
Appeal Decision

Site visit made on 21 June 2017

by Sarah Housden BA (Hons) BPI MRTPI

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

Decision date: 7 July 2017

Appeal Ref: APP/L5810/D/17/3176096
7 Walpole Road, Twickenham TW2 5SN

- 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 Mrs Lisa Mitchell against the decision of the London Borough of Richmond Upon Thames
 - The application Ref DC/ROH/17/0829/HOT, dated 1 March 2017, was refused by notice dated 27 April 2017.
 - The development proposed is 'ground floor rear extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor rear extension at 7 Walpole Road, Twickenham TW2 5SN in accordance with the terms of the application, Ref DC/ROH/17/0829/HOT, and the plans submitted with it, 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: 001 Revision D, 006 Revision D, 007 Revision D and 008 Revision D.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be constructed on the north-west and south-east side elevations of the extension hereby permitted.

Procedural Matter

2. The Council's refusal notice refers to Policies LP1 and LP8 of the Richmond upon Thames Local Plan (Publication version 2017) (LP) which was submitted for examination on 19 May 2017. Although the plan is at an advanced stage of preparation, there is no further evidence of the extent of any unresolved objections to those policies. As the policies have not yet been fully examined and having regard to the advice in paragraph 216 of the National Planning Policy Framework, I attach limited weight to them in the determination of this appeal.

Main Issues

3. The main issues in this case are the effect of the proposed development on:
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- the character and appearance of the host dwelling; and
- the living conditions of adjoining occupiers, having particular regard to the effect on outlook from No 5 Walpole Road (No 5) and No 9 Walpole Road (No 9).

Reasons

Character and appearance

4. The appeal property is located within an established residential area to the south-west of Twickenham Green. It comprises a semi-detached period property constructed of red brick under a plain tile roof which has recently been extended at roof level to create additional accommodation. The pairs of semi-detached dwellings on the road are separated by narrow shared passageways giving access to the rear of the properties.
5. The Richmond upon Thames House Extensions and External Alterations Supplementary Planning Document (2015) (SPD) advises that the shape, size and position of a rear extension should not dominate the existing house so that the original form of the dwelling can be appreciated.
6. The proposed extension would be to the rear of the property and would replace the existing lean-to utility room and conservatory and extend across the full width of the dwelling. The existing detached outbuilding in the rear garden would be retained. Whilst its gable would be wider and bulkier than the two storey gable projection to the rear of the dwelling, the extension would be single storey. By reason of its height and simple form and appearance the extension would not dominate the rear elevation and it would be subordinate in scale and design to the main house.
7. There would be an adequate separation of approximately 2.5 metres between the side wall of the extension and the side wall of the single storey extension to the rear of No 9. Although the other side wall of the proposed extension would be directly on the common boundary with No 5, due to the long length of the appeal property's rear garden, it would not appear unduly cramped within its surroundings.
8. Accordingly, I conclude in relation to the first main issue that the proposed extension would be acceptable in scale and appearance and would not appear unduly cramped. The character and appearance of the host dwelling would not be harmed and the proposal would comply with Policy CP7 of the Local Development Framework Core Strategy (2009) (CS) and Policies DMDC1 and DMDC5 of the Development Management Plan (2011) (DMP) which amongst other things indicate that new development should be of high architectural and urban design quality and should respect local character. Whilst the proposal would not fully accord with the advice in the SPD, each case has to be considered on its merits and in this case the rear of the property has already been altered and extended and the proposal would partly replace existing structures.

Living conditions

9. The extension would not project beyond the rear wall of the single storey extension to the rear of No 9 and as outlined above a gap of approximately 2.5 metres would be maintained to the side wall of No 9. This together with its

single storey height would mean that the extension would not appear unduly dominant or overbearing when viewed from the rear outdoor area or rear patio doors of No 9 and an adequate outlook would be maintained from that property. The proposed extension would not cause material harm to the living conditions of the occupiers of No 9.

10. The 7.8 metre flank wall and roof plane of the extension would be readily visible from the windows in the side elevation of the two storey projection to the rear of No 5 and from its conservatory and rear garden. Due to its orientation to the south-east of No 5, position on the common boundary and additional height compared with the existing fence it would also cast additional shadow over No 5's conservatory and the outdoor area immediately around it, particularly during the morning period.
11. Whilst the extension would increase the sense of enclosure and cast some additional shadow, No 5 has a long rear garden and only a small part of the rear garden would be affected. On balance, I consider that an adequate outlook would be maintained from the rear windows and gardens of No 5 and the proposal would not cause material harm to the living conditions of its occupiers.
12. In coming to that view, I note that number of extensions have been erected to the rear of neighbouring properties in proximity to or on the common boundary with adjoining properties, some of which have been referred to me by the appellant. Whilst I cannot be certain that the circumstances of those sites are the same as the appeal case, it is evident that the pattern of development to the rear of properties in the area has altered in recent years.
13. For the reasons outlined above, I conclude in relation to the second main issue in this case that the proposed extension would not conflict with CS Policy CP7 which seeks to ensure that development maintains appropriate levels of amenity. Nor would there be conflict with the provisions of DMP Policy DMDC5 to protect adjoining properties from visual intrusion and overshadowing.
14. I acknowledge that the proposal does not fully comply with the advice in the SPD that single storey rear extensions should project no further than 3.5 metres on a semi-detached house to avoid an overbearing impact on neighbouring occupiers. However, each case has to be considered on its merits and based on the circumstances of the appeal site, I conclude that the proposal would not cause material harm to the outlook enjoyed by the occupiers of No 5.

Conditions

15. In addition to the standard time limit condition, a condition requiring that the development is carried out in accordance with the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. In order to prevent overlooking from side windows and to safeguard the living conditions of adjoining occupiers, I have attached a condition removing permitted development rights for the installation of additional windows in the side elevations of the proposed extension.

Conclusion

16. For the reasons set out above, I conclude that the appeal should be allowed.

Sarah Housden

INSPECTOR