



Appeal Decision

Site visit made on 28 June 2017

by A J Mageean BA (Hons) BPI PhD MRTPI

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

Decision date: 13th July 2017

Appeal Ref: APP/L5810/D/17/3173238

33 Acacia Road, Hampton TW12 3DP

- 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 Leon Spight against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/4522/HOT, dated 28 November 2016, was refused by notice dated 23 January 2017.
 - The development proposed is ground and first floor extensions to front and side. Replacement of conservatory with rear extension. Replacement and raising of roof. Store to RHS on ground floor. New Porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the host building and surrounding area, and on the living conditions of the occupiers of neighbouring properties, with particular reference to privacy, outlook and daylight/sunlight.

Reasons

Character and appearance

3. The appeal site is a two storey detached property in a modestly sized plot, located within an established residential area. It is the westernmost property within a row of three dwellings of mock Georgian design with shallow hipped roofs which I understand were constructed in the late 1960's/early 1970's. The height and scale of properties in the wider area is more varied, though they are mainly larger two storey properties of traditional appearance and a range of design features including both hipped and gabled roofs, hipped and gabled projections, bay windows and both render and brick frontages.
4. The appeal proposal would comprise a scheme of alterations and extension to this dwelling, some of which have gained the support of the Council as part of a previous approval.¹ As such, no concerns are raised about the ground and first floor side extensions or the rear ground floor extension, and I agree that these additions would appear subordinate to the original house.

¹ 16/1934/HOT

5. The roof extension, which would create a master bedroom, would substantially alter the form and appearance of the dwelling. I accept that the eaves height of this dwelling would remain the same, and that the 'Barn hip' design would reduce the mass of this addition slightly. However, the additional height and bulk proposed would create a top-heavy structure which would dominate this dwelling.
6. I accept that there are some properties of similar or greater height on the opposite side, and that the appeal dwelling would only appear slightly higher than the neighbouring property to the west, No 37. However, of concern is the appearance of the dwelling in relation to its immediate neighbours. In this respect there is a gap of around 7m between No 37 and the appeal property, whereas the separation gap to the matching properties to the east is much narrower at around 2.6m. As such, the appeal property would be viewed in close association with these properties, with the substantial height difference creating a discordant feature in the local street scene.
7. The dormer to the front roof slope would be of reasonably modest size and, noting the presence of similar features in other local buildings, would not appear out of place. However, the dormer to the rear, though described as a central gable dormer with two smaller scale flat roofed dormers, would appear as a single large addition which would dominate this roof slope. Whilst I note that its highest point would sit slightly below ridge height, it would nonetheless fill much of the width and height of this area. In this respect there would be conflict with the Council's SPD² which indicates that normally a significant area of the existing roof should be left beneath a new dormer. As additions of this size are not common in this area it would appear as an incongruous feature.
8. I also note the appellant's view that the appeal dwelling and its neighbours to the east are of little architectural merit. Nonetheless in terms of scale and appearance they do sit comfortably in their surroundings. In contrast the dissonance of the appeal proposal would upset this degree of visual coherence.
9. The appellant has referred to a recent appeal decision which allowed an extension to a similar property. In this case the proposal was considered to improve the appearance of a property which was not contributing positively to the local area.³ I do not have the full details of this case before me to enable comparison. However, whilst I accept that proposals can significantly alter the appearance of dwellings such as this, this must be undertaken within the parameters set by policy, including the requirement in the National Planning Policy Framework that development should respond to local character. In the present case the degree of discordance with the local townscape would be unacceptable.
10. I therefore conclude that the proposal would have a detrimental effect on the character and appearance of the host building and surrounding area. In this respect it would conflict with the London Borough of Richmond Upon Thames Core Strategy 2009 (CS) Policy CP7, the London Borough of Richmond Upon Thames Development Management Plan 2011 (DMP) Policy DM DC1 and the SPD which, amongst other things, require development to respect local character, including relationships with the existing townscape.

Living conditions

² Supplementary Planning Document – House Extensions and External Alterations

³ APP/L5810/W/16/3161176

11. The ground and first floor extensions on the eastern side of the dwelling, set in from the boundary at first floor level, would lead to a closer relationship with No 31. The two narrow first floor windows on the western flank wall of this property would be affected. The evidence relating to the purpose of these windows is not clear, and the Council suggests that one of them could serve a bedroom. However, as the design and positioning of windows on the elevations of No 33 and No 31 is the same, it is highly likely that their layout is matched, and as such it appears that these windows serve a hall/staircase and a bathroom. As these are not regarded as habitable rooms any loss of outlook or light would not be considered to cause significant harm.
12. Even if one of these windows serves a bedroom, given its narrow width and its location towards the front of the property it is likely that it is served by an additional front facing window. Therefore reasonable outlook and light to the front of the property would remain. As a result I do not consider that there would be harm in this regard.
13. I accept that as dwellings in this area are in reasonably close proximity to each other some degree of overlooking of rear gardens is to be expected. Nevertheless the addition of the rear dormer within the raised roof area of the appeal dwelling, which would include three windows across its width, would substantially increase the degree of overlooking of the rear private garden spaces of neighbouring properties. I accept that overlooking would not be an issue with respect to the area of garaging to the south of the appeal property. I also accept that there is a reasonable gap between the appeal property and No 37, and that No 37 has a larger rear garden area, with a large green house and conservatory providing some degree of screening. Therefore any harm in this regard would not be significant.
14. However the gap to No 31 is much narrower and the rear garden of this property more modestly sized, such that the dormer would give visibility of much of this area. This would lead to a significant loss of privacy for the occupiers of this dwelling. Also, given the height and bulk of the roof extension in close proximity to the shared boundary it would have an overbearing appearance when viewed from the rear garden. Whilst I note that the occupier of this property has written in support of the appeal proposal, I am required to consider the living conditions of both current and future occupiers when making such an assessment.
15. To conclude on this matter, whilst I have found that the appeal proposal would not cause harm to the living conditions of the occupiers of the neighbouring properties other than No 31, it would nonetheless cause harm to the occupiers of this dwelling in terms of loss of outlook and privacy within the rear garden area. This would therefore conflict with the DMP Policy DM DC5 which seeks to protect neighbours from unreasonable loss of privacy.

Conclusion

16. The appellant has stated that without the additional second floor area, the benefits of the side extension and the sustainability of the site would not be maximised. However, such considerations do not outweigh the harm I have found in relation to the character and appearance of the area and the living conditions of neighbours, or indicate that I should conclude other than in accordance with the development plan taken as a whole. For these reasons the appeal is dismissed.

AJ Mageean INSPECTOR