



Appeal Decision

Site visit made on 8 September 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 October 2025

Appeal Ref: **APP/Z5630/W/25/3366913**

Fire Brigade House, 68 Coombe Road, Kingston Upon Thames KT2 7AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Bernard Marguiles of BMR Epsom Limited against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref is 25/00398/PACND.
 - The development proposed is prior approval for erection of two additional storeys in an existing office block to create 8 nos residential units.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. The appellant applied for approval under Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for the erection of two additional storeys to create eight residential units. The evidence shows the Council did not find any conflict with the limitations set out at paragraph AA.1. However, it refused to grant prior approval for a single reason due to a failure to comply with condition AA.2(1)(e) owing to the external appearance of the proposed development.
3. Accordingly, the main issue is whether or not prior approval should be granted, with specific regard to the external appearance of the proposed development.

Reasons

4. The appeal site comprises a three-storey flat roof office building. It is constructed in orange brick and has distinctive arched windows on its principal elevation. Coombe Road contains the appeal site, along with a number of terraced two storey properties, mostly containing commercial development at ground floor level. Coombe Road is situated on the edge of a large residential area which predominantly comprises two storey semi-detached properties with a consistent pattern, rhythm and architectural features such as facing gables and pitched roofs. Whilst the appeal property is of a different architectural style than the majority of buildings within the area, it is of a similar height and scale to its surroundings.
5. There is a modern six storey building on the opposite side of the road. However, visually this building appears as part of a higher density cluster of development situated separately from and in a different context to the appeal site. Similarly, there is also a group of flats of up to seven stories located on the opposite side of

the residential area to the appeal site. However, again these buildings would be set away from the appeal site and be viewed in a different context.

6. The proposal would add two additional stories to the appeal building with only a modest set back. This would add significant height, bulk and mass resulting in the property appearing unduly prominent and much more imposing in the streetscene than the surrounding buildings. The architectural detailing would also add to the harmful imposing prominence of the development owing to the proposed busy façades containing a significant number of arches and windows and the contrasting metal cladding to the host building and wider area.
7. The appeal proposal would therefore result in considerable harm to the character and appearance of the host building and area, by virtue of the external appearance of the proposed development, including its design and architectural features. Insofar as it relates to the subject matter of the prior approval, the development would conflict with the requirements of the National Planning Policy Framework relating to achieving well-designed places as outlined in chapter 12. This includes paragraph 135 which seeks to ensure developments are visually attractive and are sympathetic to local character including the surrounding built environment. As such the development would not comply with condition AA.2(1)(e) of Schedule 2, Part 20, Class AA of the GPDO and would justify the refusal of prior approval.

Other Matters

8. I have been provided an appeal decision which the appellant considers to be similar to the proposal before me. However, this appeal relates to a different site located within the jurisdiction of a different local planning authority. I have been provided very limited information on the specific details or context of this appeal and so I cannot be certain whether it is directly comparable to the appeal before me. In any case, each proposal should be assessed on its individual merits which I have done so in this case.
9. Whilst the proposal would provide additional housing to the area, this would not affect the developments compliance with condition AA.2(1)(e).

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR