



Appeal Decision

Site visit made on 18 December 2023

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 2nd January 2024

Appeal Ref: APP/Z5630/D/23/3327941

140 King Charles Road, Surbiton, Kingston Upon Thames, KT5 8QN

- 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 D Mustajbasic against the decision of the Council of the Royal Borough of Kingston upon Thames.
 - The application Ref: 23/00836/HOU dated 28 March 2023, was refused by notice dated 26 May 2023.
 - The development proposed is ground floor rear and side extension to replace existing garage and conservatory. Adaptation of existing roof form to hip to gable and conversion of existing loft into bedroom accommodation with the provision of a rear dormer window.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has confirmed that planning permission was granted by the Council for a similar form of development in November 2022 under its reference 22/02144/HOU. The principal difference with the proposal now before me relates to the proposed change from hip to gable extension and associated works at roof level. I shall therefore focus my attention on that part of the overall proposal.
3. The National Planning Policy Framework (Framework) was revised in December 2023. Although some of the paragraph numbering has changed, I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. I do not therefore consider it necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issue

4. The main issue in this appeal is the effect of the proposed gable end extension on the character and appearance of the existing property, the semi-detached pair and on the Fishponds Park Conservation Area.

Reasons

5. The appeal property is a semi-detached property, appearing to date from the very late Victorian / Edwardian period on the west side of King Charles Road to the immediate north of Fishponds Park. It is situated in a predominantly residential area and within the designated heritage asset of the Fishponds Park

Conservation Area. The significance of the Conservation Area relates primarily to the open space of the park and relationship with the surrounding Victorian development. The attractive semi-detached pair, comprising the appeal property and its neighbour, are prominent in this part of King Charles Road, primarily because they are situated on their own between King Charles Crescent and the Park. The Council's Planning Information and Summary Character Appraisal identifies the appeal property and its semi-detached neighbour as making a positive contribution to the Conservation Area and given their attractive form, prominence in the street scene and relationship with Fishponds Park I agree with this finding.

6. Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out in respect of development within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The proposal would undertake a number of extensions and alterations to the existing property but in view of the existing permission, my principal consideration relates to the proposed hip to gable extension and associated dormer which would extend almost the full width of the extended roof form. Although the roof forms of the two semi-detached houses are not identical, and the large dormer to the rear of the adjacent property is visible from within the Park as well as from within King Charles Crescent, the hipped roof is a shared feature together with the symmetry of their front elevations.
8. I consider that the proposed works at roof level including the proposed hip to gable extension and associated dormer would result in a top heavy extension which would be overly dominant in relation to the scale and proportions of the existing dwelling. Moreover, it would unbalance the semi-detached pair of dwellings at roof level. This would detract from their symmetry and the contribution they make to the street scene and the character and appearance of the Conservation Area.
9. Whilst the loss of symmetry to the semi-detached pair would be primarily seen from King Charles Road, the roof change and bulky roof additions would be highly visible and overly prominent in views from within Fishponds Park. It would detract from the existing relationship between the Park and the surrounding built development. This would harm the character and appearance of the Conservation Area.
10. I therefore conclude that the proposed development, with particular reference to the hip to gable roof extension and associated dormer and roof works would harm the character and appearance of the existing dwelling and the semi-detached pair. It would also harm and would not preserve the character and appearance of the Fishponds Park Conservation Area. This would conflict with Policy HC1 of the London Plan, Policies CS8 and DM12 of the Core Strategy 2012 and the Residential Design SPD 2013, as well as the Framework and in particular Sections 12 and 16, all of which, amongst other matters, seek for a high quality of design which respects the local context and the significance of heritage assets.
11. Paragraph 208 of the Framework sets out that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal would lead to some small benefits to the local economy.

Whilst the harm to the designated heritage assets of the Conservation Area would, in my view, be less than substantial, the public benefits would not be sufficient to outweigh that harm.

Conclusion

12. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR