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## Appeal Decision

Site visit made on 7 February 2022

**by Stuart Willis BA Hons MSc PGCE MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 09 February 2022**

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**Appeal Ref: APP/Z5630/D/21/3289809**

**22 Ancaster Crescent, New Malden KT3 6BE**

- 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 Mr Burak Agca against the decision of Royal Borough of Kingston Upon Thames.
  - The application Ref 21/02410/HOU, dated 25 July 2021, was refused by notice dated 30 September 2021.
  - The development proposed is erection of single-storey rear extension.
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### Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single-storey rear extension at 22 Ancaster Crescent, New Malden KT3 6BE in accordance with the terms of the application, Ref 21/02410/HOU, dated 25 July 2021, subject to the conditions set out below:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site/Location Plan; OS Map PRO-CRW-ZZ-ZZ-DR-A-000; Existing and Proposed Ground Floor Plan PRO-CRW-ZZ-ZZ-DR-A-001; Existing and Proposed Roof Plan PRO-CRW-ZZ-ZZ-DR-A-002; Existing and Proposed Front and Back Elevations PRO-CRW-ZZ-ZZ-DR-A-003; Existing and Proposed Side North Elevations PRO-CRW-ZZ-ZZ-DR-A-004; Existing and Proposed Side South Elevations PRO-CRW-ZZ-ZZ-DR-A-005; Existing and Proposed Section PRO-CRW-ZZ-ZZ-DR-A-006; and Proposed Block Plan PRO-CRW-ZZ-ZZ-DR-A-007.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

### Preliminary Matter

2. I have taken the description of development from the decision notice. Although different to that given on the application form, it is more concise and is also used on the appeal form.

### Main Issues

3. The main issues of the appeal are the effect of the proposed development on:
  - The character and appearance of the area; and

- The living conditions of the occupiers of neighbouring properties, with particular regard to outlook, privacy, daylight and sunlight.

## **Reasons**

### *Character and Appearance*

4. There is little consistency to the rear elevations of the properties in the row where the appeal site is located. Several properties appear to have been altered and extended. This includes ground floor rear projections of varying height, depth and roof shape that the proposal would be seen with.
5. The proposal would increase the depth of the existing projection, making it longer than many in the street. However, it would be of the same height and have the same flat roof form found at the appeal site and at the attached property. The external materials would match the existing property. In addition, it would not be significantly longer than those it would be seen with. There would only be glimpsed views of the extension from the street where there are already similarly fleeting ones of the already considerably varied rear elevations of nearby properties.
6. Therefore, the proposed development would not adversely affect the character and appearance of the area. It would accord with Policies CS8 and DM10 of the Royal Borough of Kingston Upon Thames Core Strategy. These, in part seek to ensure that proposals relate well to, maintain and respect their surroundings and local distinctiveness.

### *Living Conditions*

7. The proposal would be located on the boundary with the attached property. Nevertheless, there is already a boundary wall in place, and the flat roof would reduce the prominence of the extension from within the property and its garden. The closest openings to the appeal site are tall and wide providing a generous outlook that directs views over the garden rather than towards the proposed extension.
8. The extension would be set in from the other side boundary. It would be partly screened in views from within that property and its rear garden by the existing fence. Rear elevation windows are again orientated towards the garden with only angled views towards the appeal scheme.
9. These factors would reduce the scale and massing of the proposed extension as it would be experienced from the adjacent dwellings and prevent it being an overbearing feature.
10. The orientation of the properties and scale of the extension would result in some loss of daylight and sunlight at the rear of the adjacent properties. Nevertheless, this would be limited as the proposal would not extend significantly beyond the projections at the properties either side and would have a flat roof. As such, an appropriate relationship would be maintained allowing sufficient daylight and sunlight to reach the windows and gardens of the neighbouring properties.
11. There are no side elevation windows and boundary treatments would reduce overlooking from the rear where there are already ground floor windows. Therefore, the privacy of adjacent occupiers would be protected.

12. Consequently, the proposed development would not unacceptably harm the living conditions of the occupiers of nearby properties with regard to outlook, privacy, daylight and sunlight. It would comply with Policy DM10 of the Royal Borough of Kingston Upon Thames Core Strategy where it requires proposals to have regard to the amenities of neighbours.

### **Conditions**

13. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. To protect the character and appearance of the area a condition regarding the external materials is imposed.

### **Conclusion**

14. For the reasons given, and having considered all matters raised, I conclude that the appeal should be allowed, subject to the conditions above.

*Stuart Willis*

INSPECTOR