



Appeal Decision

Site visit made on 31 August 2022

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 22 September 2022

Appeal Ref: APP/Z5630/D/22/3298726

20 Reynolds Road, Kingston Upon Thames KT3 5NG

- 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 Rubina Chughtai against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref: 22/00468/HOU dated 11 February 2022, was refused by notice dated 20 April 2022.
 - The development proposed is erection of first floor side extension above existing ground floor side extension, 2no rear dormer roof extensions with installation of 2no front, 1no rear rooflights and 1no chimney stack removal to facilitate loft conversion.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mrs Rubina Chughtai against the Council of the Royal Borough of Kingston Upon Thames. This application is the subject of a separate Decision.

Preliminary Matters

3. The application form did not provide a description of development but referenced an attached Statement of Case and Plans. I have therefore taken the description of development from the Council's decision notice which the Appellant used on the appeal form.

Main Issues

4. The main issues in this appeal are:
 - a) the effect of the proposal on the character and appearance of the existing dwelling and on the local area, and
 - b) The effect of the proposal on the living conditions of neighbours, with particular regard to the neighbours at No 22.

Reasons

Issue a) Character and Appearance

5. The appeal property is a detached house at the cu de sac end of Reynolds Road, and within a predominantly residential area. As a result of its location,

the relatively narrow frontage widens significantly to the rear. There is, as existing, both a single storey side extension to the south east and a further large single storey outbuilding running along the south eastern boundary of the site. The proposed extension would build above the single storey side extension with a first floor and accommodation in the roof space with two rear facing dormers. There would be a 1m inset from the shared boundary with No 22 with a gable end wall.

6. The resultant dwelling, taking into account the existing built development together with the extension as proposed, would take up almost the full width of its plot and a very significant part of the overall site. The combined effect of the increased bulk and massing would result in a substantial increase in built form on the site, that would be an overdevelopment of the site and would relate poorly to the scale and massing and as a result the character and appearance of the existing property. Furthermore, the proposed gable end for the extension, adjoining No 22 would create an unbalanced appearance to the property, with its more traditional hipped roof end to the side adjoining No 18.
7. The Appellant has questioned the references to the existing outbuilding in the consideration relating to the proposed extension. However, in considering the effect of the new proposal, it is appropriate and indeed necessary to take into account the existing plot and its built development. It is my view that the proposal taken together with the other extensions already permitted and built out would be a cramped form of overdevelopment of the existing site. As a result of its excessive bulk and massing it would harm the character and appearance of the existing dwelling.
8. In terms of the street scene, the shape of the site would limit views of the extension from the front, but nonetheless where glimpsed views would be possible, the scale and massing of the property as proposed to be extended would detract from the street scene. The extended property would reduce the glimpsed views of open space between properties at first floor level and above which is a characteristic feature of the local area.
9. I therefore conclude that the proposal would materially harm the character and appearance of the existing dwelling and of the local area. This would conflict with Policy D3 of the London Plan 2021, Policies CS8 and DM10 of the LDF Core Strategy 2012 as well as the National Planning Policy Framework (Framework) and in particular Section 12, all of which amongst other things, seek a high quality of design which respects the local context.
10. The Appellant has drawn my attention to a considerable number of extensions which have been undertaken to other properties in the locality, including in Reynolds Road, which she considers demonstrate the acceptability of her own proposals and the precedents set from similar extensions. It is a fundamental planning principle that each proposal must be considered on its individual merits but in so far as the information has been made available to me, I have taken these other examples into account. However, it is my view that none of these other examples directly compare with the proposal before me, when full account is taken of the form of the appeal site, the existing built development on the site and the details of the proposed extension. They do not therefore persuade me a different view.
11. The Appellant has also indicated that she would be willing to accept a minor amendment to increase the set down from the main roof from 300mm as

submitted to 500mm as per the Council's Residential Design Guide. There would be procedural issues to address if I considered that such an amendment would enable planning permission to be granted. However, taken on its own, I do not consider that this amendment would be sufficient to enable me to reach a different decision; it would not overcome the harm, particularly in respect of overall bulk and massing, I have already concluded under this issue. There is therefore no need for me to consider further the procedural issues regarding the acceptability or otherwise of incorporating these revisions at this stage.

Issue b) Living Conditions of Neighbours

12. The proposed extension over the existing ground floor extension would not extend the depth of the property, and there would be no issues of overlooking and loss of privacy, given the relationship with adjoining properties. However, and notwithstanding the 1 m set in from the boundary the scale and bulk of the extension with its gable end would be visually oppressive for the neighbours at No 22. This proposal, particularly when taken with the other existing development close to and along the common boundary would material harm the living conditions of the neighbours at No 22, with particular regard to outlook and sense of enclosure, including from within their garden.
13. This harm to the living conditions of the neighbours would conflict with Policy DM 10 of the LDF Core Strategy 2012, the guidance in the Council's Residential Design Guide SPD (2013) as well as the Framework and in particular paragraph 130 f), all of which amongst other matters, seek a high quality of design which respects the amenities of existing and future occupants.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR