
Appeal Decision

Site visit made on 4 October 2016

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 14 November 2016

Appeal Ref: APP/L5810/W/16/3149816

4 Hollybank Close, Hampton, Richmond upon Thames TW12 3EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr & Mrs Rob & Zohra Ghosh against the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/0385/HOT, is dated 1 February 2016.
 - The development proposed is single storey, front porch, side and rear extensions & loft hip to gable with dormers added front and rear at loft level.
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Decision

1. The appeal is dismissed and planning permission for single storey, front porch, side and rear extensions & loft hip to gable with dormers added front and rear at loft level is refused.

Application for costs

2. An application for costs was made by Mr & Mrs Rob & Zohra Ghosh against the Council of the London Borough of Richmond-upon-Thames. This application is the subject of a separate Decision.

Procedural Matters

3. The appellant has requested that the appeal be determined on the basis of amended plans which were submitted to the Council subsequent to the original planning application. However, the revised plans are materially different from the plans submitted with the planning application in that they include, amongst other things, reductions to the footprint of the proposal, removal of the front dormer and amendments to the proposed gable roof to create a hipped roof. I am mindful that the Council has confirmed that they have not undertaken consultation on the amended plans. Within this context I am very conscious of the Wheatcroft Principles derived from *Bernard Wheatcroft Ltd v SSE* (1982) which are further explained in the Procedural Guide: Planning Appeals - England¹. It is my firm view, in the interests of fairness, that this appeal must be determined on the basis of the plans that were submitted with the planning application and which have been subject to consultation and not the subsequent amendments. To do otherwise could prejudice unacceptably the interests of interested people and/or consultees who would not have been consulted on the amended proposals and who may have observations to make.

¹ Procedural Guide: Planning appeals – England 2016: Annexe M - Can a proposed scheme be amended?

4. The Council has identified two matters which it considers are the main issues in relation to the proposal. These are the effect on local character and the amenities of neighbouring properties. With regard to the available evidence I agree that these are the basis for the main issues set out below and I have determined the appeal on that basis.

Main Issues

5. The main issues of this appeal are:
- The effect of the proposal on the character and appearance of the existing building and the surrounding area; and,
 - The effect on the living conditions of nearby residents with particular reference to outlook and privacy.

Reasons

Character and Appearance

6. The appeal property is one of a pair of semi-detached bungalows located in a cul-de-sac which contains a number of similar properties as well as detached dwellings. Both the appeal property and its immediate neighbour have hipped roofs and have therefore retained their sense of symmetry. It was apparent at my site visit that a number of semi-detached bungalows in the cul-de-sac have been extended through the use of hip to gable roof extensions and rear dormers.
7. It is proposed to extend to the side of the host dwelling with a gable wall roof above, and create rooms in the roof space through the addition of dormer windows. A porch would also be erected to the front and a flat roofed extension built to the rear.
8. The Council's House Extensions and External Alterations Supplementary Planning Document 2015 (SPD) states that extensions to the side should not dominate the existing dwelling or its neighbours. The proposed extension would represent a significant increase in the bulk and massing of the dwelling, particularly at roof level. The ridge line of the roof would not be set lower than that of the host property as is recommended in the SPD and the gable wall would further emphasise the scale of the proposed extension. The proposal would therefore not be subordinate to the main structure. This would adversely affect the character and appearance of the host dwelling and would unbalance the symmetrical relationship with the adjacent semi-detached bungalow.
9. The proposed extension would also be located in very close proximity to a single storey building attached to the side of 5 Hollybank Close. A limited gap would be retained between the properties, but this would be predominantly covered by the overhanging eaves of the roof. This arrangement would lead to a terracing effect between the properties, which would be detrimental to the appearance of the host dwelling and its semi-detached neighbour as well as that of the detached property of No 5. Not only would this be out of character with these properties, this terracing would lead to an enclosing effect at the end of the cul-de-sac which would be detrimental to the relatively open character of the street scene.

