
Appeal Decision

Site visit made on 11 June 2019

by Karen Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday, 09 July 2019

Appeal Ref: APP/L5810/D/3214246

30 May Road, Twickenham, Middlesex TW2 6QP

- 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 Little against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 18/1407/HOT, dated 24 April 2018, was refused by notice dated 7 August 2018.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I note the recent appeal decision¹ at this site. The previous appeal was allowed but the design of the proposed extension was materially different to that of the appeal before me.

Main Issue

3. The main issue is the effect of the proposed extension upon the living conditions of the occupants of No 28 and No 32 May Road, with particular reference to daylight and outlook.

Reasons

4. The appeal site is a two-storey mid terrace dwelling situated within a predominantly residential area. It is located within the designated Twickenham Green Conservation Area (CA9).
5. Although the proposed extension would have a flat roof which would be set beneath the existing eaves, the resultant extension would be of a two storey height and would project some 3m from the existing first floor elevation. It would be positioned along both boundaries. Because of this and the existence of windows on the first floors of No 28 and 32 May Road, the overall impact of the proposal would be oppressive and overpowering upon the outlook from inside these dwellings.
6. The first-floor rear window at No 32 May Road is positioned near to the boundary and the extension at first floor would project some distance beyond this. Although the appellant submitted information in relation to a BRE test

¹ APP/L5810/D/19/3225890

being applied to a drawing during the course of the application, the proposal was assessed against the Council's adopted House Extensions and External Alterations Supplementary Planning Document (SPD), in which paragraph 3.3.1 advises that extensions should pass both the 25 degree and 45 degree tests. The proposal would clearly fail the 45 degree test, being contrary to the SPD, and would cause overshadowing, resulting in substantial loss of daylight to this window, resulting in unacceptable levels of light enjoyed within this habitable room. I note the comments from the appellant that the window is to a bedroom, but such rooms are not necessarily only used at night as the appellant suggests.

7. The first-floor rear window at No 28 May Road is positioned further away from the boundary and as such I consider there would be negligible impact on loss of light to this property. In addition, due to its height and proximity to the boundaries, the extension would also have an enclosing and dominating effect upon the adjoining gardens. This is in spite of the existing ground floor extensions at these neighbouring properties.
8. The appellant has referred to similar extensions at No 18 and 22 May Road. However, the existence of these does not justify further harm.
9. I conclude that the two-storey extension would harm the living conditions of occupiers at No 28 and 32 May Road. This would be contrary to the Councils Supplementary Planning Document: House Extensions and External Alterations (SPD) and Policy LP8, of the London Borough of Richmond Upon Thames Local Plan, (2018), which both aim to protect the amenities and living conditions for occupants of new, existing, adjoining and neighbouring properties, by reason of ensuring design enables good standards of daylight, and proposals do not have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure.

Other Matters

10. The conservation area is characterised by primarily low to medium rise terraced houses with small or no front gardens. The extension would not alter this character and it would be constructed in matching brick and reflect architectural features of the house and surroundings. I therefore find that it would preserve the character and appearance of the conservation area.

Conclusion

11. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

Karen Taylor

INSPECTOR