

Appeal Decision

Site visit made on 12 August 2019

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th August 2019

Appeal Ref: APP/L5810/D/19/3230472

3 Russell Gardens, Richmond TW10 7QE

- 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 Ms Ping-Yi Kuo against the decision of the London Borough of Richmond Upon Thames Council.
 - The application Ref 18/3679/HOT, dated 9 November 2018, was refused by notice dated 22 March 2019.
 - The development proposed is a ground floor rear and side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of the neighbouring residents.

Reasons

3. The proposal would result in a single storey addition that would extend to the rear and side of this property. The Council's concerns relate only to the side element of the proposal. This would extend up to the side boundary of the property and the shared access path between this dwelling and its neighbour. It would align flush with the front of the dwelling. I agree with the Council that the lack of a set back from the frontage would increase the prominence of this new element. In this position, it would detract from the overall composition of the house. Its position on the boundary, but well forward of the neighbouring property, 5 Russell Gardens, would also detract from the setting of that dwelling.
 4. A set back from the frontage would reduce the prominence of this new element. It would retain the appearance of the original design composition of the main house and it would provide a much improved visual link with the property behind. This specific detail would therefore represent poor design and would detract from the character and appearance of this cul-de-sac. In this respect, it would be at odds with policy LP 1 of the Local Plan 2018 (LP) which requires that all developments be of high architectural and urban design quality. As the policy generally accords with the design requirements of the
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National Planning Policy Framework (the Framework), I afford it considerable weight.

5. The Council have made reference to their Supplementary Planning Document: House Extensions and External Alterations 2015 (SPD). This advises that if an extension is to be subordinate to the existing house, it is usually desirable to set back the extension by at least one metre from the front elevation. The proposal would fail to follow this advice. In these circumstances, the suggested design approach would offer significant benefits with only limited modifications to the development.
6. The Council have also raised concerns with regard to the impact of the side extension on the living conditions of the neighbouring residents. The works would increase the enclosure of the side passage which provides access to the rear of these two properties. Whilst this may reduce the attractiveness of this passage, I am not satisfied that this would result in unacceptable harm to their living conditions. The extension would not extend beyond the rear building line of the neighbouring house and there are no flank windows that rely on an outlook to the side. I do not therefore share the concerns of the Council that the development would be overbearing or detrimental to the amenities of the adjoining residents. It would not conflict with the amenity requirements of LP policy LP8, the SPD or the Framework.
7. Reference has been made to other extensions that have been built or have been permitted in the area. I must consider this proposal on its own particular merits and on the basis of the current development plan policies and the design requirements of the SPD and the Framework. In any event, these examples do not suggest that poor design should be accepted.
8. I am mindful that the side element of the extension, if proposed without the rear extension, may represent permitted development and could be built in isolation without the need for formal consent or scrutiny with regard to its design. However, I am not satisfied that the design objectives and policies of the development plan and the Framework should be set aside if part of a development could be achieved if approached in a different way. I have considered the full development on its merits.
9. Whilst I accept that the works to the rear would be acceptable with regard to design and amenity; and the side extension would not harm the amenities of the neighbouring residents, I am not satisfied that the matters put forward in favour of a side extension being built flush to the front of this property, are sufficient to outweigh my design concerns and the conflicts with the development plan, SPD and the Framework. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR