



Appeal Decision

Site visit made on 10 January 2023

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 FEBRUARY 2023

Appeal Ref: APP/L5810/D/22/3304478

25 Cranmer Road, Hampton Hill, Hampton TW12 1DN

- 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 Akash Gandhi against the decision of the London Borough of Richmond Upon Thames.
 - The application Ref 22/0879/HOT, dated 16 March 2022, was refused by notice dated 6 June 2022.
 - The development proposed is timber screening and proposed condenser units on flat roof at first floor level. Air Source heat pump to the rear.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal proposal is partly retrospective. At the time of my visit, six condenser units were installed along the rear and side walls of the setback to the appeal property. An air source heat pump (ASHP) was installed within the central part of the rear elevation of the appeal property. The proposed timber screening was not in place. The proposed development is therefore not completed, and I have determined this appeal based on the planning application as submitted.

Main Issue

3. The main issue is the effect of the proposal upon the living conditions of the occupiers of 27 Cranmer Road (No.27) with regard to outlook.

Reasons

4. The appeal site comprises a newly built two-storey detached dwelling on a modest plot with a rear garden. No.27 is a semi-detached two-storey property with a modest conservatory projecting from its rear elevation near to the appeal property, and a rear garden. The rear elevation of the appeal property projects beyond the rear elevation of No.27. The appeal property has a setback at first floor level at the rear corner near to No.27.
5. The proposed condenser units would be located on both walls of the setback. The proposed mitigation is a timber panel. The panel would be sited along the flank side of the setback, orientated with its face towards No.27, to eaves height.
6. Due to the height, width and siting of the panel, it would result in the appearance of increased height and depth to the flank of the appeal property at

- the rear corner near to No.27. The gap between the appeal property and No.27 is small, and the panel would be in very close proximity to the boundary to No.27. The panel would be sited beyond the rear elevation of No.27. The stark appearance of the panel would appear as a prominent feature, and it would be visually intrusive and overbearing from within the rear garden of No.27.
7. In regard to the first floor of No.27, the panel would be close to a non-habitable room (a bathroom), which has an obscurely glazed window. Further along the rear elevation there is a bedroom with a wide window, and the panel would be within the middle layer of view, but this would be largely peripheral.
 8. The nearest ground floor room at No.27 is a kitchen, leading to a modest conservatory projecting out from the rear elevation, with an external door to the side. Due to the separation distance between the appeal property and No.27, together with the size and position of the conservatory, the angle of view to the panel would be very limited, and it would be predominantly within the upper level.
 9. I saw two windows on the side elevation of No.27, one to a stairwell/landing and the other was a very small window. These windows would respectively present fleeting and very restricted views of the panel.
 10. Consequently, the panel would not create a level of visual intrusion and overbearing to a scale that would be so significant as to be unacceptable when considered from within No.27.
 11. The scheme subject to the previous appeal¹ at the site is materially different to the one before me in that the units and panel do not create the same mass/bulk on this corner of the building. Nevertheless, I have found the proposed scheme would unacceptably harm the outlook of occupiers of no 27 from the rear garden.
 12. Due to its small scale and siting at ground level within the central part of the rear elevation of the host property, the proposed ASHP would be discretely sited, and would not result in any visual intrusion and neither would its proposed mitigation.
 13. I therefore conclude that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 27 Cranmer Road (No.27) with regard to outlook from within their rear private amenity space.
 14. The proposed development conflicts with Policy LP8 of the London Borough of Richmond Upon Thames Local Plan 2018 and the London Borough of Richmond Upon Thames Local Plan Supplementary Planning Document *Small and Medium Housing Sites* 2006, which seek to protect the living conditions of existing occupiers of neighbouring properties; to ensure that visual intrusion to existing properties is mitigated; and that development has regard to overbearing impacts.

Other Matters

15. Due to the scale and position of the panel, in combination with the orientation of the panel to No.27 and the sun's path, the panel would not result in unacceptable loss of light, nor would it create an unacceptable level of

¹ Appeal Ref: APP/L5810/W/19/3243414

overshadowing to No.27. In terms of noise pollution, it is accepted that mitigation is required to overcome unacceptable levels of noise. Even if I were to agree the proposal would not cause harm with regards to noise, this would be a neutral factor.

16. Objection is also made that the proposed condenser units are unsightly. I accept that such units have a utilitarian appearance that may appear unsightly to others. The panel would provide a degree of screening in this regard. Even if I were to agree the proposal would not cause harm with regards to the character and appearance of the area, this would be a neutral factor.
17. The ASHP would be in accordance with the National Planning Policy Framework (paragraph 158) which recognises that even small-scale projects provide a valuable contribution to cutting greenhouse emissions. The benefits associated with energy efficiency and reducing greenhouse emissions would be small given the scale of the scheme.

Conclusion

18. For the reasons given, I conclude that the development conflicts with the development plan, read as a whole. No material considerations have been shown to carry sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

J Moore

INSPECTOR