

Appeal Decision

Site visit made on 20 March 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 31 March 2017

Appeal Ref: APP/L5810/D/16/3161337
39 Laurel Avenue, Twickenham TW1 4HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Ms Katherine Lovell against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/3415/PDE, dated 23 August 2016, was refused by notice dated 4 October 2016.
 - The development proposed was originally described as a 'rear addition'.
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Decision

1. The appeal is allowed and approval granted under the provisions of Schedule 2, Part 1, Paragraph A.4 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for a proposed single storey rear extension (5.5m in depth, 2.5m to the eaves and 3.95m overall height) at 39 Laurel Avenue, Twickenham TW1 4HZ in accordance with the details submitted pursuant to Schedule 2, Part 1, Paragraph A.4 (2) of the GPDO.

Procedural Matter

2. The provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) require the local planning authority to assess the proposed development solely on the basis of its impact on the amenity of any adjoining premises, taking into account any representations received. My determination of this appeal has been made in the same manner, and I have used the description of the development as set out in the Council's decision notice in my decision as it more precisely describes the proposal.

Reasons

3. Schedule 2, Part 1, Paragraph A of the GPDO allows for the enlargement, improvement or other alteration of the original dwelling house. Until 30 May 2019, paragraph A.1.(g) of that Class makes provision for single storey rear extensions up to 6 metres in length beyond the rear wall of the original dwelling house and 4m in height for properties other than detached dwellings. It is not disputed by the main parties that the appeal proposal satisfies the requirements of Schedule 2, Part 1, Paragraph A.1 of the GPDO, and I see no reason to disagree.
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4. The appeal property has previously been extended at the rear with a single storey extension with a shallow lean-to roof. Both of the adjoining properties have also previously been extended, and all three extensions are of a broadly similar overall projection from the main rear elevation as each other.
5. The existing extension at No 39 would be removed and replaced with a larger rear extension which would occupy the width of the plot and would measure 5.5 metres in depth. As a consequence, the proposed extension would project approximately 2.5 metres beyond the rear faces of the two adjoining extensions. Although it would incorporate a more substantial roof than those of the extensions on either side, the eaves level would be broadly comparable with the parapet levels of both, and only slightly higher than the existing fences between the appeal site and its two adjoining neighbours.
6. I accept that the proposed extension, located to the south of No 41, would cause some additional overshadowing as a result of its greater overall depth and the additional height of its pitched roof. However, the additional depth would result in only a modest projection beyond the rear face of the extension at No 41. Consequently, I do not consider the greater depth or additional height of the extension at No39 would be so significant as to result in a visually obtrusive or overbearing form of development, or to result in an unacceptable impact on either daylight or sunlight to No 41.
7. With regard to other properties, the extension would be located to the north of No 37 and so would be unlikely to result in loss of either daylight or sunlight. As with the relationship between the appeal property and No 41, I do not consider that the greater overall depth or additional height of the proposal in this instance would result in an obtrusive or overbearing form of development in relation to No 37. Notwithstanding the greater depth of the proposed extension, it would still stand some distance away from the rear boundary and the rear elevations of the terrace, opposite. The proposal would have no adverse impact on the amenities of occupants of those adjoining properties.
8. I note the other concerns raised by the neighbouring occupant with regards to drainage, the effect of the proposal on trees and the provisions of an SPD regarding certain design criteria application to extensions but these are not matters that fall to be considered under the provisions of the GPDO. The materials to be used externally in the construction of the extension are covered by condition set out at paragraph A.3(a) of the GPDO.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed and approval granted. In granting approval the Appellant should note that the GPDO requires at Paragraphs A4 (13), (14) and (15) that the development shall be completed on or before 30th May 2019 and that the developer shall notify the local planning authority in writing of the completion of the development as soon as reasonably practicable after completion. Such notification shall include the name of the developer, the address or location of the development, and the date of completion.

Graeme Robbie

INSPECTOR