

Appeal Decision

Site visit made on 4 October 2016

by Caroline Jones BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14th October 2016

Appeal Ref: APP/L5810/D/16/3155251

14 Milner Drive, Twickenham TW2 7PJ

- 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 Nicholas and Mrs Marybe Skelton against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/01738/HOT, dated 4 May 2016, was refused by notice dated 8 July 2016.
 - The development proposed is erection of an ancillary granny annexe.
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Decision

1. The appeal is allowed and planning permission is granted for erection of an ancillary granny annexe at 14 Milner Drive, Twickenham TW2 7PJ in accordance with the terms of the application, Ref 16/01738/HOT, dated 4 May 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: existing site plan (160412kl/02A), proposed site plan (160630kl/03A) and proposed elevation drawing (160630kl /04A).
 - 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 14 Milner Drive, Twickenham TW2 7PJ.

Procedural Matter

2. The Council's officer report states that due to the layout, scale and size of the outbuilding, it could be used as a self-contained unit. The application was clear that it was for an annexe and having been the subject of an application to the Council as householder development, the proposal is treated in this appeal as an annexe which could be limited by planning condition to occupation only ancillary to the main dwelling.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.
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Reasons

4. The appeal site encompasses the rearmost part of the garden of 14 Milner Drive, a terraced two storey dwelling. The garden has an irregular shape with the rearmost part set at an angle to the existing house. The appeal site is bound to the side and rear by a single track lane. A significant number of properties in the vicinity contain a variety of buildings and other structures within the rear garden areas
5. The proposed building is of a simple design and form. Whilst I accept that the annexe would have a slightly larger footprint than the outbuildings in the immediate vicinity, its modest eaves and ridge height, together with the surrounding close boarded fence would ensure that the proposal would not be visually prominent. It would not be unduly large in comparison with the size of the principal building on the site, to which it is clearly subordinate and would maintain an adequate size garden for the main house. Given the context of the locality with numerous outbuildings, the proposal would not be out of keeping with the prevailing pattern of development.
6. I therefore find that the proposed outbuilding would not have a detrimental impact on the character and appearance of the area and find no conflict with Policy DM H03 of the Councils Development Management Plan (2011) and Policy CP7 of the Council's Core Strategy (2009) which seek, amongst other things high quality design that respects local character and to prevent unacceptable backland development.

Conditions

7. I have had regard to the conditions suggested by the Council and appellant. As well as the standard time limit, a condition requiring the development to be carried out in accordance with the approved plans is necessary in order to provide certainty. A condition limiting the occupation of the annexe is necessary to ensure the accommodation remains ancillary to the main dwelling. A materials condition is not necessary given that the materials are included on the approved plans.

Conclusion

8. For the reasons given above and taking all other matters into account, I conclude that the appeal should be allowed.

Caroline Jones

INSPECTOR