



Appeal Decision

Site visit made on 2 September 2024 by T Morris BA (Hons) MSc

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2024

Appeal Ref: APP/Z5630/D/24/3346522

44 Rollesby Road, Chessington KT9 2BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Volodymyr Reshetov against the decision of Royal Borough of Kingston Upon Thames.
 - The application Ref is 24/00743/HOU.
 - The development proposed is demolition of the garage and erection part single part double side and rear extensions with front porch.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The appellant suggests that a main issue for consideration is 'whether existing levels of residential amenity at No 42 and No 46 Rollesby Road would be negatively affected'. However, the Council's decision notice and officer report raise no such concerns. Therefore, I have defined the main issue on the basis of the reason for refusal on the Council's decision notice.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and on the surrounding area.

Reasons for the Recommendation

5. 44 Rollesby Road (No 44) is an end-terraced property situated in a residential area. Rollesby Road is primarily characterised by blocks of terraced dwellings, with some semi-detached and detached dwellings in the wider area. The terraces are generally of a coherent design, with consistencies in window size and placement, and a regular pattern of square front projections interspersed by porches. The end properties mostly have hipped roofs. Indeed, the roofs of the appeal dwelling and No 38 Rollesby Road form hipped ends to either side of this terrace. In its current form, the appeal dwelling and the terrace it forms part of contribute positively to the character of the area, due to their overall coherence and the pleasing sense of balance and symmetry across the terrace as a whole.

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6. I acknowledge that the front of the two-storey side extension would be narrow and would be set back from the forwardmost projection of the host dwelling. Even so, its increasing width extending towards the rear would be visible from the street. The top of the flat roof would sit awkwardly above the eaves of the current roof and its form would not reflect that of the original dwelling. Furthermore, the window format to the front would not correspond with the appearance of other windows on the front elevation of the dwelling. As a result, the proposal would appear as a bulky and incongruous addition, jarring with the design of the host property, the respective terrace and the prevailing character of the wider street.
 7. In addition, the substantial two-storey rear element with its substantial mass and obtrusive flat roofed design would dominate the original form of the dwelling when appreciated from the rear of neighbouring properties. The matching materials proposed would not be enough to assimilate the proposal into its surroundings.
 8. The appellant has referred to other two-storey side extensions in the area. I saw some of these on my site visit, including the flat roofed two-storey side extensions at either end of the terrace at 30-36 Rollesby Road. However, I saw that there are also numerous end-terraced properties which have hipped roof two-storey side projections, including at 46 Rollesby Road which sits adjacent to the site. I am unaware of the planning history in respect of the flat roofed extensions in the area and the development plan requirements that may have been relevant at that time. In any case, they do not justify the proposal which would not reflect the predominant characteristics of the area.
 9. I conclude, the proposal would have a harmful effect on the character and appearance of the host property and on the surrounding area. In that regard, it would conflict with Policy DM10 (Design Requirements for New Developments (Including House Extensions)) of the Royal Borough of Kingston Upon Thames Core Strategy (2012) and Policy D4 (Delivering Good Design) of The London Plan (2021) which require that the character and local distinctiveness of a street is respected, maintained or enhanced including scale, roof forms, massing and window format and that development delivers good design.
 10. For the same reasons, the proposal would conflict with the Framework which amongst other things, states that developments should be visually attractive as a result of good architecture and should add to the overall quality of the area. Furthermore, the proposal would conflict with the National Design Guide, which amongst other things advises that well-designed places are integrated into their surroundings, so they relate well to them and are influenced by their context positively.
 11. The Council's report refers to conflict with Policy Guidance 34 of its Residential Design Guide Supplementary Planning Document. I haven't been provided a copy of the SPD therefore I am unable to determine if the proposal would be contrary to this guidance. In any case, this does not alter my finding that the proposal would conflict with the development plan.

Other Matters

12. Even in the absence of any substantive objections from neighbouring occupiers, and while there is no identified harm to neighbouring living conditions, this does not overcome the harm identified under the main issue.

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13. The appeal before me follows a householder application seeking planning permission. The appellant suggests that provisions within the Town and Country Planning General Permitted Development (England) Order (2015) (the GPDO) are a material consideration. However, there is no substantive evidence before me to demonstrate that a similar development could be erected under permitted development rights. I have therefore assessed the proposal on its own merits against the development plan.
14. The appellant also refers to the Human Rights Act 1998 and Equality Act 2010 as being of relevance. However, no information has been submitted to explain why these Acts are of particular relevance to the proposal. Therefore, I am not aware that there are material circumstances in this instance to suggest that a decision should be made other than in accordance with the requirements of the development plan.
15. The 'Bexley Unitary Development Plan 2004' and 'Design and Development Control Guideline 2' are referenced within the appellant's statement of case. These policies however appear to relate to a different London Borough and do not therefore alter my conclusion and recommendation.

Conclusion and Recommendation

16. For the reasons given above, I recommend that the appeal should be dismissed since it would conflict with the development plan.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR