



Appeal Decision

Site visit made on 7th July 2022

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 22ND July 2022

Appeal Ref: APP/Z5630/D/22/3296832

1 Rosemont Road, New Malden KT3 3EP

- 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 Kamran Bemana against the decision of the Royal Borough of Kingston Upon Thames
 - The application Ref.22/00074/HOU, dated 12 January 2022, was refused by notice dated 7 March 2022.
 - The development proposed is a double storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in the appeal are the effect of the proposal on the character and appearance of the host dwelling and streetscene, and the effect on the living conditions of the occupants of nos 90 and 92 Mount Pleasant Road in respect of outlook and light.

Reasons

Character and appearance

3. The appeal site is an end-of-terrace dwelling on the south side of Rosemont Road. The two storey building to its immediate east is 90 and 92 Mount Pleasant Road which comprises two flats – one at ground floor level and one at first floor level.
4. The appeal site is part of a terrace of 4 houses. It has a front porch, a rear roof dormer and a single storey garage to its east which is joined to the main house by a brick arch which gives access from the front garden to the rear garden. The terrace of four dwellings stands back from the road and no.4 Rosemont Road (the western end-of-terrace dwelling) has a ground floor side extension and a rear roof dormer formed out of a hip-to-gable roof extension.
5. Rosemont Road and roads adjoining it form part of a large residential area typified by terraced, semi-detached and detached properties laid out with gardens to the fronts, side and rear. Properties are not one shape or style, although there a number of terraces of four dwellings of the same broad form in Rosemont Road.

6. The proposal is to demolish the garage and brick arch and to erect a two storey side extension with a small single storey element at the front and a hipped roof over the recessed two storey element. Owing to the appeal site's hip-to-gable extension on the main roof to form the rear dormer, the eastern flank wall is a gable/dormer end to which the brick arch attaches at ground floor level.
7. The proposed side extension with its hipped roof would not harmonise or blend with the existing main building. Whilst overall the extension would look subordinate in appearance and the proposed roof ridge would be lower than the main roof ridge, it would appear bolted onto the end of the terrace and host building with an incongruous roof profile. There would be the same visually unattractive and unblended appearance whether viewed from the rear garden or from the streetscene. The fact that the eaves line would follow through from the extension to the main house and that matching materials and fenestration could be used in the extension would not sufficiently compensate for the unsympathetic appearance.
8. On this issue, I conclude that the proposal would harm the character and appearance of the host dwelling and the streetscene and would be in conflict with policy D3 of the London Plan 2021 and policies CS8 and DM10 of the Royal Borough of Kingston upon Thames Local Development Framework Core Strategy (adopted 2012).

Living conditions for occupants at 90 and 92 Mount Pleasant Road

9. 90 and 92 Mount Pleasant Road are ground and first floor flats and they extend significantly deeper into their plot than the building and garage on the appeal site. They each have three western flank windows arranged similarly. The middle windows at ground and first floor level both have obscured glass. The northern-most window of each flat appears to serve their kitchens.
10. The western flank elevation of 90 and 92 Mount Pleasant Road is situated, very approximately, with a metre gap between the common boundary fence with the appeal site. There is access down the western side of the flatted building. The proposed main eastern flank wall of the extension at the appeal site would not be built immediately next to the common boundary fence but would step in and leave a gap for pedestrian access into the rear garden. Whilst the light reaching the respective kitchen windows would most likely be reduced, I do not consider it would be reduced to an unacceptable level given the separation distance between the new part single storey part two storey flank wall and those windows. I also consider that the width of the gaps would be sufficient to prevent a feeling of undue enclosure when looking out of the flat windows or using the alley on the western side of the flatted building.
11. On this second issue, therefore, I conclude that the proposed development would not cause unacceptable living condition to the occupants of nos 90 or 92 Mount Pleasant Road through loss of outlook or light. I do not consider there would be conflict with policy D3 of the London Plan 2021 or policies CS8 and DM10 of the Council's Core Strategy (adopted 2012).

Conclusion

12. Whilst I have not found that the proposed extension would lead to unacceptable harm to the living conditions of neighbouring flat occupants, I

have concluded that the scheme would cause harm to character and appearance of the host dwelling and streetscene. This harm is not outweighed by the benefits which flow from building and occupying the proposal. Consequently, having taken into account all representations made, for the reasons given above, I dismiss the appeal.

Megan Thomas Q.C.

INSPECTOR