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## Appeal Decision

Site visit made on 16 September 2024

**by John D Allan BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 October 2024**

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**Appeal Ref: APP/Z5630/D/24/3347475**

**132 Coombe Lane West, Kingston upon Thames, KT2 7DD**

- 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 Asif Ansari against the decision of the Council of the Royal Borough of Kingston Upon Thames.
  - The application Ref is 24/00065/HOU.
  - The development proposed is the erection of a new part single-storey part 2-storey side extension to west side of existing house, single-storey infill, new 1st floor side extension to east side of house, cosmetic alterations and alterations to fenestration, and alterations to landscaping.
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a new part single-storey, part 2-storey side extension to west side of existing house, single-storey infill, new 1st floor side extension to east side of house, cosmetic alterations and alterations to fenestration, and alterations to landscaping at 132 Coombe Lane West, Kingston upon Thames, KT2 7DD in accordance with the terms of the application, Ref 24/00065/HOU, subject to the following 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 approved plans: Drg Nos 2317-EX-1a, 2317-EX-3a, 2317-EX-4, 2317-EX-5, 2317-EX-6, 2317-SK-70d, 2317-SK-71d, 2317-SK-72d, 2317-SK-73d, 2317-SK-74d, 2317-SK-75d, 2317-SK-76d, 2317-SK-78d and 066.ANS.3.0.00 Rev A.
  - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the approved plans.
  - 4) Prior to beneficial occupation of the development to which this permission relates, any windows or rooflights at first-floor level or above in the east and west flank elevations shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with and permanently retained in obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable, tamper-proof, and shall be replaced immediately in the event that it ceases to result in obscurity to level 3.

- 5) The flat roof areas of the development to which this permission relates shall not be used as a roof garden, balcony, seating area or other similar amenity area, and shall not be accessed except for the purpose of maintenance or in the case of emergency.

### **Main Issue**

2. The main issue is the effect of the proposal upon the character and appearance of the area.

### **Reasons**

3. The appeal property is a large, two storey detached house set roughly central on a wide plot with a single-storey wing to one side (east) incorporating an integral double garage to the front, and a small single-storey detached annex building to the opposing side (west) comparable in size itself to a double garage. Coombe Lane West at this point has large, detached houses to each side, of various sizes, designs, and ages. In common with others, No 132 is set back behind a reasonably deep frontage. I am told that the site falls within the Kingston Hill/Coombe Hill Strategic Area of Special Character. I have been presented with no information to show the extent of this designated area. Neither have I any evidence to indicate what specific features were assessed to inform its consideration as an area of special character, although I note that the Council's *Residential Design Supplementary Planning Document*, adopted July 2013 (SPD), states at paragraph 2.22 that the leafy, green nature of the Borough can be best seen in a number of areas, including the Coombe Hill area. I saw for myself the strong verdant and spacious character of Coombe Lane West in the vicinity of the appeal site, with wide grass verges to both sides of the road planted with mature trees within the confines of the highway, and complementary planting in various amounts within the properties' frontages.
4. The proposal would include extending the property to both sides. To the east side, the existing flank elevation of the building would be squared by a ground floor extension to fill a recessed area behind the garage. A shallow wing would be added over at first-floor level measuring just less than 8m in width and to align with the existing ground floor flank elevation. To the west side the annex building would be incorporated into a new part-two storey, part single-storey side and rear extension.
5. The Council has raised no concerns with the design details of the proposals as far as the extensions would tie in with a remodelling of the dwelling's overall appearance with a neo-classical approach. This would reflect the mixed character and appearance of other properties locally and I am satisfied that the remodelled design of the dwelling would not appear alien within its context.
6. The Council is concerned that the resulting building would appear excessively wide and that its proximity to the site's side boundaries would erode the spaciousness of the plot and character of the wider area.
7. I saw during my visit that building sizes and plot widths along Coombe Lane West vary considerably. All dwellings can reasonably be described as large although some are obviously much larger than others. The area's diversity is further illustrated firstly by the width of the plot at No 132, which measures, by my estimate, around three times the width of the neighbouring plot at No 130,

- and secondly by a 1960s contemporary building at 140 Combe Lane West, a little distance east of the appeal property, and which has a very wide elevation, exaggerated further by its box-like form and strong horizontal emphasis.
8. In this instance, the new additions to both sides at first-floor level would be recessed behind the dwelling's front elevation. This would provide an important degree of articulation that would serve to break up the building's appearance. The resulting building at No 132 would unquestionably appear wide, and likely wider than most others, although not excessively so in some cases, but I am satisfied that its side additions would appear appropriately proportionate and reflective of the plot's size.
  9. The first-floor additions to both sides would undoubtedly erode space at this elevated level. However, given the spaciousness which generally pervades the area, I was struck during my visit by the relationship between many neighbouring properties in the locality where gaps between each were not always particularly wide. This has been further evidenced by the appellant with photographs and dimensions of specific examples, including a pair of recently built properties at Nos 126 and 128 Combe Lane West where separation between both properties is not excessive. Due to the recessed position of most dwellings within the area, and the varying degrees of separation between each of them, it was clear to me that the area's spacious and verdant qualities were not dependent upon any views between houses from along the public domain.
  10. Despite the width of the proposed extensions, a gap of well over 2m would be retained to the eastern boundary at first-floor level, and a gap of just over 6m at the same level on the west side. These separation distances would compare favourably with gaps between other properties and their side boundaries and would exceed many.
  11. When all of this is considered, I am satisfied that the proposed extensions would not appear incongruous in relation to the existing dwelling and that the resulting building would sit comfortable on its plot and within its wider setting without harm to the spacious and verdant character and appearance of the area. Consequently, there would be no affect upon the area's significance as a non-designated heritage asset. As such, I can find no conflict with the Council's SPD or with Policies CS8 or DM10 of their Core Strategy 2012 as far as between them they require new development to have a quality of design that protects the suburban character of the borough and which relates well to distinctive local context. For the same reason there would be no conflict with The London Plan 2021 Policy HC1 as far as it relates to the conservation of heritage assets.

#### *Other Matters*

12. I have noted some neighbouring concerns with respect to privacy. The plans show that all the new proposed first-floor side facing windows would be obscurely glazed. As these would all either serve non-habitable spaces or else would be secondary sources of light to bedrooms, I am satisfied that it would be reasonable to control this by way of condition. This would be necessary in order to avoid any unreasonable degree of overlooking towards neighbouring properties, as would a condition to control use and access to the flat roofed areas over the single-storey parts of the development.

#### **Conditions**

13. In addition to the conditions mentioned above, a condition specifying the relevant plans is necessary as this provides certainty. In order to safeguard the character and appearance of the area a condition is also required to ensure that the development is finished in the materials specified on the application drawings.

**Conclusion**

14. For the reasons given, in the absence of any other conflict with the development plan, and having regard to all other matters raised, the appeal is allowed.

*John D Allan*

INSPECTOR