The Planning Inspectorate

Appeal Decision

Site visit made on 22 November 2016

by John L Gray DipArch MSc Registered Architect

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

Decision date: 5 December 2016

Appeal Ref. APP/L5810/D/16/3158648
15 Castelnau, London, SW13 9RP

- 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 & Mrs R Bell against the decision of the Council of the London Borough of Richmond upon Thames.
- The application, ref. 16/1595/HOT, dated 22 April 2016, was refused by notice dated 23 June 2016.
- The development proposed is the partial demolition of the existing modern rear extension and the erection of a new enlarged single-storey rear extension.

Decision

1. The appeal is allowed. Planning permission is granted for partial demolition of the existing modern rear extension and the erection of a new enlarged single-storey rear extension at 15 Castelnau, London, SW13 9RP, in accordance with the terms of the application, ref. 16/1595/HOT, dated 22 April 2016, 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: the unnumbered location plan and drawings nos. 141 E 01, 02/A and 03 and 141 P 01, 02/A and 03;
   3) the external surfaces of the development hereby permitted shall be constructed in the materials shown on drawings nos. 141 P 01 and 02/A;
   4) development shall not begin until details of the flank wall of the extension along the boundary with 13 Castelnau have been submitted to and approved in writing by the local planning authority; development shall be carried out in accordance with the approved details;
   5) development shall not begin until details of the door/window in the flank wall of the extension facing 17 Castelnau have been submitted to and approved in writing by the local planning authority; development shall be carried out in accordance with the approved details.

Main Issues

2. There are two main issues in the appeal. The first is the effect the proposed extension would have on the character and appearance of nos. 13 and 15 (a semi-detached pair) and the Castelnau Conservation Area in general. The second is the impact it would have on the residential amenity enjoyed by the occupiers of the neighbouring dwellings at nos. 13 and 17.

Reasons

First main issue – character and appearance

3. Planning permission was granted on 13 July 2012 for a single-storey rear extension to no. 13, semi-detached with no. 15. If built, it would be the full width of that house and would extend almost as far as the proposal subject of this appeal. That permission would, however, appear to have lapsed; and it is unknown whether circumstances have changed sufficiently to refuse the proposal now, were a new application to be submitted. Planning permission was granted on 16 March 2016 for a single-storey rear extension at no. 17, adjacent to the north, little more than three months before the application subject of this appeal was refused. It would also be the full width of that house and would extend almost precisely the same distance as this appeal proposal. All three schemes (the appeal scheme and those at nos. 13 and 17) have fully glazed facades looking over their respective gardens, though there are variations in the precise dimensions and detailing. In addition, there is an existing single-storey rear extension at no. 19, semi-detached with no. 17, in a rather different style to the proposals for nos. 13, 15 and 17.

4. All of these factors, especially the recent permission at no. 17, make it very difficult to sustain an objection to the proposed extension on the grounds that its length, height and design would render it unduly prominent, dominant or intrusive. It would be neatly designed and would be appropriate on its own or alongside either or both of the adjacent approved extensions. It would extend about 6.5m beyond the rear wall of the main house, 3.0m further than the existing extension, but it would also be lower over most of its length, by about 0.7m, enabling it to sit more comfortably against the house and irrespective of whether the adjacent proposals were built.

Second main issue – residential amenity

5. At present, no. 13 has a small courtyard contained by the rear of the house, the side of its existing rear extension and the boundary with no. 15; that boundary comprises partly the wall of no. 15's existing rear extension and partly a brick boundary wall around 1.9m high above its patio level, perhaps 2.4m above ground level, significantly overtopped by vegetation which appears to belong to no. 13. The effect of the proposed extension would be to increase the height of the boundary wall by some 1.1m over a length of 3.0m but reduce the height of the existing extension flank wall by about 0.7m over a length of around 2.0m. The existing courtyard appears to be an attractive and sheltered space, enclosed on three sides and looking out over the garden. The flank wall of the proposed extension would increase the sense of enclosure but not so much as to appear over-dominant or to give the courtyard a claustrophobic quality. And, of course, if something akin to the previously permitted extension to no. 13 were built, there would be no harm at all.

6. No. 17 has no rear extension at present. The flank walls of the two houses are about 2.4m apart. The proposed rear extension would continue the line of no. 15's flank wall and would thus be about 1.2m from no. 17's garden, 2.4m from the corner of the house and about 4.3m from the centre line of the nearest window. Those distances are sufficient to prevent the proposed extension appearing overbearing or too dominant.

7. The proposal also includes a fully-glazed window or door at its junction with the main house (it is annotated as a door on the elevation but not shown as opening on the plan). It would afford the opportunity of overlooking that part

of no. 17's garden closest to the house – but, in practice, its location is such that that opportunity would be sufficiently limited as to cause no serious harm. Any harm could be resolved by requiring obscure glazing; that said, if the permitted extension to no. 17 were built, there would be no harm at all.

Conclusion

8. On the first main issue, there would be no harm in terms of adopted Core Strategy Policy CP7, adopted Development Management Plan (DMP) Policies DM DC 1 and DM HD 1 or the guidance in the adopted Supplementary Planning Document (SPD) on House Extensions and External Alterations. The proposal is satisfactorily designed in relation to the house and the semi-detached pair; and the character and appearance of the Castelnau Conservation Area would be preserved. The annotations regarding materials on the application plans are sufficient that no further planning condition is necessary beyond compliance with them.

9. On the second main issue, there would be no material harm in terms of DMP Policy DM DC 5 or the SPD on House Extensions and External Alterations. That, though, depends on two things, both of which may be resolved by conditions attached to planning permission. The first is to require details, presently absent, of the flank wall along the boundary with no. 13; the second is to require details of the door/window in the flank wall facing no. 17 – to know whether it would be a door or a window and to enable it, if appropriate, if the permitted extension to no. 17 is not (to be) built, to be obscure-glazed.

10. On the basis of these conclusions, the appeal may be allowed.

John L Gray

Inspector