



Appeal Decision

Site visit made on 16 August 2022

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2022

Appeal Ref: APP/Z5630/D/22/3300992

121 Acre Road, Kingston Upon Thames, KT2 6EZ

- 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 Ben Hayward against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref 22/01066/HOU, dated 17 March 2022, was refused by notice dated 18 May 2022.
 - The development proposed is the erection of first floor rear extension, piggyback and rear dormer roof extension to facilitate loft conversion; associated changes to fenestration.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of first floor rear extension, piggyback and rear dormer roof extension to facilitate loft conversion; associated changes to fenestration at 121 Acre Road, Kingston Upon Thames, KT2 6EZ in accordance with the terms of the application, Ref 22/01066/HOU, dated 17 March 2022, subject to the conditions set out in the attached Schedule.

Preliminary matter

2. Since it more accurately describes the proposed development, the description provided in the Council's decision notice has been utilized in preference to that in the application form.

Main issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

4. Although sited very close to its neighbour to the west, the appeal property is a detached dwelling of a pleasant appearance with a prominent gable in the front elevation; it has been extended before. It is sited close to a shallow bend which sweeps round into Gibbon Road. Properties of a generally similar design occupy this frontage, but otherwise the locality contains a variety of styles and buildings, including, on the opposite frontage, a terrace of dwellings, a flat roofed block of flats, and a school. It is thus a predominantly residential area with a variety of architectural styles on display.

5. Reference has been made to a previous appeal¹ affecting the property. The proposal subject of appeal also involved the creation of a loft conversion, including raising the roof. That aspect of the development was not granted planning permission, in a split decision². The previous decision is material to my considerations, and accordingly, I have examined the plans subject of that appeal.
6. The current proposal as it affects the main street elevation is clearly distinguishable from that subject of the previous appeal. Whilst the roof would be raised, its' ridge would be at a level comparable with others on this frontage. A front gable feature would be retained, albeit that its shape would be varied. The overall result would be a proportionate alteration, respecting the appearance of the existing elevation, and those of other nearby dwellings. It is a far less complicated and more acceptable design solution than proposed before, which the previous Inspector described as '*mundane*'.
7. The proposals to the rear are more radical, involving a remodelling of the elevation. However, rear roof extensions are not unusual features in modern housing, and I do not consider that proposed here to be objectionable in its' scale, massing or shape. Moreover, the rear elevation would not be apparent in the public realm but restricted to views from some neighbouring gardens. Extant development would largely screen oblique views of the altered side elevations from the street outside. The impact from the street would thus be acceptable and broadly comparable with the piggyback development I viewed at nearby Gibbon Street³.
8. I therefore conclude that the proposals would not materially or harmfully affect the character and appearance of the host property or its surroundings. Accordingly, I find no conflict with the aims of the Council's Core Strategy policies CS8 & DM10, requiring the character and local distinctiveness of a street or area to be respected, maintained or enhanced when new development is proposed.

Conditions

9. The Council's suggested condition regarding materials shall be imposed in the interests of visual amenity, albeit in a modified form.
10. It is necessary in the interests of certainty that the development should be carried out in accordance with the approved plans.
11. The Council's suggested Fire Strategy condition shall be imposed, albeit in a slightly modified form, to ensure compliance with Policy D12 of the London Plan.

Other matters

12. All other matters referred to in the representations have been taken into account, including concerns as to potential loss of privacy and light raised by neighbours. The basis for these objections is evaluated in the officer report on the application and I have no reason to disagree with the Council's view that no harm would ensue to neighbouring living conditions.

¹ APP/Z5630/D/18/3200021

² A single storey rear extension was permitted.

³ At number 121.

13. I have also taken account of the Council's references to its Supplementary Planning Document (SPD) entitled 'Residential Design'.
14. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Ref 200 P1; 201 P1; 202 P1; 203 P1; 204 P1; 205 P1 & 206 P1.
3. Prior to any above ground works (excluding demolition) a Fire Safety Strategy shall be submitted to the local planning authority for its' approval, which shall be obtained in writing. The Fire Safety Strategy shall demonstrate how the development will achieve the highest standards of fire safety and shall include the following details: i) suitably positioned outside space for fire appliances and an evacuation assembly point; ii) fire alarm systems; iii) Passive and active fire safety measures; iv) construction details which shall minimise the risk of fire spread; v) provision of suitable and convenient means of escape and an evacuation strategy; vi) provision of suitable access and equipment for firefighting appropriate to the size and use of the development. The Fire Safety Strategy shall include a statement of competence. The development shall be carried out in accordance with the approved Strategy and thereafter all approved elements shall be retained.