
Appeal Decision

Site visit made on 31 January 2017

by Beverley Doward BSc BTP MRTPI

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

Decision date: 23 February 2017

Appeal Ref: APP/L5810/W/16/3161176

27 St Albans Gardens, Teddington, TW11 8AE

- 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 Dominic Marchant against the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/2217/HOT, is dated 3 June 2016.
 - The development proposed is described as "Mono-pitched, zinc clad roof extension to the rear of the main house. Raise the existing side extension with a pitched roof section to reduce its visual impact. The addition of a pair of double height projecting bays topped with small hipped roofs to the front elevation. Retention of the existing eaves height. Alteration to the existing roof pitch to create a loft bedroom with the addition of a rear dormer and rooflights."
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Decision

1. The appeal is allowed and planning permission is granted for a Mono-pitched, zinc clad roof extension to the rear of the main house. Raise the existing side extension with a pitched roof section. The addition of a pair of double height projecting bays topped with small hipped roofs to the front elevation. Retention of the existing eaves height. Alteration to the existing roof pitch to create a loft bedroom with the addition of a rear dormer and rooflights at 27 St Albans Gardens, Teddington, TW11 8AE in accordance with the terms of the application, Ref 16/2217/HOT, dated 3 June 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: Drawing nos. 002 Existing Block Plan, 003 Existing Ground Floor Plan, 004 Existing First Floor Plan, 005 Existing Roof Plan, 010 Existing Front and Rear Elevations, 011 Existing Side Elevations, 021 Proposed Ground Floor Plan, 022 Proposed First Floor Plan, 023 Proposed Loft Plan, 024 Proposed Roof Plan, 030 Proposed Front and Rear Elevations and 031 Proposed Side Elevations.

Procedural Matters

2. 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 Council has not provided any indication of its likely decision had it been in a position to determine the
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application nor has it provided me with details of any development plan policies that it considers relevant to my consideration of the appeal. The appellant has referred to policy CP7 of the London Borough of Richmond upon Thames Core Strategy April 2009 (Core Strategy) and policy DM DC 1 of the London Borough of Richmond upon Thames Development Management Plan (DMP) to which I have had regard in my consideration of the appeal proposal. I have also had regard to the advice in the National Planning Policy Framework (the Framework) which is a material consideration in determining planning applications.

3. The description of development in the heading above is taken from the planning application form. I have removed those aspects of the description which are superfluous in my formal decision.
4. My site visit included a visit to the neighbouring properties at Nos 25 and 31 where I viewed the site from their rear gardens.

Main Issues

5. In the light of the evidence before me I consider that the main issues in this case are the effect of the proposed development on the character and appearance of the area and the living conditions of the occupiers of neighbouring dwellings.

Reasons

Character and appearance

6. The appeal site is a two storey detached dwelling in St Albans Gardens, a private road off Manor Road and Twickenham Road, within a predominantly residential area. The dwelling is of a mock Georgian style which from the evidence would appear to have been built in 1977. It is not in a conservation area.
7. The appeal proposal comprises a scheme of alterations and extensions to the existing dwelling. The proposed alterations to the front elevation of the dwelling by the introduction of a pair of double height projecting bays with hipped roofs, the alteration to the main roof to form a crown type roof with a pitch on either side and a narrow flat area on top and the increased height of an existing single storey side extension with a pitched roof section would create a double fronted elevation of symmetrical design. Although the side extension would be visible from the front it would appear subordinate to the dwelling being set back from the frontage and having a pitched roof section which would reflect the pitch of the main roof but be set significantly lower. The main roof of the dwelling would be only about 240mm higher than the existing roof and the eaves height would remain unaltered thereby retaining the uniformity of the eaves height with the neighbouring dwelling at No 25.
8. The proposed alterations to the front elevation would replace the existing mock Georgian style of the dwelling and whilst I appreciate that the appeal property is one of a run of three similar style houses (Nos 23, 25 and 27) I saw from my site visit that St Albans Gardens comprises a mixture of dwellings of various ages, types, styles, sizes and heights. Accordingly there is no prevailing pattern of development or unifying character. Having regard to this therefore I am satisfied that these elements of the appeal proposal would not appear out of keeping with the character and appearance of the area.

