
Appeal Decision

Site visit made on 11 December 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 January 2024

Appeal Ref: APP/L5810/D/23/3329530

53 Redway Drive, Twickenham TW2 7NT

- 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 & Mrs Phil-Obosie against the decision of the London Borough of Richmond upon Thames Council.
 - The application Ref 23/1452/HOT, dated 26 May 2023, was refused by notice dated 18 July 2023.
 - The development proposed is for a two storey side and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side and single storey rear extension at 53 Redway Drive, Twickenham TW2 7NT in accordance with the terms of the application Ref 23/1452/HOT, dated 26 May 2023 subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 Location Plan, 1792-01, 1792-02, 1792-03, 1792-04 and 1792-05.
 3. The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and upon the living conditions of the occupants of 55 Redway Drive with specific reference to outlook.

Reasons

Character and Appearance

3. The appeal site is situated within a residential street predominantly comprising two storey semi-detached houses many of which have been extended in a multitude of ways, including over two storeys at the side. Indeed there are quite a few examples that are very similar to that proposed and I note have been permitted since the adoption of both the Council's House Extensions and External Alterations Supplementary Planning Document May 2015 (SPD) and

the London Borough of Richmond upon Thames Local Plan July 2018 (LP). I therefore consider that the surrounding built context is material to the proposal before me.

4. I accept that the two storey side extension would increase the overall bulk of the host dwelling and would, to some degree, unbalance the pair of semi-detached houses of which it forms part. However, this is not a unique situation within Redway Drive and I consider it rather harsh, bearing in mind the context, to stipulate that the proposal has little architectural merit. I note that the two storey extension would not be set back from the existing structure, however bearing in mind the front elevation is already staggered, in many ways to step the front elevation back further, again would appear more incongruous than that proposed.
5. Overall I consider that the proposal would appear as a subordinate addition and would respond to the site's context. Therefore I consider that the character and appearance of the area would not be harmed by the scheme and it complies with LP Policy LP1 which states that the Council will require all development to be of high architectural quality and that development proposals will have to demonstrate an understanding of the site and how it relates to its existing context, including character and appearance.

Living Conditions

6. Rather unusually the appeal dwelling and the immediate neighbour have two storey bay windows to their rear elevations. The outlook from the ground floor window of the neighbouring property would be curtailed to a degree by the extension, however the SPD stipulates that the effect of a single storey extension is usually acceptable if the projection is no further than 3.5m for a semi-detached house.
7. In this particular case the rear projection would only be 3m and I note that paragraph 3.1.3 of the SPD states that the final test of acceptability will depend on the particular circumstances on the site, which may justify greater (my emphasis) projection. Bearing in mind the single storey nature of the scheme and that the rear ground floor habitable room within no55 would maintain a good degree of outlook through its window, notwithstanding the rear extension already on that dwelling, I consider that there would be no undue tunnelling effect on its garden or rear habitable rooms. Consequently I consider that the proposal would not constitute an overbearing or visually intrusive form of development to the neighbouring occupiers.
8. I note the Council states that drawings with neighbouring elevations have not been provided, and as a result an accurate BRE assessment cannot be undertaken in respect of daylight and sunlight. However taking into account the limited height and depth of the proposal, as well as its orientation, I consider that the scheme would not give rise to an undue loss of daylight or sunlight.
9. Therefore, in addition to compliance with the SPD, I find that the proposal also complies with LP Policy LP8 which requires all development to protect the amenity and living conditions for occupants of adjoining and neighbouring properties through, amongst other things, ensuring that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure.

Conclusion and Conditions

10. For the reasons set out above, I conclude that the appeal should succeed.
11. Other than the standard time limit condition, the Council has suggested a condition requiring external materials to be used in the construction of the extensions to match those of the existing building and that the development be carried out in accordance with the approved plans. I consider these conditions necessary in the interests of preserving the character and appearance of the area.
12. In addition to the above the Council has suggested the imposition of three further conditions in respect of daylight/sunlight, flood risk and construction management. With regard to the former as explained above I consider that a BRE assessment is unnecessary in this case. Concerning flood risk, the Officer report stipulates that the submitted Flood Risk Assessment agreed to maintain the current floor levels of the proposed development to those of the existing property and in view of this, the proposal complies with the aims and objectives of LP Policy LP21. Therefore, I consider that the fourth suggested condition is unnecessary. Furthermore, I have been provided with no policy basis to require a Construction Management Statement to be submitted and bearing in mind that the scheme amounts to a reasonably modest domestic extension as opposed to anything of a grander scale, I consider that the imposition of this has not been substantiated.

C J Tivey

INSPECTOR