



Appeal Decision

Site visit made on 25 August 2020 by Scott Britnell MSc FdA MRTPI

Decision by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 November 2020

Appeal Ref: APP/L5810/D/20/3247659

163 Waldegrave Road, Teddington TW11 8LU

- 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 Robin Jones against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 19/3683/HOT, dated 4 December 2019, was refused by notice dated 5 February 2020.
 - The development proposed is described as 'proposals are for a new ground floor extension and dormer extension'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The application form names the applicant as 'Jones', while the name of the appellant in the banner header above has been taken from the appeal form. I have taken Mr Robin Jones to be the applicant and so is eligible to make this appeal.

Main Issues

4. The main issues in this appeal are the effect of the proposals on:
 - The character and appearance of the area; and,
 - The living conditions of the occupants at nos. 161 and 165 Waldegrave Road, with particular regard to outlook and daylight.

Reasons for the Recommendation

Character and appearance

5. The appeal site is located on the west side of Waldegrave Road within a built up residential area. The appeal property is one of a number of semi-detached dwellings that benefit from two storey rear outriggers and a variety of rear extensions, as well as roof extensions. Along Waldegrave Road there are other

semi-detached dwellings, as well as detached and terraced properties. The area therefore has a varied character and appearance.

6. The proposed flat roofed dormer would fill the width and depth of the rear roof plane. It would project above the existing ridge line with the front roof plane being extended towards it. As a result, the dormer would dominate the roof, rendering the property with a top heavy appearance and unbalancing the symmetry across the semi-detached pair at roof level. Moreover, the raised ridge line would be visible from the public realm to the front of the appeal site. This would result in a visually jarring appearance when viewed in conjunction with the ridge line of the attached property. Consequently, the proposed dormer, due to its design, form and scale including the increase in ridge height would cause unacceptable harm to the character and appearance of the host property, the semi-detached pair and the street scene in general.
7. The appellant has advised me that a Lawful Development Certificate (LDC) has been obtained for rear and side dormers. I observed dormers under construction at the time of my visit and have taken these to be the structures subject to the LDC. However, these are different to the appeal proposal and do not raise the ridge line. As such, I afford limited weight to this matter in my assessment.
8. I am mindful that there are roof extensions in the immediate area of similar scale and design to the appeal proposal and that there are instances where the ridge lines to dwellings appear to have been raised in height. However, I do not have the full details of those developments before me, including the planning history of the properties. Moreover, I am mindful that each case must be considered on its own merits. Consequently, I do not consider that the presence of these developments justify the unacceptable proposal.
9. The appellant has also referred me to examples in the wider area where dormers and the raising of ridge lines have been approved by the Council. However, as these are not located in the immediate area of the appeal site they are likely to be viewed in a different context.
10. The proposed single storey ground floor extension would project beyond the existing two storey rear outrigger and would fill the width of the rear garden. However, as a result of its single storey height and overall flat roofed form, the proposed extension would achieve an acceptable level of subservience to the host dwelling, notwithstanding that it would have a sizeable footprint. When viewed from the front of the property, the extension would fill the gap between the dwelling and the boundary with no 161. However, a gap would be retained at first floor level that would prevent the proposal resulting in a terracing effect. Consequently, the proposed single storey extension, as a result of its design, form and scale would not appear to dominate the host dwelling or appear as an incongruous addition. It would have no harmful effects on the character and appearance of the host property, the semi-detached pair or the surrounding area.
11. In reaching this conclusion, I note the comments from the occupant at no 161 relating to other properties along Waldegrave Road that have been extended. While I have been provided with excerpts of drawings of these developments, I do not have the full details before me, including a copy of any planning permissions. Moreover, I am mindful that each case must be considered on its own merits.

12. I conclude, therefore, that the proposed dormer would result in unacceptable harm to the character and appearance of the host property, the semi-detached pair and the surrounding area. As such, the development would conflict with Policy LP 1 of the London Borough of Richmond Upon Thames Local Plan July 2018 (LP). This requires, among other things, development to be of high architectural and urban design quality and seeks to ensure that development respects, contributes to and enhances the local environment and character. There would also be conflict with the London Borough of Richmond Upon Thames Local Plan Supplementary Planning Document House Extensions and External Alterations May 2015 (SPD), which states that dormer windows and other roof extensions must not project above the ridgeline and that roof extensions should not dominate the original roof.

Living conditions

13. The property at no. 165 has glazed doors and windows in the rear of its outrigger. As a result of its excessive depth of 3.5m from the rear of the outrigger, substantial height of 3.2m and siting against the boundary, the proposed single storey extension would appear overbearing from the area served by these doors and windows and would result in an unacceptable sense of enclosure. Also, due to the extension's position to the south of no. 165, there would be some loss of light compared to that currently enjoyed and hence overshadowing of that area. Collectively, these effects would make that area less pleasant to use and would cause unacceptable harm to the living conditions of the occupants of no. 165.
14. No 161 has windows in the side elevation of the single storey rear extension to its outrigger which directly face the boundary with the appeal site. There is also a ground floor window in the rear elevation of the outrigger which serves the kitchen. The proposed single storey extension, as a result of its siting on the boundary between the properties, its depth and height, would appear as an overbearing presence when viewed from the kitchen and the rear garden at no. 161 and would result in an unacceptable sense of enclosure. This would make these areas less pleasant to use and would result in unacceptable harm to the living conditions for the occupants of that property.
15. I observed that no 161 benefits from a glazed lean-to to its side elevation which, according to the neighbours letter, extends rearwards from a dining room. The glazed lean-to sits behind a high fence which steps down in height approximately in line with the lean-to's rear elevation. I also noted a window in the side elevation of the outrigger, within the glazed lean-to, which faces towards the fence. Given the height of that fence relative to the proposed extension, the proposal is unlikely to significantly affect this part of the neighbour's house over and above the current situation. In addition, as no. 161 sits to the south of the of the appeal site, no unacceptable loss of light or overshadowing affecting the living conditions of the occupants of that property would occur. These factors, however, do not ameliorate the harm that I have identified with regards to the proposal creating an unacceptable sense of overbearing and enclosure when seen from the garden and from other windows as stated above.
16. I note that the SPD states that the effect of a single storey extension is usually acceptable if the projection is no further than 3.5 metres for a semi-detached property. However, the SPD states that the final test of acceptability will

depend on the particular circumstances on the site. As a result of its height and siting on the boundaries with the neighbouring dwellings, the proposed single storey extension would result in the unacceptable harm that I have identified despite not exceeding 3.5m in depth.

17. The proposed dormer would be a large structure and visible from neighbouring gardens. However due to its location and relationship to these dwellings, it would not result in an unacceptable sense of overbearing and enclosure or loss of light and overshadowing. Moreover, the views afforded from the dormer would not be significantly over and above those available from the existing first floor windows. Consequently, the proposed dormer would not cause harm to the living conditions of the occupants of neighbouring dwellings.
18. Nonetheless, I conclude that the proposed single storey rear extension would result in unacceptable harm to the living conditions of the occupants of nos. 161 and 165. The development would therefore conflict with LP Policy LP 8, which requires development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. There would also be conflict with the SPD, which states that extensions that create an unacceptable sense of enclosure or appear overbearing when seen from neighbouring gardens or rooms will not be permitted.

Other Matters

19. The proposals include changes to the fenestration of the host dwelling. These are appropriate in terms of their effect on the character and appearance of the host property and would not significantly alter the existing situation with regards to the living conditions of the occupants of the neighbouring dwellings. They are therefore acceptable and I note that the Council have reached the same conclusion.
20. The appellant refers to Policies 7.4 and 7.6 of the London Plan 2016, which are not referred to by the Council. I consider that the proposal conflicts with these policies which aim to ensure development has regard to the form of the street, the scale of surrounding buildings and protects the amenity of surrounding buildings.

Conclusion and Recommendation

21. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR