



Appeal Decision

Site visit made on 4 March 2025 by R Pankhurst

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 April 2025

Appeal Ref: APP/Z5630/D/24/3357927

14 Beverley Close, Chessington, KT9 2RL

- 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 Mrs E Anderson against the decision of Royal Borough of Kingston Upon Thames.
 - The application Ref is 24/01846/HOU.
 - The development proposed is for ground and first floor side/rear extensions.
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Decision

1. The appeal is allowed and planning permission is granted for ground and first floor side/rear extensions at 14 Beverley Close, Chessington, KT9 2RL in accordance with the terms of the application, Ref 24/01846/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, including the materials specified thereon: 14BC-100, 14BC-101, 14BC-102, 14BC-103, 14BC-104.
 - 3) The side extension hereby approved shall not be occupied or brought into use until a solid door or doors have first been installed across the opening in the front elevation of the extension at ground floor level, in accordance with details that have first been submitted to and approved by the local planning authority. Such details shall include the materials, colour and finish of the doors. The doors shall be retained thereafter.
 - 4) The development hereby approved shall be carried out in accordance with the Fire Safety strategy set out on drawing no 14BC-105.

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 proposal shown on the drawings includes elements of extensions to the side of the appeal dwelling. Therefore, in the header above I have used the description set

out on the Council's decision notice, as it more accurately reflects the proposed development before me.

Main Issue

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

Reasons for the Recommendation

5. The appeal site is a two storey semi-detached property set within a cul-de-sac. Beverley Close is characterised by pairs of semi-detached properties with two storey bay windows, pebble dash exteriors and hipped roofs. However, there have been a number of alterations including examples of porches, gable roofs and the addition of two storey side extensions.
6. The proposed two storey side extension would create an undercroft, resulting in an exposed void in front of the existing ground floor side element which would be visible from the street. The resulting suspended first floor overhang would look visually jarring and at odds with the largely traditional styles of dwellings and other two storey side extensions in the road. As a result, the proposed side extension would appear incongruous and harmful to the character and appearance of the surrounding area.
7. The appellant has suggested an alternative scheme in their appeal submission, which shows a solid wall to the side and doors to the front, enclosing the undercroft area. This would be a material change to the appeal proposal and therefore could not be secured by condition, as that would deprive potentially interested parties of the opportunity to comment. However, a solid door alone would be small addition and could be secured by a condition.
8. The addition of a door or doors to the front would enclose the void from public viewpoints and would mitigate the harm identified above. While this would still leave the side open at ground floor level, due to the positioning of the house and its neighbour, and the fact the side extension would be set back, this would be hardly visible from the street. Therefore, subject to such a condition, the two storey element of the proposal would respect the character and appearance of the area.
9. The development proposed also includes a ground floor extension at the rear. This would not be visible from the street and therefore would not harm the character and appearance of the area.
10. For these reasons, overall, the proposal would not harm the character and appearance of the area. It would therefore comply with Policy DM 10 of the Royal Borough of Kingston Upon Thames Local Development Framework Core Strategy (adopted 2012) which requires development to contribute to the character and distinctiveness of an area.
11. The Council's Residential Design Supplementary Planning Document (adopted 2013) (SPD) refers to how new development will be expected to have considered the material and detailing that represents the prevailing character of the area. These details can be secured by condition, and as a result there would be no conflict with the SPD.

Conditions

12. In addition to the conditions mentioned above, I recommended conditions in regard to the timeframe for the commencement of the development and compliance with the approved plans in the interests of expediency and certainty. As the plans include details of matching materials, there is no need for a separate condition in this respect.
13. A condition to secure compliance with the submitted Fire Safety strategy, set out on drawing no 14BC-105, is necessary to comply with Policy D12(A) of the London Plan 2021.
14. The Council has recommended a condition to remove permitted development rights to insert any new windows in the eastern flank elevation of the proposed extension. However, any new windows in a first-floor side elevation would have to be obscure glazed with restricted opening to be permitted development, which would safeguard the privacy of neighbours. Therefore, a condition removing these permitted development rights is not necessary.
15. The Council has also recommended a condition to restrict the flat roof areas of the development from being used as a roof garden or other similar amenity area. Some of the flat roof area is existing and therefore it would be unreasonable to limit its use now. Other areas of flat roof are very high and not likely to be used for sitting out and any remaining is too small to be used as an amenity space. Therefore, the condition is not necessary.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

R Pankhurst

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and agree with the reasoning and recommendation. On that basis the appeal is allowed subject to the conditions listed above.

L McKay

INSPECTOR