



Appeal Decision

Site visit made on 18 February 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2020

Appeal Ref: APP/L5810/D/19/3241785

63 Hazel Close, Whitton, Twickenham TW2 7NP

- 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 & Mrs B Kingsland against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 19/1929/HOT, dated 14 June 2019, was refused by notice dated 26 September 2019.
 - The development proposed is described as Part two storey part single storey rear extension following demolition of existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a part two-storey, part single-storey rear extension, and fenestration changes at 63 Hazel Close, Whitton, Twickenham TW2 7NP in accordance with the terms of the application, Ref 19/1929/HOT, dated 14 June 2019, 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 approved plans; 1:1250 site location plan, DPOK/19/BK/01, DOK/19/BK/02.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials to match the host dwelling.

Procedural Matters

2. The description of the planning application was amended by the Council to read 'Part two-storey, part single-storey rear extension, and fenestration changes' and I therefore apply this description.
3. No 1:1250 site location plan was received with the appeal submission and was subsequently requested from the appellants, and provided.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the occupiers of 65 Hazel Close, with particular reference to outlook.

Reasons

5. The appeal site is a detached dwelling within a planned housing development of a variety of houses and styles, some with Arts and Crafts influences. The appeal site is set amongst houses of a similar size and design characteristics and is located on the north side of the road.
6. The proposal would extend the dwelling to the rear by virtue of the removal of a conservatory with the proposed ground floor element projecting further than the first-floor extension, with the proposed roof designed to tie into the host dwelling. It is the effect of the proposal on the living conditions of the occupiers of No. 65 Hazel Close that is in dispute.
7. The existing conservatory projects around the same distance from the rear of the dwelling as the proposed extension and would extend the full width of the dwelling. As part of the proposal, a side gap would still exist between the proposed extension and the boundary with this adjacent neighbour.
8. The existing single-storey extension to the rear of No. 65 is set in from the side wall closest to the appeal property, with the patio area overlooked by a projecting side window. The area around this extension is paved, with grass to the remainder of the garden.
9. The proposed extension would inevitably be visible from this patio area and its side window above the boundary treatment, albeit, at a limited projection. Given the side gap that would remain, and taken with its proposed height, scale and massing with the roof form that would be pitched away from the neighbour, the effect of the extension on the outlook from the neighbouring patio area and window, is not considered to be unduly intrusive. It would not give rise to a sense of enclosure to an unacceptable degree that would render the proposal to be an unneighbourly form of development. Furthermore, the patio area wraps around their own extension and is therefore not limited to this space only. The outlook from this area is otherwise open in nature.
10. The proposed extension would not have a significant effect on the garden which is of fairly generous proportions, or result in a sense of enclosure.
11. The proposal would therefore not be in conflict with Policy LP 8 of the Richmond Upon Thames Local Plan 2018 in particular respect to protecting the living conditions of occupiers. Nor do I find the proposal would be in conflict with the London Borough of Richmond Upon Thames Supplementary Planning Document Residential Development Standards 2010 as it would not give rise to an unacceptable sense of enclosure.

Other Matters

12. I have taken account of the objector's concerns from No. 61 Hazel Close, that the extension is out of character with the property and the area, and it would compromise their living conditions. However, I am of the view that the proposal, whilst of generous proportions, would be of an acceptable design, that would not give rise to harm to the host dwelling or the character and appearance of the area. I also note that the Council did not find harm in this regard.
13. In respect of their living conditions, from what I could see on site, I agree with the Council's view that the large single storey extension at No. 61 would reduce

the effect of the proposal on their own property. The proposed first-floor element, at the projection proposed, and taking account of the relationship between the appeal site and their dwelling, would also not adversely compromise their living conditions. The effect of the proposal on the garden area would also be limited given it is of reasonably generous proportions, and an element of overlooking already exists.

14. I also agree with the Council that the inclusion of a side window raises no concerns in respect of loss of privacy as the window would overlook an external side passage and internal staircase. No further side windows are proposed to the development. Overall, I can find no conflict with the Council's LP policies, the National Planning Policy Framework, or the London Plan.
15. Inconsistency of plans has been noted although I have no evidence to suggest they are not accurate and there is sufficient information on the submitted plans to allow me to make an informed decision.

Conditions

16. I have considered the suggested conditions in light of the Planning Practice Guidance and Paragraph 55 of the National Planning Policy Framework. In addition to the standard time limit condition, a condition relating to the approved plans is necessary to provide certainty, and a condition in relation to materials is reasonable in order to protect the character and appearance of the area.

Conclusion

17. I do not find harm would arise to the living conditions of the adjacent neighbour. In respect of all other matters raised, I find the proposal to be acceptable. The appeal should be allowed.

Alison Scott

INSPECTOR