



Appeal Decision

Site visit made on 14 December 2023

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 January 2024

Appeal Ref: APP/Z5630/D/23/3327891

5 Cherrywood Close, Kingston upon Thames KT2 6SF

- 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 John Hawkins against the decision of the Council of Royal Borough of Kingston Upon Thames.
 - The application Ref 23/01629/HOU, dated 19 June 2023, was refused by notice dated 8 August 2023.
 - The development proposed is described as raising of roof ridge to facilitate roof extension incorporating a side, rear dormer and three number rooflights to front elevation and flat roof lights to flat roof sections. Solar panels to the flat roof section.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address in the banner above from the application form. While different to that on the appeal form, it still reflects the appeal site location.
3. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. This has not raised any new matters which are determinative to the outcome of this appeal.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area including the setting of the Liverpool Road Conservation Area (LRCA).

Reasons

5. The appeal site is located outside, but close to, the LRCA. From my observations the significance of the LRCA lies, in part, in verdant tree lined streets and of individually designed detached and semi-detached houses dating from the 1850s.
6. In the wider area, outside the LRCA, there is a mixed character with a variety of property types and sizes including blocks of flats and a school leading away from the LRCA.
7. The appeal property sits within a cul-de-sac of two-storey detached and semi-detached dwellings with shallow-pitched roofs of a hip design. The houses are of similar brick construction and there is uniformity in the design of the front elevations, with facades displaying a consistent fenestration style and

decorative detailing. There is also a small garage complex to the side at the end of the Cul-de-sac which allows for views onto the rear of properties on Queen's Road.

8. The immediate context, with the exception of the four-storey building sited to one side of the entrance of Cherrywood Close, is of a suburban character that is generally well-spaced low-level, allowing views into and through the LRCA. While there are taller properties found nearby as a result of its position within the Cul-de-sac the appeal property is more closely associated with the dwellings in Cherrywood Close.
9. Whilst some dwellings appear to be larger, and there is a slight rise in topography to one side of the street, the original form and scale of the dwellings in the cul-de-sac has been retained. Consequently, the roofscape of the area is generally undisturbed, retaining the proportions of the properties which makes a positive contribution to the character and appearance of the area. As a result of the position of the appeal building, and its shared scale with similar proportions to almost all of the nearby buildings, it currently makes a neutral contribution to the setting of the CA.
10. While varying roof heights and rear dormers are characteristic of the wider area, they are not found within the immediate setting of Cherrywood Close. The proposal would include raising the roof height of the house and introduce dormer windows into the rear and to one side of the roof. Given the existing uniform and broadly consistent roofscapes within Cherrywood Close, the height difference would be obvious, particularly from within the Cul-de-sac and the rear of some surrounding properties and gardens.
11. Despite the use of improved and colour-matching materials, the increase in height of the roof and uncharacteristic side dormer would be unduly dominant features giving rise to disproportionate bulk at roof level and an incongruous appearance in the street scene, eroding the pleasant uniformity of the street.
12. Even if I was to agree the proposed dormer designs are broadly consistent with the Council's guidance¹, they can only be achieved through an increase in the height of the roof. The combined works of increasing the roof height and side dormer would not appear as part of a transition in building heights. Instead, they would, in combination, appear jarring and contrived harming the character and appearance of the area and the setting of the LRCA.
13. I note the appellant's comments in relation to the site being visible from Alexandra Road and the loss of trees. At the time of my visit, a nearby site had been cleared. However, it was not obvious that any future development was likely to commence on site such that the appeal proposal would be readily visible from the LRCA along Alexandra Road.
14. The appellant has drawn my attention to examples of development which included dormers and raising of the roof height. Whilst I do not have full details of these schemes, I note that none of the examples given replicate the appeal proposal's design. The example at Kingdom Hall was for a front dormer. The approved development at 29A Alexandra Road follows the demolition of the existing building on a row with significant variations to the types and designs of houses found on the road.

¹ Residential Design Supplementary Planning Document.

15. Other examples provided while allowing the raising of the roof or dormers are located some distance from the appeal site amongst different building types. There are examples of dormers on Alexandra Road however, these appear to have been created in the original roof and not as a result of increasing the height and bulk of the roofs. In this regard, existing or allowed developments are materially different to the appeal proposal, and therefore I cannot draw any direct comparison that weighs in favour of the proposal. Furthermore, these examples are not a reason to allow other developments that would harm the character or appearance of the area or the setting of the LRCA.
16. For the purposes of the Framework, the LRCA is a designated heritage asset. Within the overall context, I consider that the proposal would lead to less than substantial harm to the significance of this asset. The Framework indicates that such harm is to be weighed against the public benefits of a proposal. However, great weight should be given to an asset's conservation.
17. The appellant is seeking to refurbish the family home and increase living space which would be a private benefit. Even if I was to accept the proposal would result in a further well-sized family dwelling to the Council's housing stock and utilise existing airspace, given the scale of the scheme the benefit would be small.
18. There would also be some temporary economic benefits through support for construction jobs. However, as with the benefits towards thermal and energy efficiency, the contribution would be small given the scale of the proposal. Therefore, in this instance, the public benefits, even when taken collectively, do not outweigh the identified material harm to the designated heritage asset.
19. For the reasons set out above, I conclude that the proposal would harm the character and appearance of the area, including the setting of the LRCA. In these regards, it would conflict with Policies CS8 and DM10 of the Royal Borough of Kingston Upon Thames Local Development Framework Core Strategy and Policies D3 and HC1 of The London Plan. These seek, amongst other things, to ensure high quality design in development and to protect the character and appearance of the historic built environment. It would be contrary to the design guidance set out in the Council's Residential Design Supplementary Planning Document and the Framework in so far as it seeks new development to be sympathetic to local character and the protection of heritage assets.

Other Matters

20. There is no substantive evidence before me to conclude that the roof design of dwellings within Cherrywood Close was cost-related. In any event, the built form exists, and as I have identified above, there is a pleasing consistency to the street as a result of the appearance of the dwellings.
21. The lack of objections from neighbouring occupiers weighs neither for nor against the proposal.

Conclusion

22. The proposal conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

23. Therefore, I conclude the appeal should be dismissed.

A Hickey

INSPECTOR