



Appeal Decision

Site visit made on 27 June 2023 by N Unwin BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2023

Appeal Ref: APP/L5810/D/23/3318786

55 St. Margarets Grove, Twickenham TW1 1JF

- 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 Daniel Robert Jack Symons against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application ref: 22/3716/HOT, dated 13 December 2022, was refused by notice dated 28 February 2023.
 - The development proposed is for the construction of a single storey side infill extension and a first-floor outrigger extension, reinstatement of bay window to ground floor front elevation, fenestration changes and internal reconfigurations.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a single storey side infill extension and a first-floor outrigger extension, reinstatement of bay window to ground floor front elevation, fenestration changes and internal reconfigurations at 55 St. Margarets Grove, Twickenham TW1 1JF in accordance with the terms of the application, ref: 22/3716/HOT, dated 13 December 2022, 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 and documents: 151-S-001; 151-S-002; 151-P-0203; 151-P-0213; and 151-P-030.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The first-floor bedroom window within the side elevation hereby permitted shall be fitted with obscured glazing, and no part of the window that is less than 1.7 metres above the floor of the room in which it is being installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are the effect of the proposed rear first-floor outrigger extension on i) the character and appearance of the host property and the surrounding area; and ii) the living conditions of the occupiers of No. 57 St. Margarets Grove, with particular regard to outlook.

Reasons for the Recommendation

Character and Appearance

4. The appeal site is a two-storey property forming part of a section of terraced dwellings adjacent to St. Margarets Grove. The rear elevations of the dwellings forming the terrace are highly varied in respect to form, scale, design, and building line, with multiple extensions and alterations creating a diverse appearance.
5. The rear elevation of the appeal property comprises a two-storey outrigger with single-storey extension projecting modestly beyond this, adding to the varied form and character of rear elevations within the area. The existing two-storey outrigger is narrower than the host dwelling with its sloping roof below the height of the eaves of the appeal property. As such, the existing two-storey outrigger appears subservient to, and in keeping with, the character of the host dwelling.
6. The first-floor extension to the existing two-storey outrigger would retain its current width, height, and roof form, so as to remain subordinate to the appeal property. The extension to the outrigger would not protrude beyond the rear elevation of the existing single-storey extension, preventing any pronounced elongation, respecting the character of the host dwelling and surrounding built environment.
7. The Local Plan Supplementary Planning Document House Extensions and External Alterations (2015) (SPD) requires two-storey rear extensions to be no greater than half the width of the original building, to ensure the extension does not over-dominate the building's original scale and character. Nonetheless, as I have found the proposal to preserve the host dwelling's scale and character, having assessed it on its own merits, with regard to its context. There is thus justification to depart from the guidance in this case.
8. For the above reasons, the proposal would be sympathetic to the character and appearance of the host dwelling and the surrounding area. It would therefore accord with Policy LP 1 of the London Borough of Richmond Upon Thames Local Plan (2018) and the Local Plan Supplementary Planning Document House Extensions and External Alterations (2015) which together require new developments to relate to their existing context, including character and appearance.

Living Conditions

9. No. 57 adjoins the appeal property with a rear first-floor window serving a habitable room within close proximity of the shared boundary, with the existing two-storey outrigger set back from this boundary providing a more modest separation distance. The existing two-storey outrigger has a mono pitch roof, sloping away from the boundary with No. 57, resulting in its highest point being furthest from the shared boundary.

10. The SPD sets out that single-storey extensions will usually be acceptable with regards to their effect on outlook, provided they project no more than 3 metres from the property. Nonetheless, the document goes on to say that the final test of acceptability in relation to a proposals effect on outlook, will depend on the particular circumstances on the site, which may justify greater rear projection.
11. Although the proposed first-floor rear extension would protrude beyond the rear elevation of the existing two-storey outrigger, the modest separation distance with the boundary with No. 57 would be retained. Furthermore, the eaves level of the proposed first-floor rear extension would be well below the top of the closest first-floor rear window of No. 57, sloping upwards away from the boundary, increasing the separation distance with its highest point. This roof form and separation distance would allow the proposal to mitigate any unacceptable impact on the outlook of the occupiers of No. 57 from the first-floor rear window closest to the boundary with the appeal site.
12. The proposed development would therefore be acceptable in terms of its effect on the living conditions of the occupants of No. 57 St. Margarets Grove, with particular regard to outlook. It would therefore accord with Policy LP 8 of the London Borough of Richmond Upon Thames Local Plan (2018) and the Local Plan Supplementary Planning Document House Extensions and External Alterations (2015) which together require new development to protect the living conditions of the occupants of adjoining properties.

Conditions

13. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty. In the interests of the character and appearance of the area, a condition relating to materials to match that of the existing dwelling is also necessary.
14. A bedroom window is proposed within the first-floor side elevation of the existing two-storey outrigger. Whilst the proposed window would involve angled views of the neighbouring first-floor window of No. 57, it would allow a level of overlooking of this habitable room, resulting in an unacceptable impact on the privacy of the occupiers. As such, a condition is required to secure obscure glazing and non-opening below 1.7 metres, as proposed in the submitted plans, to limit overlooking to an acceptable level. The other proposed first-floor side elevation window is to a non-habitable room and at more of an oblique angle to the neighbouring first-floor rear window. Therefore, a condition such as the above for this window is not considered necessary.
15. The Council have requested a condition preventing the use of the single-storey side infill extension and first-floor outrigger extension roofs as a balcony or terrace. Given the sloping nature of these roofs, I do not consider it practical or likely for them to be used in such a manner. In any case, a balcony or raised platform is likely to require express planning permission in itself. Such a condition would not therefore be necessary.

Conclusion and Recommendation

16. For the reasons given above, the appeal scheme would comply with the development plan. As such, I recommend it be allowed, subject to the conditions set out.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is allowed.

John Morrison

INSPECTOR