



Appeal Decision

Site visit made on 19 April 2022 by R Dickson BSc (hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 May 2022

Appeal Ref: APP/L5810/D/22/3292413

61 Vicarage Road, East Sheen, London SW14 8RY

- 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 Mrs Ali Morris against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 21/4263/HOT, dated 14 December 2021, was refused by notice dated 31 January 2022.
 - The development proposed is demolition of an existing single-storey rear extension (currently 2.90m from the rear wall and 3.2m in height to the eaves) and the erection of a single storey rear extension (4.00m from the rear wall and 3.60m in height to the eaves)
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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.

Main Issue

3. The main issue is the effect of the living conditions of neighbouring residents at 59 Vicarage Road with particular regard to outlook and light.

Reasons for the Recommendation

4. The appeal site contains a semi-detached property which has previously been altered and extended to the side and rear. It has permission for another side extension which would sit behind the existing, however this has not yet been started. No 59 is attached to No 61 and, at present, only has one small rear extension set away from the boundary.
5. The siting, scale and height of the proposed extension would result in a considerable extent of brick wall along the boundary, creating a substantial presence on that side of No 59, close to the dining room window of that property. It would also create a strong sense of enclosure when seen from the garden of that neighbour. As a result, it would be visually intrusive and overbearing for the occupiers of No 59.
6. While there is an existing rear extension at the appeal site, it is not as tall or as deep as what is now proposed. Moreover, it is part brick, part glass with the glazed element nearest the boundary with No 59, meaning that it appears less

- imposing and less dominant, and therefore has less of an impact than the appeal proposal would.
7. Accordingly, I find that the proposed extension would cause harm to the living conditions of the occupiers of No 59 with respect to outlook.
 8. The appellant has provided a letter of support dated 5 December 2021 from the residents of No 59 referring to their own extension which gained planning permission some years ago. I am advised that the permission has been implemented and the occupants of No 59 indicated that they plan to build a joint party wall with this proposal and were going to start work in the new year (2022). Despite this, at the time of my site visit in April 2022 I could not see any evidence of work having started on the neighbouring extension.
 9. In these circumstances, with no similar extension adjacent, and notwithstanding the neighbours' lack of objection, I have found this relationship would result in harm. From the evidence submitted, I cannot be certain that the neighbours' extension can or will be built and therefore can give very little weight to the prospect that the harm could be mitigated in the way suggested by the appellant. While a 4m deep extension was permitted at No 59, this was in the context of an adjacent extension at No 61, and therefore not comparable to the situation before me, so does not form a precedent for allowing this proposal.
 10. The existing rear extensions of No 61 and No 59 likely already restrict the daylight reaching the dining room of No 59. The proposed extension, by virtue of its additional height and depth, would result in some further additional loss of daylight, however it would still be single storey. There is, therefore, no substantive evidence before me to show this reduction would be so great as to harm the living conditions of the neighbours in respect of daylight.
 11. By virtue of its orientation, the dining room window of No 59 will only get sunlight in the morning and the evening, and this is already reduced by the existing extensions. The larger extension now proposed would reduce daylight in the morning but for only a short time, and therefore I do not consider that it would have a significant adverse effect on the living conditions of the occupiers of No 59 with respect to sunlight.
 12. Accordingly, the proposed extension would harm living conditions in respect of outlook but not daylight or sunlight. Nevertheless, it would conflict with Policy LP8 of the London Borough of Richmond Upon Thames Local Plan (2018), and the Council's House Extensions and External Alterations Supplementary Planning Document (2015) which both seek to ensure proposals are not visually intrusive, have an overbearing impact or create a sense of enclosure.

Other Matters

13. The appellant has suggested that they could build an extension under permitted development rights. If the property still has its permitted development rights, as a semi-detached dwelling single storey rear extensions of up to 3m in depth are permitted, subject to other restrictions. However, any extension greater than 3m in depth, as proposed here, would be subject to a further application, where its effect on neighbouring amenity could still be assessed. Therefore, I can give the potential fallback position little weight, and it does not justify granting permission for the proposed extension.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the recommendation. On that basis the appeal is dismissed.

L McKay

INSPECTOR