
Appeal Decision

Site visit made on 21 December 2016

by Terry G Phillimore MA MCD MRTPI

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

Decision date: 11 January 2017

Appeal Ref: APP/L5810/D/16/3156197
12 Cedar Avenue, Twickenham TW2 7HE

- 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 Rajesh Das against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 15/4333/HOT, dated 11 October 2015, was refused by notice dated 27 May 2016.
 - The development proposed is a single storey rear/side extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal was amended following the initial application by way of a reduction in the flank eaves height of the extension from 2.5m to 2.4m. The Council reached its decision based on this revision. The appellant has suggested that the height could be further reduced to 2.35m or 2.3m. However, that would amount to a materially different proposal on which other parties have not had the opportunity to comment and which would need to be assessed on its own merits. I therefore determine the appeal on the same basis that the proposal was considered by the Council.

Main Issue

3. The main issue is the effect the development would have on neighbouring living conditions.

Reasons

4. The property is a two-storey terraced house with an existing part-width rear wing. The proposal would infill the space alongside the wing and continue to a depth of around 2.9m beyond the rear of the wing across the full width of the house.
 5. The neighbouring house to the west (no. 10) has an existing rear extension to a similar depth, and there would be no material effect on amenity at the rear of that property. To the east, no. 14 has a corresponding open area to the side of a rear wing which mirrors that of the appeal property. It has side and rear facing windows onto that space at ground floor level. With the proposal the side wall of the extension would rise above the existing boundary fence to a
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height of 2.4m along a depth of some 8.6m immediately adjacent to the fence. This would have a significant adverse effect on the outlook of the windows at no. 14 by way of an increased sense of enclosure and overbearing impact.

6. I recognise the effort made by the appellant to restrict the flank height of the extension and the wish to maximise the retention of an existing brick arch feature, and note the level of this. It is also proposed to use a paint finish to reflect light. There is no suggestion by the Council that the extension should be resisted on grounds of loss of light or privacy. However, its Supplementary Planning Document 'House Extensions and External Alterations' 2015 advises that where an extension to a terraced property exceeds 3m depth, the eaves height of an infill extension should be limited to 2.2m to mitigate the sense of enclosure. I find no circumstances to warrant a departure from this. Policy DM DC 5 of the Richmond upon Thames Development Management Plan 2011 aims in considering proposals for development to protect adjoining properties from unreasonable visual intrusion, in addition to other effects. The proposal does not comply with this requirement on neighbourliness.
7. For the reasons given above I conclude that the appeal should be dismissed.

T G Phillimore

INSPECTOR