



Appeal Decision

Site visit made on 6 September 2017

by John Morrison BA (Hons) MSc MRTPI

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

Decision date: 15 September 2017

Appeal Ref: APP/L5810/D/17/3179314

11 Manor Gardens, Hampton TW12 2TX

- 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 Samantha Eakins against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 17/1516/HOT, dated 18 April 2017, was refused by notice dated 19 June 2017.
 - The development proposed is a ground and first floor side extension, new gable and porch to front.
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Decision

1. The appeal is allowed and planning permission is granted for a ground and first floor side extension, new gable and porch to front at 11 Manor Gardens, Hampton TW12 2TX in accordance with the terms of the application, Ref 17/1516/HOT, dated 18 April 2017, 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: 2016-31 11, 2016-31 12, 2016-31 14, 2016-31 15, 2016-31 16, 2016-31 17, 2016-31 18, 2016-31 19, 2016-31 20 and 2016-31 21.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. There are two main issues. These are the effect of the proposed development on a) the character and appearance of the area and b) the living conditions of the occupiers of Number 13 Manor Gardens with specific regard to privacy.

Reasons

Character and Appearance

3. The appeal site is a large detached two storey dwelling in a mix of painted render and bare brick. It has a fully hipped tiled roof and an even and structured fenestration rhythm to its front elevation. It has been extended to one side at ground and first floor levels as well as full width at the rear.

Parking and access is to the front, the dwelling is set back from and faces towards the road.

4. The wider street scene comprises similar large detached and semidetached buildings. Designs, projections and detailing vary noticeably. There are hexagonal and rounded bay windows as well as flush frontages, feature chimneys, pitched roof dormer windows and asymmetric roof lines as well as an example of mock Tudor treatment. Gable and hipped roofs are present and in some cases on the same building.
5. The appeal building has been extended previously but it does not automatically follow that any further extensions would represent over development of the site. The gap that the side extension would all but fill is not in my view a defining characteristic of the street scene. Gaps between dwellings vary considerably with some wide and some narrow. In at least one case ground floors almost directly abut each other. The first floor extension would also be set in from the ground floor which in any event would still allow the appeal building to be read as detached and not lead to a terracing effect.
6. The use of stepped roof heights and staggered vertical walls, as well as the small lean to section of 'false' roof at the front of the garage would add visual interest and relief to the building which would further be reflective of how it has evolved over time. It would also allow the extension to be subservient to the existing building. Whilst I accept that the splayed nature of the plot's side boundaries would result in an extension that would be wider at the front than the rear this would not equate to harm for the reasons I have given.
7. For the above reasons, I am of the view that the proposed development would not be harmful to the character or appearance of the area. As such there would be no conflict with Policy DC1 of the Development Management Plan¹, Policy CP7 of the Core Strategy², emerging Policy LP1 of the Local Plan³ and the guidance contained in the House Extensions and External Alterations SPD⁴. These policies and additional guidance, amongst other things and along with section 7 of the Framework⁵ seek to ensure that new development (extensions to dwellings specifically) is of a high quality and contextually appropriate design and appearance, respects form and detail and maintains and improves the local environment.

Living Conditions

8. Whilst not a reason for the refusal of planning permission, the Council expressed substantive concerns in their evidence with regard to the effect of a proposed glass screened balcony on the rear elevation on the privacy of the occupiers of Number 13 Manor Gardens. This balcony would be accessed from one of the bedrooms via a set of doors. It would be located atop the existing full width single storey rear extension.
9. The angle of the appeal building relative to No 13, substantial boundary vegetation and a hipped roof extension to the rear of No 13 adjacent to the shared boundary would all have a substantial reducing effect on any direct line

¹ Local Development Framework: Development Management Plan 2011

² Local Development Framework: Core Strategy 2009

³ Local Plan: Publication version for consultation 2017

⁴ Local Plan: Supplementary Planning Document 'House Extensions and External Alterations' 2015

⁵ The National Planning Policy Framework 2012

of sight from the balcony into the area of private garden immediately to the rear of No 13. Thus I do not find that the proposed balcony would affect the privacy of the occupiers of No13 Manor Gardens.

10. Consequently, there would be no conflict with the guidance contained in the Council's House Extensions and External Alterations SPD or one of the core principles of the Framework. Between them, these approaches seek to ensure a good standard of amenity for existing and future occupiers of land and buildings by minimising harm thereto.

Other Matters

11. There is also mention in the evidence of the potential for the proposed balcony to have an effect on the privacy of the occupiers of No 9 Manor Gardens. Having considered this, I am of the view that there would be a more than reasonable separation distance between the balcony and the rear garden of No 9. Moreover, and in the same regard as my assessment of No 13, the dwellings either side of the appeal building follow the curved shape of the road. As such garden boundaries are splayed. This inherently limits any direct lines of sight sideways from a point parallel to the rear elevation of the appeal building such as where the balcony would be located.

Conditions

12. As well as the standard time condition, and in the interests of certainty, I have specified the approved plans. To ensure an appropriate external appearance, I have set out that the external materials of the extension shall match those of the existing dwelling.

Conclusion

13. For the reasons and subject to the conditions set out above, whilst having regard to all other matters raised, the appeal is allowed.

John Morrison

INSPECTOR