
Appeal Decision

Site visit made on 7 August 2023

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th September 2023

Appeal Ref: APP/Z5630/D/23/3321027

17 Firdene, Kingston Upon Thames, Tolworth KT5 9QQ

- 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 Chandra Adari against the decision of The Royal Borough of Kingston Upon Thames.
 - The application Ref 22/03974/HOU, dated 28 December 2022, was refused by notice dated 1 March 2023.
 - The development proposed is the demolition of existing outbuilding and erection of part two storey/part single storey side/rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the description of development in the banner above from the Council's decision notice as it is more concise than that on the application form.

Main Issue

3. The main issues are:
 - i) the effect of the proposed extension on the character and appearance of the host dwelling and area; and
 - ii) whether the proposed development would secure an adequate standard of fire safety.

Reasons

Character and appearance

4. The appeal scheme proposes substantial extensions to a modest end of terrace dwelling located within a residential cul de sac. The property benefits from a reasonably sized garden, which extends to the side of the house. An access lane runs along the side boundary of the site, providing access to garages to the rear of properties.
5. Planning consent was granted in 2022 to extend the appeal property. This consent has not been implemented. Whilst there are some similarities between

the previously approved scheme and the appeal proposals, there are critical differences.

6. The two-storey and single-storey side extensions would reflect the previously approved scheme. As such, this element of the proposals, when considered in isolation, would respond to the scale, form, external materials and fenestration of the existing dwelling. In addition, the rear first floor extension would be set back from the front elevation of the property, reducing the mass of the proposals when viewed within the streetscene. Consequently, the proposals would not be at odds with the character and appearance of the dwelling or streetscene when viewed from the public realm to the front of the property.
7. However, the proposed rear extension would be notably deeper than the approved scheme at ground floor level. Also, the proposed two-storey rear element would be significantly wider than the approved scheme and would extend beyond, and wrap around, the side elevation. This position and form, coupled with the crown roof detail, would create a dominant and incongruous structure which would appear contrived.
8. Overall, the proposals would be bulky and overly dominant in the context of the existing dwelling. The development would be clearly visible from land to the rear and side of the appeal site. This would include the rear gardens of neighbouring properties on Firdene, the side/rear access road and a number of nearby properties on Warren Drive South and Knollmead. The proposals would therefore unduly harm the character and appearance of the appellant's home and the area.
9. In conclusion, as I have described, the appeal scheme would have a significantly different impact to the previously approved development. The proposed extensions would be excessive in bulk and scale and would unacceptably harm both the character and appearance of the host dwelling and the wider area. The appeal scheme would therefore be contrary to Policy D3 of the London Plan (2021) (LP), Policies CS8 and DM10 of the Kingston Upon Thames Local Development Framework Core Strategy (2012) and the National Planning Policy Framework. Taken together these seek to secure good quality development which responds to the context of the host dwelling and area.

Fire Safety

10. The appellant has not demonstrated that the proposal would achieve the highest standards of fire safety in accordance with Policy D12A of the LP. However, Policy D12B only requires a Fire Statement to be submitted in respect of major development and not for householder proposals. In view of this, given that the proposed development is relatively small scale, I am satisfied that, had the scheme been acceptable in all other terms, this information could have been secured by a planning condition. The proposal is therefore not in conflict with Policy D12A of the LP.

Other Matters

11. I have considered a number of matters raised by the appellant in support of their proposals. I recognise that the demolition of the existing garage would

secure an adequate level of private garden space for the extended property. Also, there would be no undue harm to the living conditions of neighbouring residents in terms of sense of overbearing, loss of light or privacy. However, these matters would not outweigh the overall harm that I have identified to the character and appearance of the dwelling and area.

12. I have considered an extension to 2 Meadway, which the appellant refers to in support of his proposals. However, I note that the extensions are significantly smaller than the appeal scheme and the property does not include a two-storey rear projection. I therefore attach limited weight to this in considering the appeal. In any event, each proposal must be considered on its own merits.

13. Conclusion

14. The appeal is dismissed

Rebecca McAndrew

INSPECTOR