



Appeal Decision

Site visit made on 9 September 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2025

Appeal Ref: APP/Z5630/D/25/3360493

93 Cambridge Road, New Malden, Kingston Upon Thames KT3 3QP

- 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 Mr David Walker against the decision of the Council of the Royal Borough of Kingston Upon Thames.
 - The application Ref is 24/02330/HOU.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey rear extension at 93 Cambridge Road, New Malden, Kingston Upon Thames KT3 3QP in accordance with the terms of the application, Ref 24/02330/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 drawing numbers: ADC 1589/01 D, ADC 1589/LP.
 - 3) The external materials to be used in the development hereby permitted shall match those used in the existing building.
 - 4) The development hereby permitted shall be carried out and maintained in accordance with the Reasonable Exception Statement dated 26 September 2024 prepared by Alistair Dodd Consulting.

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 Matter and Main Issue

3. The Council discuss the effect of the proposal on the character and appearance of the area, including potential conflict with the Residential Design Supplementary Planning Document (SPD). However, certain elements of the officer report do not appear to relate directly to the scheme. The Council has acknowledged typographical errors on finer details in their report. Notwithstanding this, and while some aspects do relate to the proposed scheme, these have not translated to a reason for refusal. The sole matter for which relates to living conditions. Resultantly, I have not considered the design matters further, and the main issue is

therefore the effect of the proposal on the living conditions of neighbouring occupiers, with particular regard to Number 95 Cambridge Road (No 95).

Reasons for the Recommendation

4. The appeal site is a detached dwelling in a row of both semi-detached and detached dwellings of varying scale, all of which sit in line with each other. Land levels are relatively even, with a slight slope down away from the buildings. No 95 is adjacent the appeal site, with a small separation gap formed by a pathway to access the rear garden. It has its own single storey rear extension.
5. By virtue of its design and siting, the full effect of the extension's projection would not be felt. There would be some blank elevation viewed from No 95 both within the building and the garden. Its effect would however be oblique by virtue of the separation distance, modest height and depth, in combination with existing boundary treatments. The set of patio doors to the rear of No 95 would remain unincumbered. Any windows on the upper level of the property would be a significant distance away from the proposal. Their outlook would remain largely the same. Furthermore, and due to the minimal projection and modest height along with the long rear garden, users thereof would not be harmed in terms of their outlook when sitting out and using the space, even with the slight change in land levels.
6. With this and the above in mind, the appeal scheme would not harmfully affect the outlook of the occupiers of No 95. Resultantly, it would comply with Policies CS8 and DM10 of the Kingston Core Strategy 2012, Policy D3 of the London Plan 2021 and the Residential Design Supplementary Planning Document 2013 which, amongst other things, seek to ensure that the living conditions of the occupiers of properties are protected.

Other Matters

7. Concerns the appellant has with the Council during the handling and consideration of the appeal scheme prior to and during the planning application process are for the main parties to establish and resolve outside of appeal proceedings.

Conditions

8. The time limit condition and reference to the approved plans are required for enforcement purposes. I have included a matching materials condition to ensure that development remains in keeping with the wider building. The Council has recommended a condition in which the development should comply with the submitted fire safety strategy. Given the policy reasoning and its residential use, I deem the condition reasonable and necessary.

Conclusion and Recommendation

9. For the reasons given above, I recommend that the appeal should be allowed, subject to the conditions set out.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report, and on that basis the appeal is allowed, and planning permission is granted, subject to the conditions listed.

John Morrison

INSPECTOR