
Appeal Decision

Site visit made on 12 January 2022

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2022

Appeal Ref: APP/L5810/W/21/3275796

30 Cleves Way, Hampton TW12 2PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr & Mrs Downing against the London Borough of Richmond Upon Thames.
 - The application Ref 20/3630/HOT, is dated 16 December 2020.
 - The development proposed is erection of a two storey side and rear extension and single storey front bay extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey side and rear extension and single storey front extension at 30 Cleves Way, Hampton TW12 2PL in accordance with application, Ref 20/3630/HOT dated 16 December 2020 subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Drawing Number 20-055-DW-1100; Existing Floor Plans – Ground Floor Drawing Number 20-055-DP-100; Existing Floor Plans – First Floor Drawing Number 20-055-DP-101; Existing Floor Plans – Roof Drawing Number 20-055-DP-102; Elevations Existing Front Drawing Number 20-055-DW-3001; Elevations Existing Flank Drawing Number 20-055-DW-3002; Elevations Existing Rear Drawing Number 20-055-DW-3003; Proposed Floor Plans – Ground Floor Drawing Number 20-055-DP-110; Proposed Floor Plans – First Floor Drawing Number 20-055-DP-111; Proposed Floor Plans – Roof Drawing Number 20-055-DP-112; Proposed Elevations – Front Drawing Number 20-055-DP-3011; Proposed Elevations – Flank Drawing Number 20-055-DP-3012 and Proposed Elevations – Rear Drawing Number 20-055-DP-3013.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The Council failed to determine the application within the prescribed period. However, following submission of the appeal, the Council have prepared an officer's report. This advises that had the Council determined the application,

planning permission would have been refused and identifies that the principal concerns relate to the main issues set out below.

Main Issues

3. The main issues are:

- The effect of the proposed development upon the character and appearance of the host property and the area; and
- Whether the proposed development would provide satisfactory living conditions for future occupiers with regard to fire safety.

Reasons

Character and appearance

4. The appeal site comprises a semi-detached property located within a residential cul de sac. The property is set back into its plot and has a flat roof porch extension and detached garage. Many properties in Cleves Way have been extended and display varying side and forward extensions visible from the street, and there is considerable variation in their configuration resulting in a degree of architectural diversity.
5. My attention has been drawn to the guidance set out in the Council's Supplementary Planning Document 'House Extensions and External Alterations' (2015) (SPD) which states that it is usually desirable to set back the side extension by at least 1m behind the front elevation. I acknowledge that the proposed development would not fully comply with this guidance. However, the side extension would have a modest width and its form and design would harmonise with the original character and appearance of the host property rather than eroding it.
6. Despite the guidance set out in the SPD the rear extension would be proportionate to the size of the host property and would not be overly dominant. The extension would reflect the form of the rear of the property and represents a subservient addition through its size, roof design and lower ridge line.
7. The proposed forward extension would extend across almost the entire width of the dwelling, but it would have a modest scale and its stepped design and roof form would assist in breaking up its overall form. I note that porch and forward extensions are a common feature of properties in Cleves Way and a number extend across a significant part of front elevations. Taking these matters into consideration it would not unacceptably dominate the front of the property or appear out of character within the area.
8. As such, I find that the proposed development would not be overdevelopment and would not harm the character and appearance of the host property or the area. It would accord with the London Borough of Richmond upon Thames Local Plan Policy LP1 (2018) which, amongst other things, requires all developments to be of high architectural and urban design quality.

Fire safety

9. Policy D12 of the London Plan (2021) states that all development proposals must achieve the highest standards of fire safety. It outlines a number of criteria that

developments must achieve. However, it sets out that fire safety statements are only required for major developments. Despite the Council's contention there is no such requirement to provide a statement for the proposed development and, in my view, it would be unreasonable to insist that one is submitted for modest extensions to a dwelling. Moreover, fire safety matters are covered by other legislation ie Building Regulations.

10. As such, I conclude that the proposed development would not adversely affect the safety and living conditions of future occupants in this regard.

Conditions

11. I have considered the imposition of conditions in accordance with the National Planning Policy Framework and Planning Practice Guidance. I have imposed a condition specifying the relevant drawings as this provides certainty. A condition in relation to external materials of the proposals is necessary to ensure the satisfactory appearance of the development.

Conclusion

12. For the reasons set out above the appeal succeeds.

B Thandi

INSPECTOR