



Appeal Decision

Site visit made on 13 November 2024

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2024

Appeal Ref: APP/Z5630/W/24/3345736
140 Tolworth Rise South, Surbiton KT5 9NJ

- 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 Avraham Friedman against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref. is 24/00689/FUL.
 - The development proposed is the erection of 2 No. hip to gable roof extensions and a rear dormer roof extension to facilitate a loft conversion.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Avraham Friedman against the Council of the Royal Borough of Kingston Upon Thames. This is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the appeal proposal on the character and appearance of the host dwelling and the street scene of Tolworth Rise South and Tolworth Rise North on the opposite side of the A3 Kingston By-Pass. I have included Tolworth Rise North in the street scene because although it is separated from Tolworth Rise South by six lanes of highway, there are clear views from one side to the other.

Reasons

4. The appeal property is a detached building of substantial size located on the southeast side of the By-Pass between Oakdene Drive to the northeast and Warren Drive South to the southwest. Within this stretch of road there are both detached and pairs of semi-detached buildings of varied appearance, not least due to extensions, but including many of a similar original design to the appeal building. This design would appear to date from the inter-war period of the C20th. The same applies to Tolworth Rise North on the opposite side of the A3.
5. One of the more pleasing period features of No. 140 is the tudor styled gable above the ground and first floor matching curved bays. And as I saw on my visit, this gable appears on well over half of other buildings in the row and on a similar if not greater number in Tolworth Rise North.

6. In the case of the appeal property, when combined with the bow windows and hipped roof, this feature gives the building a pleasing character and appearance. It would appear that the original building may already have had a full two storey side extension and a ground floor front addition, but because the former includes a hipped roof this has not significantly harmed its appearance.
7. The Council considers that the proposed alteration of both roof hips to gables would have a harmful impact on this character and appearance. For the appellant it is argued that '*The proposed roof extension harmonises with the existing streetscape, where many houses have undergone similar modifications, resulting in a cohesive visual appearance*'. However, whilst I have acknowledged in paragraph 4 above that extensions are commonplace, I was also able to see on my visit that of the 30 or so buildings in Tolworth Rise South between Oakdene Drive and Warren Drive South, only three have a flank gable to their main roof. And from a brief check, there appears to be a similar if not fewer number in the stretch of Tolworth Rise North opposite.
8. The Council's Residential Design Guide SPD 2013 ('the SPD') is referred to in the Notice of Refusal and paragraph 4.29 explains that '*Proposals to extend a hipped roof to a gable roof are not usually appropriate as they are often at odds with the existing character of the property*'. This is the case with the appeal proposal, although with a proposed hip to gable on both sides there would be some mitigation of harm though the retention of symmetry in the extended roof.
9. In addition to the harmful effect of the proposed hips to gables on the host building and the street scene through a loss of character, there would be a further adverse impact in respect of the relationship between the host building and No. 142. This property has had a two storey side extension with a flat roof and this extends to the boundary with No. 140.
10. Clearly this extension is out of keeping with the original building and in my view it harmfully affects the street scene. However, the verticality of the appeal scheme's proposed gable combined with the increase in ridge height when seen in close proximity to this flat roof would draw the eye to an even greater extent than already occurs and be perceived as a particularly awkward and ungainly relationship between the two buildings.
11. Overall, and having had regard to all other matters raised I find that the appeal proposal would have an unacceptably adverse effect on the character and appearance of the host building and the street scene. This would be in harmful conflict with Policy DM10 of the Kingston Upon Thames Core Strategy 2012, the Council's SPD and with Government policy in Section 12: 'Achieving Well-Designed and Beautiful Places' of the National Planning Policy Framework December 2023.
12. For the reasons explained above the appeal is dismissed.

Martin Andrews

INSPECTOR