
Appeal Decision

Site visit made on 30 July 2019

by Karen Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday, 27 September 2019

Appeal Ref: APP/L5810/D/19/3229683

31 Priory Gardens, Hampton TW12 2PZ

- 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 Ilia Tonchev against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 19/0061/HOT, dated 8 January 2019, was refused by notice dated 4 March 2019.
 - The development proposed is a family double house - development: rear single storey extension and double storey side extension contains open living space, utility room and bicycle storage. On the first floor additional bedroom with en suite.
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Decision

1. The appeal is dismissed.

Procedural Issue

2. An appeal decision¹ relating to No. 30 Priory Gardens was allowed during this appeal determination. Both parties were given the opportunity to comment on the decision. The circumstances that applied to the other case are comparable to those before me, and as such in reaching my decision, I have given significant weight to the appeal decision, although in any case I have reached my own conclusions on the appeal proposal on the basis of the evidence before me.

Main Issues

3. The main issues are (i) the effect of the proposed development upon the character and appearance of the host dwelling and the area; and (ii) the effect of the proposed development upon the living conditions of the occupiers of Nos. 30 and 32 Priory Gardens, with particular regard to outlook.

Reasons

Character and Appearance

4. Priory Gardens is a residential street characterised by semi-detached dwellings, with considerable variation in their design. The appeal site is a property forming a pair of semi-detached dwellings of similar appearance. Many of the properties along Priory Gardens have been extended with both single and two storey extensions.

¹ APP/L5810/D/19/36228148

5. The host property is set forward from the neighbouring semi-detached properties at No. 29 and 30. The width and length of the proposed two storey extension would be substantial as it would be sited directly along the boundary shared with No. 30. This combined with no set back from the front of the property or set down from the main roof of the house would appear as a dominant and bulky addition to the side elevation and the sheer scale of the proposed extension would not be a subservient addition to the host dwelling. This would result in a detrimental impact to its character and appearance. It would therefore be at odds with paragraph 5.2.1 of the Council's House Extensions and External Alterations Supplementary Planning Document (SPD) where the overall shape, size and position of side extensions should not dominate the existing house or neighbours.
6. In addition, the proposed two storey extension being clearly visible in the street scene would significantly reduce the open space and gap it shares with No. 30. The introduction of such a large and dominant extension, due to its height, width, length and no setbacks combined with the existing built form of a garage serving No. 30 would create a terracing effect to the detriment of the character and appearance of existing properties and the wider street scene.
7. Furthermore, there is a significant possibility that the development allowed under the appeal at No. 30 would be built and this would result in no gap or space between the two properties at both ground floor and first floor, which have the potential to create an unacceptable terracing effect to the host property and neighbouring dwellings. The proposed development would clearly not meet the guidance as set out in Paragraph 5.2.3 of the Council's (SPD) where development is not normally acceptable in these circumstances, and in conjunction with existing extensions to neighbouring buildings can have a terracing effect on the street.
8. I conclude that the proposed two storey extension would harm the character and appearance of the host property and wider area. It would be contrary to Policies LP1 and LP8 of the London Borough of Richmond Upon Thames Local Plan, 2018 and the (SPD). Which in combination aim to ensure development respects, contributes and enhances; is compatible with local character, including the relationship to development patterns and frontages as well as scale, height, massing, proportions, form; space between buildings and proposals are not visually intrusive.

Living Conditions

9. The length of proposed development would span a considerable distance directly along the boundary with No. 30. The proposed two storey would not project further than the rear of the original dwelling, there are no habitable windows on this elevation and given its forward position relative to the neighbour, and in isolation it would be unlikely to cause any harm to living conditions of No. 30, I am satisfied it would be seen in relation to the existing host property.
10. However, in combination with the proposed single storey which itself has an excessive height and projects some distance directly along the shared boundary, the proposed development would appear opposing, overbearing and visually intrusive when viewed from the existing garden area of No. 30. Given the height and projection of the proposed single storey and its proximity to the

boundary, this would likely cause some overshadowing within the garden area of No. 30 but limited close to the boundary.

11. In terms of the neighbour at No. 32, there is an existing wall which shares the garden boundary of these properties. The height of the proposed single storey would result in a greater height than that of the garden wall and combined with the proposed parapet wall, roof height and its excessive projection from the rear of the host property would be seen as an obtrusive and overbearing addition when viewed from the garden of No. 32, creating an unacceptable sense of enclosure and causing harm to the outlook of this neighbour when viewed from the garden area.
12. I have taken into account the appeal decision at No 30 in arriving at my conclusion and note that the Inspector found that it would not harm the living conditions of neighbouring occupiers. However, in terms of the proposal, I have before me, albeit similar in design, the proposed single storey extension would be greater in height and projection than that of the allowed appeal.
13. I conclude the proposed development would cause harm to the living conditions of occupiers of Nos. 30 and 32 and would be contrary to Policy LP8 of the London Borough of Richmond Upon Thames Local Plan, 2018 and the (SPD), which ensures development is not permitted if there is demonstrable harm to amenity and living conditions and sets out guidance on the acceptability of house extensions.

Other Matters

14. The appellant refers to the National Planning Policy Framework and achieving sustainable development in terms of decision making, achieving well-designed places and that in determining applications, great weight should be given to outstanding or innovative designs; help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings. Whilst this may be the case, it is caveated, including that developments are sympathetic to local character, are visually attractive and have a high standard of amenity for existing and future users.
15. I note the appellant's comments that no representations were received from nearby residential owners and occupiers, however this is not a reason to justify the proposed development before me.
16. The appellant refers to the loss of garage in the rear garden, I have no reason to disagree that sufficient car parking space could not be accommodated to serve the proposed development, and off-street parking is available as such there would be no harm to highway safety. This does not outweigh the harm I have found above.
17. I have been referred to other developments, in particular those on Priory Gardens. However, I do not have full details of these schemes and so cannot be certain that the circumstances are the same. In any event, those that I saw did not significantly reduce gaps and do not change the prevailing character of the area in order to justify the development before me. In any case I have considered the appeal proposal on its own merits.

Conclusion

18. Having regard to all matters raised, I conclude that the appeal should be dismissed.

Karen Taylor

INSPECTOR