



Appeal Decision

Site visit made on 28 May 2024

by Thomas Courtney BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 JUNE 2024

Appeal Ref: APP/Z5630/D/24/3340103

1 Vale Crescent, Kingston Vale, Kingston Upon Thames, SW15 3PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Rennie against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref is 23/02900/FUL.
 - The development proposed is the erection of a single storey rear extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of 1 Vale Crescent and the surrounding area; and
 - The effect of the development on the living conditions of the neighbouring occupiers at 5 Vale Crescent with regard to light and outlook.

Reasons

Character and Appearance

3. The appeal dwelling comprises a ground floor flat within a two-storey semi-detached property. It is located within an established residential area characterised by semi-detached properties divided into flats. The appeal building features a two-storey rear outrigger and a small patio area which abuts the common boundary with the neighbouring dwelling at 5 Vale Crescent.
4. The rear extension would feature a part crown roof design that would have a significant maximum height. It would also have a depth that would exceed the guidance contained within the Council's Residential Design Supplementary Planning Document (SPD). Whilst its footprint would logically infill the small courtyard area, the height of the extension combined with its considerable depth would result in a bulky and dominant addition to the dwelling.
5. The development would feature sympathetic materials and the proposed windows would align with the existing first floor windows. However, the scale of the extension would not be sufficiently subservient and would be read as a disproportionate and incongruous feature that would unbalance the architectural form of the building. Although it would not be visible in the street

scene, it would be visible to surrounding neighbouring occupiers. Due to its scale, bulk and mass, it would look harmfully out of place.

6. I therefore conclude that the proposed development would be harmful to the character and appearance of 1 Vale Crescent and the surrounding area. The proposal would conflict with Policies CS8 and DM10 of the Core Strategy (2012) and the Residential Design SPD (2013) which, together, seek to ensure new developments are well-designed and respect the character and local distinctiveness of the area in which they lie.

Living conditions

7. The proposed rear extension would have a height of 2.5m along the common boundary with No 5. However, the height of the roof would ascend rapidly at a steep angle and would sit just below the first-floor windows. The height of the flat-roofed element of the extension would lie in close proximity to the boundary and would project over the joint boundary fence by a considerable margin.
8. The neighbouring property has rear facing ground floor windows serving a habitable room next to the boundary. Because of the excessive height of the extension, the proposal would unacceptably dominate the outlook from the rear facing windows nearest to the joint boundary. Furthermore, the extension would be overbearing on the neighbouring patio area and would result in an adverse sense of enclosure for the neighbouring occupiers. Whilst the appellant states that the existing boundary fence already has an impact, the proposed development would be higher than the existing fence and would further erode the situation.
9. Given the scale of the extension, the proposal would also lead to a loss of daylight to the closest habitable room on the ground floor. The height of the development would block views of the sky and would also result in a gloomy space to the rear of No 5 to the detriment of its occupants.
10. I therefore conclude that the proposal would harm the living conditions of the occupiers of 5 Vale Crescent. It would conflict with Policy D3 of the London Plan (2021) and Policies CS8 and DM10 of the Core Strategy (2012) which together seek to ensure proposals are well-designed and have regard to the amenities of occupants and neighbours, including in terms of outlook, daylight, and avoidance of visual intrusion.

Other Matters

11. The appellant opines there are extensions in the area that are similar to the proposal. However, the extension at 30 Vale Crescent has a lower profile than the proposed development and its roof has a shallower pitch. It is therefore not a bulky and dominant structure. The extension at No 33 has a comparable depth to the proposal but is flat-roofed and has a lower maximum height. The extensions at 42 and 46 Vale Crescent were erected in tangent and appear as coherent and symmetrical additions. They have not resulted in adverse impacts on living conditions and have not harmed the character and appearance of the area. The extensions referred to are therefore not entirely comparable to the proposal and only attract a limited amount of weight in favour of the appeal.
12. The use of sustainable materials, the lack of adverse impacts on biodiversity and the economic benefit arising from the construction activities are matters

which weigh in favour of the appeal. However, this weight is limited by the scale of the development. The absence of any objections to the appeal scheme following neighbourhood consultation attracts neutral weight.

13. Furthermore, the development would allow for an increase in living space, however, this is a private benefit, and it has not been demonstrated that this could be achieved without harming neighbouring living standards and the character and appearance of the area.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
15. For the reasons given above the appeal should be dismissed.

Thomas Courtney

INSPECTOR