
Appeal Decision

Site visit made on 31 October 2017

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 15 November 2017

Appeal Ref: APP/L5810/D/17/3180799
27 Old Manor Drive, Whitton TW7 7NN

- 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 Nick Bagot against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 17/1595/HOT, dated 25 April 2017, was refused by notice dated 20 June 2017.
 - The development proposed is described as a ground floor rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a replacement single storey side/rear extension at 27 Old Manor Drive, Whitton TW7 7NN, in accordance with the terms of the application Ref: 17/1595/HOT, dated 25 April 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 480/100; 480/200; 480/101 and 480/201.
 - 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.

Procedural Matters

2. The Council changed the description of the proposed development from that contained on the application form to 'replacement single storey side/rear extension'. This is an accurate description of the development proposed which I have therefore used in this decision
3. The Council's Decision Notice refers to policies contained within the London Borough of Richmond Local Plan - Publication version for consultation (2017) (Local Plan). However, from other appeals I am determining elsewhere in the Borough I am aware that this plan has not been subject to examination and I have no other evidence to the contrary. Therefore, in accordance with the advice provided in paragraph 214 of the National Planning Policy Framework, I have attached limited weight to the policies contained therein.

Main Issues

4. The main issues are:

- The effect of the proposed development on the character and appearance of the surrounding area.
- The effect of the proposed development on the living conditions of the occupants of No 25 and 29 Old Manor Drive with particular regard to outlook.

Reasons

Character and appearance

5. The appeal property comprises an end terrace dwelling occupying a corner position at the head of a cul-de-sac. The property currently has an attached side garage and side extension that is set back from the front façade of the dwelling. This extends to the property boundary with No 29 and is angled in its alignment to the host property. A flat roof extension runs along the rear of the property with a tapering garden beyond.
6. The proposed flat roof side extension would project slightly in front of the existing garage with the front elevation positioned at right angles to the side elevation of the host property. The rear extension would also have a flat roof and the rear elevation would be angled relative to the host property. This would project beyond the rear façade of the existing rear extension. The Council indicated that the extensions would have a height of approximately 2.9m which is approximately 0.1m higher than the existing garage roof.
7. Owing to the position of the appeal property at the head of the cul-de-sac and its angular alignment with the adjacent property at No 29, the proposed side extension would not be readily visible in views down the street towards the head of the cul-de-sac. Although it would be visible in views at the end of the cul-de-sac, owing to the considerable set back from the front elevation of the host property and its height, the side extension would appear as an acceptable subservient addition to the property. Therefore, in the overall context of the street scene, the proposed side extension would not result in any fundamental change to the appearance of the host property of an extent that would cause demonstrable harm to the character of the area.
8. Owing to the enclosed nature of the head of the cul-de-sac and the presence of the terraced block, the proposed rear extension would not be seen in views from the street. Although it would have a large footprint, the adequate length of the garden, along with the length of the adjacent rear gardens on this part of Old Manor Drive, means that a rear extension of this scale can be absorbed into its surroundings without resulting in a cramped or overdeveloped appearance.
9. The proposed extension would not be significantly different in size and position to the extension constructed at No 28 which is located at the end of the terrace directly opposite the appeal property. I also observed at my site visit that several properties on Old Manor Drive, including No 29, have had relatively large side and rear extensions.

10. Owing to the presence of existing vegetation the proposed extensions would not be readily visible in views from Murray Park to the rear of the site. Although it would be visible from the rear of nearby properties, its appearance would be in the context of the character of the variety of extensions that already exist at these properties and a relatively large area of rear garden would remain undeveloped. The limited height of the extensions would prevent them from becoming a dominant feature in the immediate vicinity.
11. Although the combined floor area of the proposed extensions mean that they cannot be considered as a subservient addition to the property, owing to locational factors in this case and the limited views, they would have no detrimental effect on the character and appearance of the area and their limited height would ensure that the original form of the dwelling can still be appreciated.
12. I have taken into account the guidance provided in the Council's Supplementary Planning Document - House Extensions and External Alterations (May 2015) (SPD). However, given the locational and design factors in this case, I consider that the appeal proposal constitutes the circumstance where a larger extension would be acceptable. Consequently, I do not consider that this proposal materially conflicts with the relevant guidance in the SPD.
13. The Council has also expressed concern that the additional entry door proposed in the front elevation of the side extension would be out of character with other properties within the cul-de-sac. Whilst this may be the case, given the limited views of the front elevation of the side extension as identified above, the provision of an additional door would not have a detrimental effect on the character and appearance of the surrounding area of an extent to warrant the dismissal of the appeal.
14. Taking the above factors into account, the proposed development would not cause significant harm to the character and appearance of the surrounding area. As such, there would be no conflict with Policy CP7 of the London Borough of Richmond upon Thames Local Development Framework Core Strategy (2009) and Policy DM DC1 of the Local Development Framework Development Management Plan (2011) (DMP). These policies, amongst other things, require new development to respect local character.

Living conditions

15. The appellant indicates that the proposed development would extend along the property boundary with No 29 by approximately 1m beyond the rear facade of the existing garage. Although the rear extension of No 29 has a side window facing towards the boundary, the extension is dual aspect in also having a window and glazed door facing towards the rear garden.
16. Given the proposed marginal increase in depth and height of the proposed extension beyond that which already exists, I do not consider that the outlook from the rear extension at No 29 would be unduly compromised. For the same reasons, the proposed extension would not appear overbearing in views from No 29.
17. The adjoining property at No 25 also has a rear extension extending to the property boundary with the side wall adjoining the appeal property being a blank elevation. Beyond the extension the boundary is comprised of a fence

and substantial mature hedging. Consequently, the proposed development would be visible from the ground floor windows of No 25 and therefore would not cause any loss of outlook or create any sense of enclosure for the occupants of that property.

18. Taking the above factors into account the proposed development would not cause any demonstrable harm to the living conditions of the occupants of No 25 and 29 Old Manor Drive. Consequently, there would be no conflict with Policy DM DC5 of the DMP. This policy, amongst other things, seeks to protect adjoining properties from unreasonable visual intrusion.

Condition

19. In addition to the standard time limit condition, I consider it necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty. In order to protect the character and appearance of the area, I have also imposed a condition concerning the external materials to be used.

Conclusion

20. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR