



Appeal Decision

Site visit made on 9 May 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/Z5630/D/25/3362780

50 Crescent Road, Kingston Upon Thames KT2 7RF

- 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 and Mrs White against the decision of Royal Borough of Kingston Upon Thames.
 - The application Ref is 24/02687/HOU.
 - The proposed development is a part two-storey / part single storey rear extension, single storey side extension, front porch enclosure and amended front boundary treatments.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on (i) the character and appearance of the area, (ii) the living conditions of the neighbouring property No 48 Crescent Road, and (iii) trees.

Reasons

Character and appearance

3. The appeal property is a two-storey detached dwelling set back from Crescent Road behind an open frontage and driveway. Crescent Road is on a hill with varying levels and where the land slopes toward the west with building heights descending downwards in that direction. Dwellings on the road have a broadly similar and attractive appearance to each other in terms of scale, architectural detailing, materials, open frontages and consistent hipped roof form.
4. The Council set out that the appeal site is within the Kingston Hill / Coombe Hill Strategic Area of Special Character (SASC), which is a non-designated heritage asset. Policy DM12 of the Kingston Upon Thames Core Strategy 2012 (CS) states that the Council will preserve or enhance the existing heritage assets of the Borough through promoting high-quality design and allowing alterations which preserve or enhance the established character and architectural interest of a heritage asset, its fabric or its setting. Paragraph 216 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be considered in decision making, with a balanced judgment to be applied having regard to the scale of any harm.

5. From the information before me the significance of the SASC derives from the consistency and quality of its Victorian-era architecture, detailing, appearance and form of the residential dwellings. These characteristics are evident on the appeal property and its neighbouring dwellings. Therefore, whilst the dwelling itself does not have an overtly symmetrical design, it does appear as a part of a cluster of dwellings that have similar and complimentary designs to each other, which contributes positively to the SASC. This includes the roof form of the properties near to and including the appeal site, which generally all have the same type of hipped roof structure.
6. Although the height of the building would remain largely unchanged, the proposal would, however, introduce a significantly different roof structure and profile. This includes a central ridge position and a substantially altered roof design, form, and appearance when compared to the existing property and those nearby. This would be a prominent change that would unacceptably disrupt the consistent and symmetrical roofscape that exists in and around the appeal site resulting in visual harm to the character and appearance of the area.
7. The topography of the land and changes in roof heights does not provide justification for the proposal given that the roof would appear prominently at odds with the prevailing roofscape for the reasons stated. The increase in visual separation with neighbours also does not provide any weight for the proposal as this would only serve to accentuate the incongruity of the roof design within the street scene.
8. Due to the topography of the land, ground levels would need to be raised to construct the proposed front boundary alterations as well as the works to the rear of the property. To the front, the proposed boundary treatment would enclose the existing open frontage with new gates, walls and railings. It is unclear from the information before me how much of the land would need to be raised to build the frontage and what resulting impact this would have on the character and appearance of the area. Notwithstanding this, the proposed frontage would introduce an enclosed and hard-edged appearance to the front of the property that would unacceptably detract from the prevailing open character of frontages along the road, which are a notably positive character feature of the area.
9. The ground levels at the rear of the property would change by approximately 1.4m from the existing situation. The rear of the property is, however, not prominently visible from the street and is set within a large and spacious garden. As observed on my site inspection, neighbouring properties have also been subject to alterations and extensions that would likely have required changes to ground levels. For these reasons, I do not find that the proposed change in ground levels to the rear of itself would be unduly out of character with the dwelling or wider area to the extent it would be materially harmful. I also find that the front porch, rear dormers and side extension would not harm the character and appearance of the area. However, these aspects do not outweigh the harm that would be caused to the SASC by the uncharacteristic roof form and changes to the front boundary treatment, which would appear as unduly prominent and discordant changes at odds with the character and appearance of the street scene.
10. To conclude, the proposal does not accord with Policy D3 of the London Plan 2021 (LP) and Policies CS8, DM10 and DM12 of the CS, which require development to enhance local context by delivering buildings and spaces that positively respond to

local distinctiveness, ensure new development recognises distinctive local features and character including roof form, and preserve or enhance existing heritage assets. The proposal would also conflict with Paragraphs 135 and 212 of the Framework that requires development to be sympathetic to local character and that great weight should be given to conserving the significance of heritage assets.

Living conditions

11. The proposed rear extension would significantly enlarge the property at ground, first floor, and roof levels, extending the building much further into the garden. Whilst recognising the gap that exists to No 48 and that the proposal would not extend beyond the neighbouring building line, the proposed development's scale would be prominently visible and overbearing to No 48 due to its position on higher ground. The overbearing impact would be most prominent from the excessive scale, depth and mass above ground floor, which overall would result in an unduly prominent structure when viewed from No 48.
12. I also acknowledge that the appeal property and No 48 would maintain their respective views over their own gardens, and there is an element of mutual overlooking in the area due to the topography of the land. These aspects, however, do not justify the harm identified from the overbearing impact on No 48.
13. For the reasons stated, the proposal does not accord with Policy D3 of the LP and Policy DM10 of the CS, which require development to deliver appropriate amenity and have regard to the amenities of neighbours. The proposal also does not meet the requirements of Paragraph 135 of the Framework, which requires development to achieve a high standard of amenity for existing and future users.

Trees

14. The information provided identifies there is a tree on the site subject to a Tree Preservation Order (TPO) with further protected trees near to the front of the property. However, the limited information before me does not conclusively demonstrate that the works proposed would be acceptable and not result in adverse impacts on protected trees. Had I been minded to allow the appeal, further details would be required to address this issue at this stage as opposed to deferring the matters to conditions. However, as the proposal is unacceptable for other reasons, I do not need to consider this matter further in this decision.

Conclusion

15. The proposed development would result in harm to the Strategic Area of Special Character and the living conditions of No 48 Crescent Road in conflict with the development plan. There are no material considerations before me that outweigh the conflict with the Development Plan. Therefore, for the reasons given, the appeal is dismissed.

N Perrins

INSPECTOR