



Appeal Decision

Site Visit made on 23 March 2021

by Steven Rennie BA (Hons), BSc (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2021

Appeal Ref: APP/Z5630/D/20/3262049

349 Ewell Road, SURBITON, KT6 7BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Caroline Whyatt against the decision of Royal Borough of Kingston Upon Thames.
 - The application Ref 20/01513/HOU, dated 30 June 2020, was refused by notice dated 26 August 2020.
 - The development proposed is the single storey side return infill and rear extension to exiting semi-detached dwelling house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the living conditions of neighbours to the site, particularly those at No 347 Ewell Road.

Reasons

3. The proposed extension would result in an infill of an area which is currently mainly a yard with a small shed. The extension would be built up close to the boundary with No 347 Ewell Road. It would be of an eaves height of approximately 2.6m which would be significantly taller than the existing fence.
4. Having been on site, there are glazed doors (serving what appeared to be a dining room) to the rear of No 347 which have a view down towards the long rear garden. The proposed extension would not block the view down the garden, but it would result in a long (almost 6m) side elevation along the boundary. With the eaves at 2.6m adjacent to this boundary combined with the depth of the proposed extension, this would be very imposing for occupiers of No 347, with a significantly increased sense of enclosure of this area adjacent to this neighbour's glazed door and windows serving a habitable room. This would significantly impinge on the outlook quality for the neighbours from this habitable room, with a greatly reduced open aspect.
5. I am not satisfied that the colour finish of the proposed new side elevation wall or the use of planting would sufficiently overcome this impact. I note the extension at No 351, but I have little detail of this development and also it appears different in its circumstance in terms of its impact to neighbour living conditions compared to that proposed with this appeal. Furthermore, there is mention of the fall back position through 'prior approval' although there is little detail of this and could still take account of neighbour living conditions, for example. I am therefore not satisfied that there is a realistic fallback position

for a similar sized extension. The proposal is a planning application and this is the basis of how I have considered this appeal.

6. Regarding the effect of overshadowing, the proposal would not significantly impinge on light received at this neighbouring property as the rear elevations are north facing and this rear garden area would already be in shadow from the existing houses for much of the time. Furthermore, being north facing, the ground floor rear windows of No 347 would not receive much in the way of direct sunlight which could be affected by the proposed extension.
7. I do note the contemporary design of the proposed extension and have no objection in this regard. I also have regard to the enhanced living space it would have for the occupiers of No 349. However, the adverse impacts of the proposed extension for the reasons set out above would outweigh these benefits. Overall, the proposal would not be in accordance with Policies CS8 and DM10 of the LDF Core Strategy 2012. These policies seek to require developments to be of a good quality design and have regard to the amenities of neighbours, amongst other things.
8. Since the planning application decision policy 7.6 of the London Plan 2016 has been superseded. However, I have already found the proposal contrary to development plan policies and so the appeal should be dismissed on this basis.

Conclusion

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

Steven Rennie

INSPECTOR

