

Appeal Decision

Site visit made on 12 October 2016

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 01 November 2016

Appeal Ref: APP/L5810/D/16/3154686

47 Talbot Road, Twickenham, TW2 6SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr & Mrs Jason & Victoria Stocks against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/1478/VRC, dated 15 April 2016, was refused by notice dated 20 June 2016.
 - The application sought planning permission for a part single, part two storey side and part two, part single storey rear extension without complying with condition U98403 attached to planning permission Ref 15/5168/HOT, dated 26 January 2016.
 - The condition in dispute is U98403 which states that: The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable.
Drawing NO. 01, 02, 03, 04, 05 Rev C, 06 Rev C, 07 Rev C received 9 December 2015.
 - The reason given for the condition is: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.
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Decision

1. The appeal is dismissed.

Background and Main Issue

2. This appeal seeks permission to implement amended plans in place of those previously granted permission under ref 15/5168/HOT, by replacing the plans condition on this permission with one specifying the amended plans. The main issue is therefore the effect of the proposed amendments on the character and appearance of the host property and the street scene.

Reasons

3. Planning permission 15/5168/HOT allowed various extensions to the appeal property including a two storey side extension. This was set in 1m from the side boundary which is abutted by the flank wall of the neighbouring property 45 Talbot Road. Essentially the amended plans before me seek permission for a wider two storey side extension which would abut the side elevation of No 45.
 4. Talbot Road is a residential road comprised of various styles and ages of properties which include terraces, semi-detached properties and detached properties. Its variety in this respect forms part of its character. The gaps between properties in Talbot Road are important as they distinguish between
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the different types of dwellings allowing each to be appreciated in their own right.

5. The appeal property is a modest two storey semi-detached cottage. No 45, in contrast, is a taller, stand alone, detached property. The gap between the appeal property and No 45 allows the simple charm of No 47 to be appreciated in isolation from its larger, taller and more decorative neighbour No 45. To allow a wider side extension at the appeal property directly abutting No 45 would disrupt this, causing the two properties to effectively merge into one in-cohesive form. Consequently the separate identities of these two very different properties would be diminished to the detriment of the character and appearance of the area.
6. I note that the Council's Supplementary Planning Document, House Extensions and External Alterations (SPD) sets out that the loss of important gaps between neighbouring houses is not normally acceptable and advises that two storey side extensions should be sited 1m from the side boundary. I consider this to be good design advice in the circumstances.
7. The appellant makes the case that the gap between the appeal property and No 45 would be closed by a single storey side extension approved under permission 15/5168/HOT. However, at two storeys, the revised plans before me would be more harmful in terms of closing the gap between these two properties. The fact that the extension would be set back around 1m from the front elevation and lower in height than No 45 does not lead me to alter my conclusions in this respect.
8. Furthermore, the increased width of the side extension would begin to dominate and detract from the modest scale and character of the original dwelling as it would be wider than half of the property's main front elevation. The SPD discourages extensions of this nature which again I consider to be a sound design principle and applicable in this instance.
9. Although No 47 is located toward the end of a relatively narrow cul-de-sac, which would limit longer views of the side extension, it would, nevertheless, still be visible within the immediate street scene. The proposed amendments would therefore be harmful to the character and appearance of the host property and the street scene. As such allowing the appeal would conflict with Policies CP7 of the Core Strategy (2009), DM DC1 of the Development Management Plan (2011), and the SPD, which, amongst other things, require all new development to be compatible with local character in terms of the existing townscape and the space between buildings. It would also conflict with the National Planning Policy Framework which sets out that account should be taken of the character of different areas.
10. I have had regard to all matters raised, including the appellant's argument that allowing the appeal would enable a growing family to stay in the area. However, as there is already an extant permission in place to extend the existing property this limits the weight I can attach to this. Therefore, for the reasons set out above, the appeal is dismissed.

Hayley Butcher

INSPECTOR