



Appeal Decision

Site visit made on 13 June 2022

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 June 2022

Appeal Ref: APP/Z5630/D/22/3293128

83 Ullswater Crescent, Kingston Vale, London SW15 3RE

- 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 Zeena Sarsam against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref 21/02491/HOU, dated 1 August 2021, was refused by notice dated 26 November 2021.
 - The development proposed is the erection of part double, single-storey rear extension. Relocation of entrance door to be flush with the front building line. Installation of 4no rooflights.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development above is taken from part E of the appeal form and the Council's Decision Notice. This is in the interest of clarity.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupants of No 85 Ullswater Crescent, having particular regard to outlook.

Reasons

4. The first-floor element of the proposed rear extension is set away from either side boundary and is modest in scale. However, whilst set away from the boundary with No 81, the proposed single storey extension would be sited on the boundary with the attached neighbour, No 85.
5. This property has ground floor, rear facing double glazed doors set close to the boundary. The outlook from these glazed doors is at present compromised on either side by a single storey rear projection and a boundary fence, in addition to foliage including a tree on the boundary. However, there remains some feeling of open space above the fence line and a view towards the rear over the large garden.
6. The proposed extension would sit above the boundary fence line. Given its significant height and depth, the extension would be visually dominant when viewed from the glazed doors of No 85. Whilst the garden is a good size and views over it would remain, the occupants of this property would be faced with a blank elevation above the boundary fence in close proximity, which would restrict the existing outlook to a degree greater than present and lead to a

sense of enclosure. The development would adversely affect the quality of living conditions available to users of the room served by the glazed doors as a result.

7. The appellant points to an example of a similar development at No 103 Ullswater Crescent. No formal details are provided of this development, which limits my ability to compare the impact of this extension upon its neighbour with the proposal before me. However, the submitted drawing shows the rear elevation of No 85 being set back further than at the attached neighbour, No 105, leading to a greater depth of neighbouring projection being experienced than at No 105. In any case, similar extensions would not provide justification for the harm identified to neighbouring living conditions in this case.
8. Therefore, I conclude that the development would unacceptably harm the living conditions of occupants of the No 85 Ullswater Crescent, in respect to outlook. Accordingly, it would conflict with Policies CS8 and DM10 of the Royal Borough of Kingston-upon-Thames Council Local Development Framework Core Strategy (2012), which, amongst other matters and along with Policy D3 of the London Plan (2021), seek to ensure good design that has regard to the amenities of neighbours.

Conclusion

9. The proposal conflicts with the development plan taken as a whole and there are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan. Accordingly, for the reasons given above and having had regard to all other matters raised, the appeal is therefore dismissed.

B Phillips

INSPECTOR