



Appeal Decision

Site Visit made on 24 August 2021

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2021

Appeal Ref: APP/Z5630/D/21/3271600

146 Manor Drive North, New Malden, Surrey KT4 7RU

- 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 Noorjahan Zabed against the decision of Royal Borough of Kingston Upon Thames.
 - The application Ref 20/02684/HOU, dated 22 October 2020, was refused by notice dated 29 December 2020.
 - The development proposed is erection of a part single, part two-storey side and rear extensions following removal of existing single storey-rear and side extensions.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of development in the heading above from the Council's decision notice as this describes the development more precisely than the application form.

Main Issues

3. The main issues are: (i) the effect of the proposal on the living conditions of the occupiers of the neighbouring dwelling at No 148 Manor Drive North (No 148), having particular regard to matters of outlook; and (ii) the effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons

Living Conditions

4. The two-storey rear extension element of the proposal would span across the entire width of the rear elevation of the appeal dwelling and project approximately 5 metres from the main back wall. It would extend right up to the boundary with No 148 and be very close to its patio area and the side windows relating to its kitchen and rear conservatory addition.
5. The neighbouring patio and side windows referred to currently have a pleasant outlook with no substantial interruptions other than the existing side boundary fences running the length of the property. Those windows and the patio area would face the tall flank wall of the proposed extension. Because of its height, bulk and closeness to No 148's patio area and side windows, the proposal would be oppressive and overwhelming, such that it would lead to an

unreasonable loss of outlook and a sense of enclosure when viewed from those neighbouring rooms and spaces.

6. I acknowledge that the proposed two storey rear extension only partly projects beyond the existing single storey lean-to addition at No 148, whilst it would be roughly level with its rear conservatory. Yet, the proposal's immediacy to the common boundary and close proximity to the patio and windows referred to would have an overpowering presence upon the occupiers of No 148 when viewed from those areas to the detriment of their outlook.
7. Taking the above into account, the proposal would have an unacceptable effect on the living conditions of the occupiers of No 148, with particular reference to outlook. As a consequence, it would conflict with Policy DM10 of the Core Strategy Local Development Framework (adopted April 2012) (Core Strategy) where it requires proposals to have regard to the amenities of neighbours in terms of outlook and the avoidance of visual intrusion. The proposal would also fail to accord with the Council's Residential Design Supplementary Planning Document (2013) (SPD), where it advises that two storey rear extensions maintain adequate separation distances between boundaries and adjacent dwellings.
8. The Council's refusal notice refers to Policy CS8 of the Core Strategy. However, this relates to the protection of the area's character rather than the living conditions of occupiers, therefore I have not referred to it in my conclusion on this matter.

Character and Appearance

9. The Council's SPD advises that two storey side extensions should remain subordinate to the original house, whilst the roof of the extension should reflect and relate well to the host property. Furthermore, the extension should either be designed to appear as an integral part of the existing house, or where appropriate, be set back from its front wall by 1m.
10. The proposed side extension projects around 4m from the flank wall of the dwelling while being set down from the main roof. Although it does not incorporate the SPD's desired set back from the front elevation, the extension's double storey bay windows would nevertheless be stepped back marginally from the more advanced bay windows on the dwelling's front elevation. Together with its stepped down roof, it would therefore assume a recessed position that would not dominate or appear incongruous in relation to the existing dwelling. The aforementioned bay windows, along with matching materials and a gabled roof profile, ensures that the proposal positively replicates the architectural detailing of the existing dwelling.
11. Although the cumulative mass of the proposed extensions would significantly increase the size of the property, the rear additions and much of the flank wall of the side extension would be screened from the street by a tall line of evergreen trees running alongside the property's roadside boundary facing Percy Gardens. This would ensure that those elements of the scheme would not appear prominent or obvious from public vantage points, to the extent that they would have a detrimental appearance in the context of the surrounding area.

12. The dwellings along Manor Drive North consist of large detached and semi-detached properties. Many of these (including Nos, 143, 145, 152, 154, 159 and 161) have been extended to the side. This has resulted in those properties having wide frontages and large built envelopes. Having regard to those prevailing built forms, the proposal would not appear substantially wider or bulkier when seen in their context, such that it would appear discordant or out of place in the street. Moreover, it would be consistent with the architectural detailing and appearance of other properties lining Manor Drive North.
13. In light of the above reasons, the proposal would not harm the character and appearance of the host property and the surrounding area. It would accord with Policies CS8 and DM10 of the Core Strategy in that it relates well to the main dwelling, while maintaining the prevailing scale, mass, height and form in the surrounding area. It would also meet the overall aims of the SPD in terms of being designed to be in harmony with the appearance and character of the area.

Other Matters

14. The appellant indicates that the proposed additions are required to create more space at the property to cater for the changing needs of the occupiers. Even so, in my view those needs do not outweigh the adverse impacts of the scheme and the resultant conflict with the development plan's aims to protect the living conditions of neighbours.

Conclusion

15. Although the proposed development would not have a harmful impact on the character and appearance of the property and surrounding area, this lack of harm would have a neutral effect. Consequently, it would not overcome my concerns in respect of living conditions. For these reasons the appeal is dismissed.

RE Jones

INSPECTOR