
Appeal Decision

Site visit made on 23 May 2019

by A Thompson BSc BTP MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 08 July 2019

Appeal Ref: APP/L5810/D/19/3222772

49B Hampton Road, Teddington, TW11 0LA

- 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 D Lucey against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 18/4202/HOT, dated 20 December 2018, was refused by notice dated 12 February 2019.
 - The development proposed is the addition of a new storey to the existing bungalow.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Donal Lucey against the Council of the London Borough of Richmond upon Thames. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the occupants of no.49A Hampton Road.

Reasons

4. No.49B (the host property) is a substantial bungalow that occupies a corner plot at the junction of Hampton Road and Blandford Road. As a result of its scale and location, it extends much further to the rear of its plot¹ than the neighbouring dwelling at no.49A, which is a house.
5. At present, that part of the host property that projects beyond the rear elevation of no.49A has a mix of flat roofs and a low pitched roof that turns away from the boundary between the two properties.
6. Building mainly on the existing footprint of the host building, the proposed development would, in relation to the elevation adjacent to no.49A, add a second storey and a pitched roof over most of the floorspace nearest the boundary, apart from a small utility room. In addition to substantially increasing the height of the host property, the Council estimate the two storey/pitched roof element would extend some 10.9m beyond the rear

¹ Assuming the front of the plot adjoins Hampton Road

elevation of the upper floor level of no.49A. The projection of the host building beyond the rear elevation of the adjoining building would be less at ground floor level, as no.49A has a single storey rear extension.

7. Despite the set-back of the proposed first floor from the boundary, which the Council estimate to be 1.2m for the first 3 metres of depth (at first floor level) and around 3.3m thereafter, the proposed first floor extension, with associated pitched roof, would be so substantial both in depth and height, that it would create an unacceptable sense of enclosure and appear overbearing in the habitable rooms closest to the boundary and in the garden of no.49A, particularly the patio area which is next to the house.
8. Furthermore, although it would be to the side of the property, because of its scale and siting, the proposed addition of a first floor and pitched roof would be visually intrusive on the outlook from the rear of no.49A and its garden.
9. I note that the height of the ridge on the pitched roof proposed on the rear part of the host building has been stepped down from the ridge height proposed at the front of the property, however, it would be substantially higher and project much further, beyond the rear elevation of no.49A, than the ridge on the pitched roof on existing building.
10. I agree that the use of white render and the provision of additional landscaping, which could be secured by planning condition, to supplement the existing trees and bushes along the boundary, would help mitigate the visual impact of the development, however these measures would not be sufficient to overcome the adverse impact that would result from the scale and proximity of the development proposed.
11. No.49A benefits from a substantial, predominantly south facing garden, however, there appears to be a high probability that some overshadowing of the rear elevation of no.49A and the area of garden closest to the house would occur in the afternoon and evening. This would harm the living conditions for occupants of no.49A, although the adverse impact of overshadowing would be limited and not sufficient to justify refusal of the scheme on that ground alone.
12. I note that the rear building line is staggered for this part of Hampton Road and there are examples of properties nearby, such as no.47 Hampton Road, where two-storey elements are in close proximity to, and extend substantially beyond, the rear elevation of the neighbouring property. However, I have very limited information about these other examples, or how they may impact on living conditions for occupants of neighbouring properties. Accordingly, I give limited weight to this consideration.
13. In conclusion, I find that the proposed development would have a significant and unacceptable impact on the living conditions for occupiers of no.49A Hampton Road through the provision of development that would create an unacceptable sense of enclosure, be overbearing and be visually intrusive on their outlook and, to a lesser degree, the light conditions they enjoy. The proposal would therefore be contrary to the provisions of policies LP1 and LP8 of the London Borough of Richmond upon Thames Local Plan (2018) and the House Extensions and External Alterations, Local Plan Supplementary Planning Document (SPD) (2015). These policies and the SPD, seek amongst other things, to encourage good design that protects the amenity and living

conditions of occupants of all properties, including those nearby, affected by the development.

Other matters

14. I note that the appellant had pre-application engagement with the Council, which included written advice setting out a planning officer's view on the draft proposals. However, as the advice from the Council makes clear, pre-application advice is given without prejudice to the consideration by the Council of a subsequent formal planning application, which would also be subject to public consultation.
15. There does not appear to be a substantive basis for arguing that the outlook from some habitable rooms is more, or less, important than for others when assessing the impact of development on residential amenity. Nor does the lack of an objection from the occupier of no.49A to the impact of the extension from the first floor south facing bedroom window alter my findings about the impact of the proposed development on living conditions for occupiers of no.49A.
16. I accept that the proposed development would improve living conditions for occupiers of the host property, but this factor in support of the development does not outweigh the harm I have identified.

Conclusion

17. For the reasons set out above and having regard to all other matters raised, I dismiss this appeal.

Anthony Thompson

INSPECTOR