The Planning Inspectorate

Appeal Decision

Site visit made on 18 April 2023

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2023

Appeal Ref: APP/Z5630/D/22/3308590
71 Ullswater Crescent, Kingston Upon Thames, Kingston Vale SW15 3RE

- 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 Muthana Hussein against the decision of the Royal Borough of Kingston Upon Thames.
- The application Ref 22/01813/HOU, dated 31 May 2022, was refused by notice dated 28 July 2022.
- The development proposed was originally described as "changes to existing roof including dormer to rear and raising the ridge by 200mm".

Decision

1. The appeal is allowed, and planning permission is granted for changes to existing roof including dormer to rear, installation of 2 no. front rooflights and raising the ridge at 71 Ullswater Crescent, Kingston Upon Thames, Kingston Vale SW15 3RE in accordance with the terms of the application, Ref 22/01813/HOU, dated 31 May 2022, and the plans submitted with it, subject to the conditions set out in the attached Schedule.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. I note that the submitted plans show two proposed rooflights and a different ridge height measurement to that included within the description. In allowing the appeal I have therefore amended the description of the development for clarity to include the rooflights and remove the ridge height measurement. I have assessed the proposal as shown on the submitted plans.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host property and surrounding area, including the Kingston Hill/Coombe Hill Strategic Area of Special Character.

Reasons

4. 71 Ullswater Crescent is sited within a predominately residential area, located in the Kingston Hill/Coombe Hill Strategic Area of Special Character (SASC), a non-designated heritage asset. Paragraph 203 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required

having regard to the scale of any harm or loss and the significance of the heritage asset.

5. The significance of the SASC, insofar as is relevant to this appeal, derives from the presence of an area of fine houses and lodges set in a landscape of exceptional quality, which began as a series of small estates in the late 18th century. Ullswater Crescent forms part of the SASC and is characterised by large detached and semi-detached two storey properties. Properties are sited close together, set back from the highway, in large plots. There is a variation in style of property design and roof forms along Ullswater Crescent. The roof forms are predominately low, hipped roofs, although I noted during my site visit that there are variations, including the presence of gables. Shared features such as scale, massing, siting, height, roof forms and materials help to create an overall uniform appearance which contributes to the character of the area.

6. 71 Ullswater Crescent is a two storey detached property, with hipped roof, set back from the highway in a large plot. The property, due to its appearance, roof form, siting and massing, contributes to the character of the area.

7. The proposed development includes a modest increase in the height of the roof ridge and retains a hipped roof design. The profile, scale and massing of the proposed hipped roof, would largely reflect that of the host property. The number and size of the proposed rooflights are modest. As a result, there would be little change to the overall appearance of no. 71 when viewed from Ullswater Crescent. The proposed alterations and extensions are therefore consistent with the scale and proportions of no. 71 and the roof forms in the surrounding area.

8. The Council has raised no concerns regarding the proposed rear dormer window, with regards to scale and external design. Given the position, modest scale and design of the dormer, I have no reason to disagree with this assessment.

9. The Council states that the roof profiles in the area are largely intact. However, I noted during my site visit that a number of properties along Ullswater Crescent have been altered and in some cases extended. I do not have the precise details of each alteration before me, but clearly these alterations and extensions add to the variation of roof forms in the area.

10. For the above reasons, I conclude that the proposed development would maintain and would not be harmful to the character and appearance of the host property surrounding area, including the SASC. The proposed development therefore complies with Policies CS8, DM10 and DM12 of the Royal Borough of Kingston upon Thames Local Development Framework Core Strategy April 2012, Policy HC1 of the London Plan 2021 (LP) and relevant paragraphs within the Framework, including paragraph 203. Collectively, these policies seek to ensure development proposals are of good design, contribute towards the character and local distinctiveness of a street or area, respect roof forms and have regard to the historic environment.

Conditions

11. The Council has recommended four conditions. I have imposed a condition specifying the approved plans as this provides certainty. In order to ensure a

satisfactory appearance, I have imposed a condition requiring the development to be constructed from materials to match those used in the host property. Although a fire safety statement was submitted with the application, it does not fully address all relevant criteria required by Policy D12 of the LP. In the interests of fire safety and all building users, I have therefore imposed a condition which requires a revised fire safety statement to be submitted to the Council for approval, implemented and maintained. I have modified the Council's suggested fire safety condition slightly to ensure compliance with Policy D12 of the LP.

Conclusion

12. For the above reasons, I conclude that there is no conflict with the development plan as a whole and there are no material considerations that indicate that I should conclude other than in accordance with the development plan. Consequently, I conclude that the appeal should be allowed.

S Pearce

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: Proposed First Floor Plan drawing no. A05; Proposed Loft Plan drawing no. A06; Proposed Roof Plan drawing no. A07; Proposed Elevations drawing no. A09; Proposed Section AA drawing no. A10; and, Location Plan and Block Plan drawing no. A11.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

4. Notwithstanding the submitted fire safety statement, prior to the occupation of the hereby approved development, a revised statement shall be submitted to and approved in writing by the Local Planning Authority. The fire safety statement shall demonstrate how the development will achieve the highest standards of fire safety and shall include the following details:

    a. suitably positioned outside space for fire appliances and an evacuation assembly point;

    b. Appropriate fire alarm systems;

    c. Passive and active fire safety measures;

    d. Construction details to minimise the risk of fire spread;

    e. Provision of suitable and convenient means of escape and associated evacuation strategy for all building users; and,

f. Provision of suitable access and equipment for firefighting which is appropriate for the size and use of the development. The fire safety statement shall include a statement of competence.

The development shall be carried out in accordance with the approved statement prior to the occupation of the approved development and thereafter maintained.