



Appeal Decision

Site visit made on 18 July 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 September 2023

Appeal Ref: APP/Z5630/W/22/3313972

52 Ditton Road, Kingston Upon Thames, Surbiton KT6 6RB

- 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 David Semple against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref 22/03023/FUL, dated 21 September 2022, was refused by notice dated 25 November 2022.
 - The development proposed is single storey rear extension and conversion of x3 dwellinghouses to one dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the living conditions of the occupiers of 50 Ditton Road with particular regard to outlook,
 - the character and appearance of the area, and
 - the supply of residential accommodation in the area.

Reasons

Living conditions

3. The appeal property is a semi-detached dwelling in an established residential area. It was originally constructed as a single dwelling but has been divided into three flats comprising one two-bedroom flat and two one-bedroom flats.
4. The rear of the dwelling, and the adjoining semi-detached dwelling have existing two storey outriggers on the outer sides leaving an area at the shared boundary set back from these extensions.
5. Whilst the proposed extension would be set in from the shared boundary it would fill in the gap between the outrigger and the boundary. Although the height would be limited due to the flat roof, the length of the extension would result in a tunnelling effect when seen from the neighbours' window, serving the rear habitable room, limiting the outlook from it.
6. I conclude that the single storey extension would harm the living conditions of the neighbouring occupiers with particular regard to outlook. It would therefore conflict with policy D3 of the London Plan (2021) and policies CS8 and DM10 of the Kingston Core Strategy (2012) which together, amongst other matters,

seek to ensure that development has regard to the amenities of neighbours. It would also conflict with the guidance in the Residential Design Guide Supplementary Planning Document (2013) which seeks to ensure extensions maintain the general environmental quality of neighbouring properties.

Character and appearance

7. The Council considers that the whilst the single storey extension would retain more than 50% of the garden area, due to its depth of approximately 6.3 metres it would not appear as a subordinate or proportionate extension to the host dwelling.
8. The character of the area in the vicinity of the appeal site is defined by mainly regularly spaced semi detached and detached dwellings in a residential area, set back from the highway with driveways to the front. Whilst the proposed extension, due to its depth and projection beyond the existing rear two storey outrigger, could be described as being disproportionate to the host dwelling, it cannot be viewed from Ditton Road.
9. I conclude that would not unacceptably harm the character and appearance of the area. it would not conflict with policies CS8 and DM10 of the Kingston Core Strategy (2012) which together, amongst other matters, seek to ensure that development protects the character of the Borough.

Supply of residential accommodation

10. The proposal would lead to a net reduction of two residential units. The total number of bedrooms would remain the same and the single dwelling would have the potential of accommodating the same number of people as the three flats and therefore the net amount of housing would remain.
11. I acknowledge the Council's position that it cannot demonstrate a five-year supply of deliverable housing, and that Policy DM14 seeks to resist the loss of all types of accommodation. Nonetheless, it is clear from the policy wording that the preservation of family sized units is especially important in the borough.
12. I conclude that the proposal would not adversely affect the supply of residential accommodation in the area. It would comply with the aims of policy DM14 of the Royal Borough of Kingston upon Thames Core Strategy (2012) which amongst other matters seeks to protect existing family accommodation.

Other Matters

13. My attention has been drawn to other examples of rear extensions in the vicinity of the proposal. The extension at 50 Ditton Road appears to be 4 metres in depth and added to the existing outrigger. At No 64 the side wall of the extension is of a lower height than this proposal and at No 46 the proposal is for a first floor extension. They are not therefore directly comparable to the appeal before me and in any event, I have determined this appeal on the site-specific circumstances of this case.
14. I have had regard to issuing a split decision as requested by the appellant. Although I have found no harm in the use of the building as a single dwelling, I do not have any plans before me showing the use of the building without the

extension so cannot be certain of the layout of the dwelling and therefore how it would be used.

Conclusion

15. Whilst I have found that the reconversion of the building into a single dwelling and the effect on the character and appearance of the area would not conflict with policy, this does not outweigh my finding of harm to the living conditions of neighbouring occupiers.
16. I find that the proposed development conflicts with the development plan as a whole and there are no other considerations, including the provisions of the National Planning Policy Framework, that outweigh this conflict. I conclude that the appeal should be dismissed.

H Senior

INSPECTOR