The Planning Inspectorate

Appeal Decision

Site visit made on 21 February 2023

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 22nd March 2023

Appeal Ref: APP/Z5630/D/22/3308171
1 Thorpe Road, Kingston upon Thames, KT2 5EU.

- 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 Rowena Trevellyan against the decision of the Council of the Royal Borough of Kingston upon Thames.
- The application Ref 22/01623/HOU, dated 13 May 2022, was refused by notice dated 13 July 2022.
- The development proposed is a side extension with single storey and two storey parts, including associated new bay windows to front elevation.

Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues to be:

   a) the effect of the proposed development on the architectural integrity of the host property, and thereby the street scene, and;

   b) whether the proposal has demonstrated compliance with Policy D12-*Fire Safety* of the London Plan (2021).

Reasons

3. The appeal property, 1 Thorpe Road is a detached two-storey house located at the junction of Thorpe Road and Bearfield Road. It is a well-mannered modest sized dwelling with a single storey flat roof side extension.

4. The main façade faces Thorpe Road together with a long side garden. In contrast to the properties in Bearfield Road it presents a blank flank wall to that street frontage.

5. The appellant proposes removing the existing side extension and building a new part single part two-storey side extension. In addition, an enlarged entrance porch is proposed. The two-storey extension would maintain the same ridge and eaves lines as the host property.

6. The fenestration to the main façade as extended would then be reconfigured by the construction of two new bay windows and three pairs of first floor windows. A further bay window and first floor window is proposed in the existing blank flank wall facing Bearfield Road.

7. I consider that the proposed alterations to the flank wall facing Bearfield Road would serve to enhance the visual appearance of property and the local context.

Further, I agree with the appellant that a subservient extension is not an appropriate design solution in all cases.

8. However, in my judgement the proposed extension, would, when considered as a whole, by reason of its overly fussy fenestration pattern, form and design denude the established well-mannered character and appearance of the existing house. Furthermore, the house as extended would appear overly dominant and visually intrusive in the street scene.

9. I therefore conclude in respect of the first main issue that the proposed development would cause significant harm to the architectural integrity of the host property, and thereby the street scene contrary to the aims of Policy D3 of the London Plan 2021 (Adopted March 2021) and Policies CS8 and DM10 of the Royal Borough of Kingston upon Thames Local Development Framework-*Core Strategy* (Adopted April 2012) as they relate to, amongst other things, quality of design and the need to respect the character and appearance of the original building and enhance the local context.

Fire Safety

10. Fire safety is covered by Part B of the building Regulations. Nevertheless, as set out in the guidance notes to Policy D12 of the London Plan 2021 it is necessary to ensure that development proposals achieve the highest standards of fire safety and therefore applicants should consider issues of fire safety before the building control application stage.

11. The appellant has not submitted any evidence to show that the matters, as set out in part A of the policy were considered at the initial design stage. However, in this case, given the overall scale of the project I consider that this is a matter that, if I were minded to allow the appeal could be addressed by a suitably worded condition.

12. I therefore conclude in respect of the second main issue, that subject to the imposition of a condition the objectives of Policy D12 of the London Plan can be met in this case to ensure that the highest standards of fire safety could be achieved.

Other Matters

13. I appreciate that the proposed development would serve to enhance the residential accommodation and help bring the property up to modern Building Regulation standards. However, I am not persuaded that, in this case, these considerations outweigh the harm that I have identified if the development were to proceed as designed.

Conclusions

14. I have found that the proposal would, subject to the imposition of a condition accord with the aims of Policy D12 of the London Plan 2021. However, this matter does not outweigh my findings on the first main issue which to my mind is a compelling objection. I have considered all the all other matters raised, but none change my overall conclusion, reached on the planning merits of the proposal, that the appeal should not succeed.

Philip Willmer

INSPECTOR