
Appeal Decision

Site visit made on 31 January 2022

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 February 2022

Appeal Ref: APP/L5810/D/21/3283773

16 Cromwell Road, Teddington TW11 9EN

- 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 and Mrs Gordon against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 21/1691/HOT, dated 12 May 2021, was refused by notice dated 8 July 2021.
 - The development proposed is a single storey rear extension to the existing dwelling house following demolition of an existing conservatory.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The National Planning Policy Framework (the Framework) was revised in July 2021, after the application was refused but before the appeal was submitted. I take this revised policy into account, but do not consider that the changes to the Framework significantly affect the consideration of this appeal.

Main issue

3. The main issue is the effect of the proposal on living conditions at 14 Cromwell Road next door, in terms of any effect on outlook from that property.

Reasons

4. Both 14 and 16 Cromwell Road are mid-terrace houses with conservatories at the back, occupying part of the plot widths. The houses to either side of Nos 14 and 16 have relatively tall, single storey, full width rear extensions. The appeal proposal would replace the conservatory at No 16 with a rear extension across the whole width of the plot, more or less duplicating the extension to No 18 next door.
5. The Council's Supplementary Planning Document *House Extensions and External Alterations* (HEEA) advises that single storey rear extensions of up to 3m depth should normally be acceptable in terms of their impact on the residential amenity of neighbours, depending on the circumstances of the site.

The 3m measurement is a guideline and each case must be assessed on its merits.

6. In this case, the extension would be well over 4m deep and up to about 4.3m high. This would create an imposing side boundary wall, even though the extension would drop down to a lower height at the end. The extension's overall bulk would tend to dominate views from the rear of No 14, especially the views from what appears to be a ground floor living room window which is located very close to the boundary with No 16. This effect would much less than that of the existing conservatory, which is smaller and set back from the boundary.
7. Together with the existing rear wing of No 12, the proposed extension would create a tunnel effect that would be oppressive on the outlook from No 14. Although views more directly to the rear of No 14 would remain open, this is insufficient to compensate for the overbearing impact of the proposed extension.
8. I conclude that the proposal would unacceptably harm living conditions at No 14 next door, due to the impact on outlook from the back of that property. It therefore conflicts with the aims of London Borough of Richmond upon Thames Local Plan Policy LP8 and the HEEA, to protect the amenity and living conditions of the occupants of neighbouring properties.
9. I note that no neighbours have objected to the proposal. This lack of objection does not, however, override my concerns about the impact this permanent development would have on the outlook from No 14.
10. I understand that normal permitted development rights to build extensions without the need for a planning application¹ were removed by the original planning permission for this terrace of houses. There is therefore no permitted development fall-back position that could be implemented here. The appellant argues that permitted development rights should not have been removed, but that is not a matter in front of me for consideration.
11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should not succeed.

Les Greenwood

INSPECTOR

¹ Under the Town and Country Planning (General Permitted Development) (England) Order 1995.