9. The proposed ground and first floor rear extension, which would wrap around to join the side extension, would be of a modern and simple design with a standing seam, zinc clad mono-pitched roof which would reflect the pitch of the main roof but be set below the eaves height of it. This, together with the large extent of glazing on the rear elevation, would serve to minimise the bulk of the extension and ensure that it would appear subordinate to the main structure of the dwelling despite extending across the full extent of the rear of the dwelling. The proposed flat roof dormer on the rear part of the dual pitch roof would not be unduly large and would be set down from the ridge and well in from either side of the roof. Accordingly, it would not appear as a dominant addition to the roof.
10. Having regard to all of the above therefore, I conclude that the proposed development would not cause material harm to the character and appearance of the area. Accordingly, it would not conflict with policy CP7 of the Core Strategy or policy DM DC 1 of the DMP which taken together seek to ensure that development is of a high design quality and respects local character. Furthermore, it would accord with the core planning principle of the Framework that planning should always seek to secure high quality design and take account of the character of different areas.

Living conditions

11. The appeal property is set forward of the neighbouring property at No 25 and although sited on the common boundary is separated from the neighbouring house by a driveway which the appeal documentation indicates is just under 3m wide.
12. The rear ground and first floor extension would extend out from the existing rear wall of the appeal property by about 4m and up to the side boundary with No 25. Given that the rear of No 25 is set back about 1m from No 27 it would present a two storey extension immediately along the boundary for a distance of about 3m beyond the rear of No 25. However, the design of the extension with a sloping roof served by rooflights would mean that it would not be a full two storey height when viewed from neighbouring properties. Furthermore, given the intervening distance over the wide driveway and the angle of view from the ground floor windows on the rear elevation of No 25 it would not appear unduly overbearing or oppressive when viewed from these windows nor would it cause a material loss of light to the rooms which these windows serve.
13. I saw from my site visit that there are windows in the side elevation of No 25. However, the room to which the glazed door and ground floor window appear to serve have another window on the rear elevation which provides the primary source of light and outlook to that room and the first floor obscure glazed window appears to be a bathroom window and is not therefore a habitable room. Furthermore, the orientation of No 25 in relation to the appeal property means that the appeal proposal would not result in any overshadowing of the neighbouring property.
14. The proposed first floor extension above the existing ground floor side extension and the rear ground and first floor extension would be set away from the common side boundary to No 31. Although the rear ground and first floor element would be visible from the windows on the rear elevation of No 31 its design coupled with the angle of view mean that it would not appear unduly overbearing or oppressive when viewed from these windows nor would it serve

to reduce significantly the amount of daylight or sunlight to these rooms, their main source of light being provided from the rear across the garden.

15. The proposed development overall would cause some additional overshadowing of the rear garden of No 31 in the morning. However, it enjoys a south westerly aspect. Therefore, the afternoon sunlight would not be affected and the garden would continue to be a well sunlit space. Accordingly, there would be no material harm caused by the proposed development to the living conditions of the occupiers of No 31 in this respect.
16. There are three ground floor windows in the side elevation of No 31. The small window nearest the rear is obscure glazed and the evidence indicates that it is a secondary window to the kitchen/breakfast room which is also served by the two large windows on the rear elevation. There is another small obscure glazed window which serves a bathroom and the third window which the evidence indicates serves a study which has been formed by partitioning off the garage is sited towards the front of the property and is therefore unlikely to be affected by the proposed development.
17. Having regard to all of the above therefore, I conclude that the proposed development would not cause material harm to the living conditions of the occupiers of neighbouring dwellings with regard to outlook, daylight or sunlight. It would therefore comply with the core planning principle of the Framework that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Conditions

18. In addition to the standard implementation condition a condition requiring the development to be carried out in accordance with the approved plans is necessary to provide certainty.

Conclusion

19. For the reasons given above and having taken into account all other matters raised, I conclude that the appeal should be allowed.

Beverley Doward

INSPECTOR