



Appeal Decision

Site visit made on 2 September 2024 by T Morris BA (Hons) MSc

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 OCTOBER 2024

Appeal Ref: APP/Z5630/D/24/3346726

48 Mount Pleasant Road, New Malden KT3 3LB

- 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 Mrs Panpan Huang against the decision of Royal Borough of Kingston Upon Thames.
 - The application Ref is 24/00561/HOU.
 - The development proposed is 'Erection of a single storey front and rear extension, removal of chimney stack'.
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Decision

1. The appeal is allowed, and planning permission is granted for 'Erection of a single storey front and rear extension, removal of chimney stack' at 48 Mount Pleasant Road, New Malden KT3 3LB, in accordance with the terms of the application, Ref 24/00561/HOU, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: drawing nos TSL/PAM/EXT/01 (Plan), TSL/PAM/EXT/02 (Roof Plans), TSL/PAM/EXT/04 (Proposed Elevation), TSL/PAM/EXT/06 (Proposed Block Plan), Location Plan Scale 1:1250 and the 'Fire Strategy Report'.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on drawing no. TSL/PAM/EXT/04 (Proposed Elevation) and on the application form.
 - 4) The flat roof areas of development hereby permitted shall not be used as a roof garden, balcony, seating area or other similar amenity area, and shall not be accessed except for the purpose of maintenance or in the case of emergency.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The development description in the banner heading above is taken from the application form. This is different to the description on the decision notice and appeal form, which refers to changes to the ground floor side fenestrations. I have no evidence that this change was agreed with the applicant. I have

therefore made my recommendation on the basis of the development applied for as described on the application form.

4. The reasons for refusal on the decision notice refer to specific elements of the proposed development in respect of the Council's concerns relating to character and appearance and neighbouring living conditions. I have defined the main issues on this basis.

Main Issue

5. The main issues are the effect of:
 - i) the single storey front extension on the character and appearance of the host property and the surrounding area; and
 - ii) the single storey rear extension on the living conditions of occupiers of No 46 Mount Pleasant Road, with particular regard to outlook.

Reasons for the Recommendation

Character and appearance

6. The site is located within a predominantly residential area which has a mix of mostly terraced and semi-detached dwellings. The appeal dwelling sits at one end of a terrace which is setback from the street behind spacious front gardens where the ground level falls away from the street towards the dwellings. It is also setback from the front building line of the adjacent dwellings at either side of the terrace. The terrace is of a coherent design overall with hipped roofs at the ends, projecting hipped roof sections to the front and white rendered elevations.
7. Whilst the single-storey front extension would project forward of the host property, the scale and design of the extension would be similar to the front extension at 42 Mount Pleasant Road (No 42) which sits at the opposite end of the terrace. The position set back from and at a slightly lower level to the street, set back from the front projection of the dwelling at 50 Mount Pleasant Road, together with the matching render proposed would further assimilate the front extension into its surroundings. As a result, the front extension would not be overly prominent and would appear as a proportionate addition which would also have a balancing effect on the wider terrace.
8. I conclude, the proposal would have an acceptable effect on the character and appearance of the host property and the surrounding area. The proposal would therefore comply with Policy D3 (Optimising site capacity through the design-led approach) of The London Plan (2021) (LP) and Policies CS8 (Character, Design and Heritage) and DM10 (Design Requirements for New Developments (including House Extensions)) of the Royal Borough of Kingston Upon Thames Core Strategy (2012) (KCS), which require that development proposals are of a good design, respond to the existing character of a place, relate well and connect to their surroundings, and respect the scale, layout, height, form and massing within the area.

Living conditions

9. The single-storey rear extension would be sited along the boundary with 46 Mount Pleasant Road (No 46). However, the French door to the ground floor rear elevation of No 46 is set away from the boundary with the appeal dwelling. Furthermore, due to the ample width of the rear elevation and the spacious

rear garden at No 46, the French door has a wide aspect over the garden. Whilst there was no boundary fence between the properties at the time of my site visit, the flat roof of the single storey rear extension would not project significantly above a typical boundary fence. Therefore, despite the siting of the single storey rear extension along the boundary, an acceptable level of outlook would be retained by occupiers of No 46.

10. Furthermore, the Council have confirmed that planning permission has recently been granted for development, including a single-storey rear extension, at the appeal property (Application Ref 24/01353/HOU). The approved extension is of similar design to the appeal scheme but has a depth of 3.5 metre (m), as opposed to the 4m depth of the appeal scheme. While the depth of the proposed rear extension would slightly exceed the 3.5m depth guidance in the Council's Residential Design Supplementary Planning Document (2013), I do not consider that the additional 0.5m proposed in this appeal would have a materially different relationship with outlook for No 46 when compared with the existing planning permission. The approved scheme is a realistic fallback position to which I attach considerable weight, and which further persuades me that the relationship with the outlook of No 46 would be acceptable.
11. I conclude, the single-storey rear extension would have an acceptable effect on the living conditions of occupiers of 46 Mount Pleasant Road, with particular regard to outlook. The proposal would therefore comply with Policy D3 (Optimising site capacity through the design-led approach) of the LP and Policy DM10 (Design Requirements for New Developments (including House Extensions)) of the KCS, which state that development proposals should have regard to the amenities of occupants and neighbours and should deliver appropriate outlook and amenity.
12. The Council also state that this element of the scheme would conflict with Policy CS8 (Character, Design and Heritage) of the KCS. However, this policy does not relate to living conditions and has not therefore been decisive to my findings on this main issue.

Other Matters

13. The Council's Officer Report states that the removal of the side chimney stack would have an adverse effect on the street scene and would detract from the architectural quality of the area. This element of the proposal was not included in the reasons for refusal on the decision notice. In any case, from my own observations on site, given its set back position to the side of the host dwelling, the chimney stack is not a highly prominent feature, and its removal would not have a significant effect on the character and appearance of the host dwelling or the wider terrace. Therefore, the removal of the chimney stack would not on its own warrant dismissal of the appeal having regard to my findings in respect of the main issues.

Conditions

14. I have had regard of the Council's suggested conditions. I have included the time limit and approved plans conditions in the interests of certainty and clarity. I have included the materials condition in the interests of preserving the character and appearance of the area. The suggested condition restricting the use of the flat roofs on the extensions is also reasonable in the interests of protecting the privacy of neighbours and, in respect of the roof on the front

extension, the character of the street scene. I have not included a separate condition in respect of the Fire Strategy Report as this is already listed amongst the approved drawings and details, that the development must be carried out in accordance with, under condition 2. Its inclusion amongst the approved details is reasonable and necessary to meet the fire safety requirements of Policy D12 of the LP.

Conclusion and Recommendation

15. For the reasons given above, I recommend that the appeal should be allowed since it would comply with the development plan.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

M Russell

INSPECTOR