Character and appearance

5. Tolworth Road is primarily characterised by short terraces of uniformly designed two storey houses, interspersed with contrasting detached and pairs of semi-detached houses and bungalows. There are various sized gaps at the sides of the dwellings, some of which have been developed for single and two storey side extensions.
6. The appeal dwelling comprises a narrow, detached house with front and rear gables and modest sized single storey projections to the side and rear. The appeal dwelling is positioned on one side of the plot, where it projects up to the adjacent side boundary with 76 Tolworth Road (No.76). No.76 comprises one of pair a of semi-detached houses with a shallowed pitched roof with gable ends, which is sited approximately one metre from the boundary with the appeal dwelling. On the opposite side of the appeal dwelling is a generous sized gap, which is partially used for car parking. There is a mature hedge that runs just inside the side boundary with 72 Tolworth Road, (No.72), which comprises an end of terrace dwelling with a hipped roof. This dwelling similarly sits approximately one metre from its side boundary and occupies a comparatively narrow plot.
7. Collectively and amongst other things Policy D3 of the London Plan 2021 (The London Plan) and Policies CS8 & DM10 of the Royal Borough of Kingston Upon Thames Local Development Framework Core Strategy 2012 (LDF), seek to ensure that new development is designed to a high standard to achieve a more attractive environment. It should respect, maintain or enhance local character and distinctiveness and should relate well and connect to its surroundings. New development should also have regard to the living conditions of the occupiers of neighbouring dwellings with regard to matters including outlook, privacy, daylight and sunlight.
8. The LDF Residential Design Supplementary Planning Document (SPD) is consistent with this. It advises that extensions should remain subordinate to the host dwelling and their roof and eaves lines should reflect and relate well to the main house.
9. The proposed two storey side extension would be wider than the host dwelling and would project up to the side boundary with No.72. However, it would be set back from the existing front elevation of the dwelling and would mimic the existing front facing gable. In these respects it would be subservient and would respect the character and appearance of the host dwelling. Notwithstanding this, due to their size and positions, collectively the fenestration on the front elevation would fail to respect the strong sense of symmetry in the design and appearance of the front elevation of the host dwelling.
10. Of more concern is the proposed new hipped crown roof with its high eaves lines to the sides, which would materially detract from the modest roof form of the host dwelling. The resultant dwelling would appear top heavy, particularly when approaching from the southeast along Tollworth Road, where the roof and side flank wall would dominate the host dwelling and would appear out of keeping with the hipped roof at No.72. The relationship between the two dwellings would appear awkward and cramped within the street scene.

11. Whilst I note that there is a crown roof extension at 80 Tolworth Road, it is not as deep as the proposed crown roof; its gable ends sit between the gable roofs of the adjacent dwellings; and good sized gaps above ground floor level are maintained between the dwelling at No.80 and the dwellings on either side of it. As such it is not comparable to the appeal proposal.
12. To the rear the proposed extension would completely change the character and appearance of the host dwelling. However, there are a diverse range of outbuildings and rear extensions within the back garden environment and this includes bulky roof extensions. Together with the boundary fencing, hedges and trees they contribute to a mixed and informal rear garden environment. Within this setting, in itself, the proposed extension, including its crown roof and large rear dormers would not look out of place. However, due to the proximity of the proposed extension to the dwelling at No.72 and the bulk of the proposed roof additions, the relationship between the two dwellings would appear cramped.
13. Overall, the harm that would be caused due to the bulk and design of the resultant roof and the extensions cramped relationship with No.72 would outweigh the benefits for the appellant and their family that would result from the additional accommodation. It is not a matter that could be satisfactorily address through the imposition of conditions.
14. For these reasons I conclude that the proposal would materially and unacceptably harm the character and appearance of the host dwelling and the neighbouring properties in the immediate surrounding area. It would conflict with policy D3 of The London Plan and LDF Policies CS8 and DM10.

Car parking

15. Policy T6 of The London Plan sets out maximum residential parking standards, which equates to one space for a five bedroom dwelling in places in outer London with a PTAL score of 2. The Kingston Upon Thames Sustainable Transport Supplementary Planning Document 2013 advises that the minimum size for a parking space is 2.4 x 4.8 metres.
16. Policy T6 of The London Plan also states that a parking design and management plan should be submitted alongside all applications which include parking provision. They should indicate how the parking will be designed and managed. LDF Policies DM9 & DM10 similarly require proposals to comply with parking standards; implement parking management schemes; and to ensure that local traffic conditions and highway safety are not adversely affected.
17. Currently there is ample space within the front garden of the appeal dwelling for the parking of two cars without obstructing the opening or closing of the front entrance gates. With the proposal the forecourt area would be materially reduced in depth and would accommodate the proposed new entrance to the dwelling. Whilst the Council raised no concerns to the provision of just one parking space, they are concerned that it has not been demonstrated that a parking space of 2.4 x 4.8 metres in size could be accommodated whilst allowing the existing gates to open inwards.
18. Having regard to the size of the existing entrance gates and the proximity of the entrance door to the dwelling, I share this concern. However, the appellant has addressed this by submitting a revised site plan which simply removes both

the pedestrian and vehicular gates. It also shows a 2.4 x 4.8 metre parking space which both sits within the front garden and does not obstruct access to the front door.

19. The permanent removal of the gates is something that could be secured through the imposition of a planning condition, which would satisfactorily address the concerns raised by the council.
20. Subject to such a condition the proposal would be highly unlikely to result in indiscriminate parking or have an unacceptable impact on traffic congestion and highway safety. As stated in paragraph 111 of the National Planning Policy Framework 2021 (the Framework), development should only be prevented on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on road networks would be severe.
21. I conclude on the second main issue that the proposal would be highly unlikely to result in indiscriminate parking or have an unacceptable impact on traffic congestion and highway safety. Accordingly, the proposal would comply with Policy T6 of The London Plan, LDF Policies DM9 & DM10 and paragraph 111 of the Framework.

Other matters

22. Due to its height, depth and proximity to the dwelling at No.72, the proposed extension would result in a loss of daylight and sunlight in the room served by the ground floor window in the side elevation of No.72. However, this is a small northwest facing window which already looks out directly at a tall evergreen hedge, with the flank wall of the host dwelling a short distance beyond. The main windows and outlooks from this dwelling are to the front and rear.
23. The two storey element of the proposed extension would be sited close to and would project beyond the rear elevation of the dwelling at No.72 by approximately three metres. Due to its depth and orientation, the extension would not result in a material loss of daylight or sunlight within the adjacent rear facing windows at No.72, although it would add to the sense of enclosure at the rear of the dwelling. Whilst this would not amount to a reason for dismissing this appeal, it highlights the cramped relationship between the proposed extension and the dwelling at No.72.
24. Finally, the proposed roof level full height window adjacent to No.72 would afford views into the rear garden environment. This rear garden environment is already overlooked from existing first floor and dormer windows, which is typical of many two and three storey housing areas. With the appeal scheme the upper floor windows project beyond the rear wall of the dwelling at No.72 and so their outlook is further into the rear garden environment, away from the garden area immediately to the rear of the dwelling at No.72.

Conclusion

25. Whilst I have found in favour of the appellant in relation to the second main issue and various other matters, the conclusion on the first main issue represents a compelling reason for dismissing this appeal.

Elizabeth Lawrence

INSPECTOR