



Appeal Decision

Site visit made on 14 October 2021

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2021

Appeal Ref: APP/Z5630/D/21/3278176

13 Firdene, Tolworth, Surbiton, Surrey KT5 9QQ

- 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 Krzysiek Smith against the decision of Royal Borough of Kingston Upon Thames.
 - The application Ref 20/02569/HOU, dated 10 October 2020, was refused by notice dated 20 April 2021.
 - The development proposed is the erection of a single storey rear extension following demolition of existing rear conservatory and lean to.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development is taken from the decision notice and appeal form. In my view this more clearly and concisely describes the development.

Main Issues

3. The main issue is the effect of the development on the living conditions of the occupiers of the neighbouring property, 11 Firdene (no.11), with particular reference to outlook and light.

Reasons

4. 13 Firdene (no.13) is a mid-terrace property, to the rear it has an approximately 2.5m single storey projection and an open wooden structure with a corrugated plastic roof.
5. The neighbouring property, no.15 has a rear extension which extends across the full width of the property and has a depth of approximately 6m. The proposal would replicate this form extending up to the shared boundary with no.11. No.11 has not been extended to the rear and therefore the proposed extension would create a significant depth of wall close to the ground floor window. Whilst currently there will be some limited restriction in outlook given the existing projection, the combination of the height and additional depth of the proposed extension would be very imposing for the neighbour.
6. In my view, the development would significantly impinge on the outlook quality, particularly as the terrace properties in Firdene have a limited width. As such the scale and proximity of the extension would have an enclosing and overbearing impact. Additionally, the appeal property is located to the

southeast of no.11 and therefore the extension will restrict sunlight reaching the rear of the property.

7. I acknowledge that the extension would be similar to that at no.15. However, that is an end of terrace property and there are no details of the planning background to that extension before me. The depth of the proposed extension substantially exceeds the guidance in the Council's Residential Design Supplementary Planning Document (SPD) which indicates that single storey extension should generally not normally exceed 3-3.5m. Whilst an extension would improve the overall quality of living space at no.13, this does not outweigh the harm I have found.
8. In conclusion the depth and proximity of the proposed extension to no.11 would have an adverse impact on the living conditions of the occupiers. It is therefore contrary to amenity protection aims of Royal Borough of Kingston upon Thames Core Strategy 2012 (CS) policy DM10, London Plan policy D3 and the National Planning Policy Framework.
9. The Council in their decision notice have also referred to CS policy DM12. This relates to conservation areas and therefore is not directly relevant to the appeal site. The Council accept, and I agree, that the design of the extension is appropriate for the property and would not have an adverse impact on the character of the area, therefore, I do not find conflict with CS policy CS8 which is also cited.

Conclusion

10. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Gill Ellis

INSPECTOR