10. The SPD states that it is undesirable to add a dormer window to the front of a property, particularly when there is already a gable over a projecting bay, as is the case with the appeal property. Furthermore, the design of the flat roofed dormer window to the front would be unsympathetic to the character of the property as it does not reflect the placement of windows on the ground floor. The proposed dormer window on the front elevation would therefore appear as an angular, incongruous and unsympathetic addition which would be detrimental to the appearance of the host dwelling and the wider streetscape.
11. The rear dormer window would extend over a significant area of the rear elevation of the proposal. I acknowledge that the design includes narrow vertical channels which would break up the roof line of the dormer. However, this would appear as a contrived and incongruous feature on the rear elevation and would have a limited effect on reducing the bulk and massing of the dormer. Although this dormer would not be visible from Hollybank Close it would be readily visible from a number of neighbouring properties and their gardens.
12. The proposed porch would project beyond the front bay of the existing dwelling. Due to the relatively extensive footprint of the porch this would project beyond the building line of the properties and would appear as an intrusive feature in views along the cul-de-sac. The box-like design of the porch and the projecting eaves of the flat roof would add to its incongruous appearance.
13. I acknowledge that other bungalows in the cul-de-sac have been extended through the use of hip to gable roof extensions as well as dormers to the rear. However, these are of a scale and design which retains the gap with adjacent properties and which are not unsympathetic to the host dwelling or the wider street scene.
14. I conclude that the proposal, due to its scale and design, would harm the character and appearance of the existing building and the surrounding area. The proposal is therefore contrary to Policy CP7 of the London Borough of Richmond upon Thames (LBRT) Core Strategy 2009 (CS) which states that new development should connect positively with its surroundings through the use of good design principles. The proposal would also conflict with Policy DC1 of the LBRT Development Management Plan 2011 (DMP) which states that development should respect local character and contribute positively to its surroundings. These policies are broadly consistent with the provisions of the National Planning Policy Framework (the Framework) in relation to requiring good design.
15. The proposal would also conflict with the advice of the SPD which states that side extensions should not dominate the existing house or its neighbours and harmonise with the original appearance of the dwelling.

Living Conditions

16. The proposed gable wall would be located in close proximity to the boundary with the adjacent detached dwelling of 5 Hollybank Close. It was apparent at my site visit that there are dormer windows to habitable rooms in the roof of No. 5 which would face onto the extension. Due to the height and proximity of the gable wall of the proposal, the proposal would have a significant impact on the outlook from these windows and would be an overbearing feature in views

from the property. The impact would be exacerbated by the proposed dormer windows which would further increase the bulk and massing of the roof of the dwelling.

17. The rear dormer windows would overlook the rear gardens of 3 Hollybank Close and 15 Bluefield Close. However, it was apparent at my site visit that the rear gardens of these properties are already overlooked by the upper windows of nearby properties. Furthermore, the overlooking from the proposed dormer windows onto No 15 would be ameliorated due to the separation distance provided by the existing garden of the appeal property. On this basis, I consider that the proposal would not be unduly detrimental to the privacy of neighbouring residents.
18. Notwithstanding my comments in relation to privacy, I conclude that the proposal would harm the living conditions of the residents of 5 Hollybank Close due to an overbearing effect and the impact on the outlook from the property. The proposal is therefore contrary to Policy DC5 of the DMP which seeks to protect adjoining properties from unreasonable visual intrusion, amongst other things. This policy is broadly consistent with the provisions of the Framework in relation to requiring a good standard of amenity for all existing and future occupants of land and buildings. The proposal would also conflict with the advice of the SPD which states that side extensions which appear overbearing when seen from neighbouring rooms will not be permitted.

Other Matters

19. I am mindful of the personal circumstances cited by the appellants, particularly in relation to the need to accommodate and care for their relative. However, this matter does not outweigh the harm I have identified above.
20. I have also taken into account concerns raised locally in relation to parking provision, precedent for similar extensions, overshadowing, disturbance, loss of a bungalow and the increase in the number of residents of the dwelling. However, they do not add to my reasons for dismissing this appeal.

Conclusion

21. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR