



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/20/3251611

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 20/0392/HOT, dated 8 February 2020, was refused by notice dated 25 March 2020.
 - The development proposed is described as 'proposals are for a new ground floor extension'.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear and side infill extension at 163 Waldegrave Road, Teddington, TW11 8LU, in accordance with the terms of application Ref 20/0392/HOT, dated 8 February 2020, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: OS, P-002, P-003 and P-004

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.
4. I have revised the description of development in the formal decision above from that shown in the banner header, which is taken from the application form. The description in the formal decision reflects that used by the Council in their decision notice, which I consider more accurately reflects the proposed development. I do not consider that the appellant would suffer any injustice by me using that description.

Main Issues

5. The main issues in this appeal are the effect of the proposal on:
- The character and appearance of the host property and the surrounding 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

6. 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. 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.
7. The proposed extension would project beyond the existing two storey outrigger. It would fill the width of the rear garden and have a sizeable footprint. However, due to its single storey height and overall flat roofed form, the bulk and massing of the proposed extension would be restrained and it would achieve an acceptable level of subservience to the host dwelling. To the side, the proposed extension would fill the gap between the host dwelling and the boundary with no. 161. However, a gap would be retained at first floor level ensuring that a terracing effect does not occur. As a result, it would not dominate the host building nor appear as an incongruous form of development.
8. Consequently, the proposed single storey extension, as a result of its design, form and scale would have no unacceptable effect on the character and appearance of the host property, the semi-detached pair to which it belongs or the surrounding area.
9. It therefore would comply 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 to respect, contribute to and enhance the local environment and character. It would also comply with the London Borough of Richmond Upon Thames Local Plan Supplementary Planning Document House Extensions and External Alterations May 2015 (SPD), which states that the overall shape, size and position of side and rear extensions should not dominate the existing house.

Living conditions

10. The proposed extension would extend up to the boundary with both neighbouring properties. The property at no. 165 has glazed doors and windows in the rear elevation of its outrigger. 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 at no. 161 which serves the kitchen.
11. The proposed extension would be visible from the aforementioned fenestration and rear gardens of both neighbouring dwellings. However, due to its overall flat roof form, limited height of 3m and modest depth of 3m beyond the

- outrigger, it would not result in an unacceptable sense of overbearing or enclosure and no unacceptable loss of light or overshadowing would occur to the rooms served by these windows or the neighbouring rear gardens.
12. No 161 also benefits from a glazed lean-to to its side elevation which, according to the neighbour's letter, extends rearwards from a dining room. This 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 the existing fence relative to the proposed extension, the proposal is unlikely to significantly affect the living conditions in this part of the neighbour's house over and above the current situation.
 13. I note the copies of the drawings that were submitted by the occupant of no. 161 with their objection letter to the Council. These appear to relate to extensions to properties approved at other nearby dwellings. However, I do not have the full details of those cases, including their relationship to neighbouring windows, and I am mindful that each case must be considered on its own merits.
 14. The Council's officer report states that a representation was made that access is required down the side of the building for the maintenance of the rear garden and in case of emergencies. While I acknowledge that access would be helpful for these reasons, I do not consider that its loss would harm the living conditions of the occupants of the appeal site or neighbouring properties.
 15. In conclusion, the proposed extension would not unacceptably harm the outlook from the neighbouring properties or cause unacceptable levels of overshadowing or loss of daylight to the occupants of those dwellings. The proposal therefore would not detrimentally impact upon their living conditions. It would thus comply with LP Policy LP 8, which requires all development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. It would also comply with the SPD. This states that extensions that create an unacceptable sense of enclosure or appear overbearing when seen from neighbouring gardens or rooms will not be permitted and that development should not cause any significant loss of daylight or sunlight to habitable rooms or gardens in neighbouring properties.

Other Matters

16. The proposals include changes to the fenestration of the host dwelling. These are not referred to within the description of development by either the appellant or the Council. The Council have however considered them as part of their assessment and raise no objections in terms of their effect on the character and appearance of the host property or the living conditions of the occupants of the neighbouring dwellings. Having considered this matter, there is nothing to lead me to reach a different conclusion.

Conditions and Recommendation

17. The Council have suggested two conditions in the event that the appeal is allowed. These are the standard time and plans conditions, which I shall attach accordingly.

18. For the reasons given above, I recommend that the appeal should be allowed subject to the conditions set out above.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed subject to the conditions set out above.

Andrew Owen

INSPECTOR