



Appeal Decision

Site visit made on 18 September 2017

by Stephen Roscoe BEng MSc CEng MICE

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

Decision date: 9th October 2017

Appeal Ref: APP/L5810/D/17/3180655

13 Tideway Close, Ham, Richmond, London TW10 7YR

- 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 Ashvin Patel against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 17/0923/HOT, dated 8 March 2017, was refused by notice dated 2 May 2017.
 - The development proposed is the demolition of an existing conservatory and the construction of a rear ground and first floor extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - i) the effect of the proposal on the character and appearance of the appeal property and the surrounding area; and
 - ii) whether the proposal would have a harmful effect on the living conditions of adjoining occupiers in relation to visual intrusion.

Reasons

Character and Appearance

3. The appeal property contains a detached house which is connected to its neighbour by linked garages that are attached to the respective houses. The property is situated on a residential estate where the layout comprises short culs de sac which result in the dwellings having a variety of orientations. The dwellings lie in close proximity to one another.
4. The proposed extension would comprise a two storey rear extension which would occupy the full width of the dwelling, as would a further single storey projection. It would be unusually large in relation to the layout and housing which would surround it and would project into the relatively small area of rear gardens between the nearby houses. The extension would be visible from a number of surrounding properties and from the public realm between houses on Locksmeade Road and Tideway Close.
5. In these views, the extension would appear incongruous and overly dominant in terms of: scale, with the depth of its two storey element; the height of its

ridge; its massing, which would compete with the existing house; its design; and its siting on a relatively small plot. The proposal therefore would not connect with, or contribute to, its surroundings positively as required by Core Strategy¹ (CS) Policy CP7 and Development Management Plan² (DMP) Policy DM DC1. Moreover, it would not be compatible with the local character which would conflict with Publication Local Plan³ (PLP) Policy LP1, to which I attach significant weight given the nature of the policy. The two storey extension would also be greater than half the width of the original building which would over-dominate the building's original scale and conflict with the Council's Supplementary Planning Document⁴ (SPD).

6. The appellant has referred to a permitted, but not constructed, extension at No 5 Tideway Close in support of the appeal, but has submitted drawings showing an extension to No 8 Tideway Close. I have considered the appeal on the basis of the submitted drawings. Whilst the permitted extension at No 8 is similar to that proposed in this appeal, it would be situated at the edge of development in this area and would therefore be set in a different context. A completed extension at No 15 Thamesgate Close has also been brought to my attention. Its projection into the nearby area of rear gardens is however different to that which would occur as a result of the appeal proposal and again the extension at No 15 is set in a different context to the appeal proposal. Neither of these examples therefore supports the appeal.
7. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the appeal property and the surrounding area. I further conclude that it would thus conflict with CS Policy CP7, DMP Policy DM DC1, PLP Policy LP1 and the Council's SPD.

Living Conditions

8. The gable of the appeal house faces the rear elevation and garden of No 20 Locksmeade Road and is situated just beyond the end of the rear garden of No 20. The occupier of No 20 has objected to the proposal. The gable forms a significant part of the view from the rear of the property at No 20, and it interrupts the outlook from the property at a relatively close proximity. The addition of the side wall of the proposed extension to this gable would occupy the open space to one side of the gable in views from No 20, and would increase the interruption to outlook to an unacceptable degree.
9. A similar but lesser effect would occur in relation to the rear of No 21 Locksmeade Road; here, the proposal would introduce an unacceptable interruption to the outlook from the property. I therefore consider that the proposal would result in an unreasonable visual intrusion and increased sense of enclosure in relation to Nos 20 and 21. This would conflict with DMP Policy DM DC5 and LP Policy LP8, to which I attach significant weight given the nature of the policy. The extension would also dominate its neighbours in conflict with the Council's SPD.

¹ London Borough of Richmond-upon-Thames: Local Development Framework: Core Strategy: April 2009

² London Borough of Richmond-upon-Thames: Local Development Framework: Development Management Plan: November 2011

³ London Borough of Richmond-upon-Thames: Local Plan: Publication Version for Consultation: 4 January – 15 February 2017

⁴ London Borough of Richmond-upon-Thames: Local Plan: Supplementary Planning Document: House Extensions and External Alterations: May 2015

10. The occupier of No 21 has not objected to the proposal, but I do not consider that this outweighs the harm that I have identified. The extension at No 15 Thamesgate Close has been brought to my attention in support of the appeal. The extension at No 15 does not however directly face the rear elevations of nearby houses, and I do not consider that its presence adds weight in support of the appeal.
11. I therefore conclude that the proposal would have a harmful effect on the living conditions of adjoining occupiers in relation to visual intrusion. I further conclude that it would thus conflict with DMP Policy DM DC5, LP Policy LP8 and the Council's SPD.

Conclusion

12. Having taken into account all other matters raised, including exchanges between the appellant and the Council, none carry sufficient weight to alter the decision, and my conclusion is based on the evidence before me in terms of policy as a whole. For the reasons given above, I therefore conclude that the appeal should be dismissed.

Stephen Roscoe

INSPECTOR