



Appeal Decision

Site visit made on 15 April 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2024

Appeal Ref: APP/L5810/D/24/3336282

65 Stanley Road, Teddington, Richmond Upon Thames TW11 8UB

- 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 Vikas Kumar Aggarwali against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 23/2559/HOT dated 19 September 2023, was refused by notice dated 15 November 2023.
 - The development proposed is described as ground floor rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect on the living conditions of the occupiers of the ground floor flat of No. 63 Stanley Road.

Reasons

3. The appeal property is located within a row of traditional two storey terraced houses with two storey projecting outriggers to the rear. The property has been extended by a 3.7 metre deep rear infill extension constructed within the gap to the side of the outrigger. It projects up to the side boundary with No.63a (the ground floor flat at 63 Stanley Road) and its side parapet wall is some 3.2m high.
4. Planning permission was approved in 2022¹ for a 6m deep addition to be built onto the existing infill extension resulting in a 9.7m extension. The design of the approved extension did not include a parapet wall along the shared boundary. The eaves height of the approved development at the boundary with No. 63a was 2.2m, which is not dissimilar to a 2m boundary treatment.
5. An appeal² has been dismissed at the property for a retrospective development for a 6m extension built onto the existing infill extension. The proposal included a parapet wall of some 3.1m in height adjacent No. 63a with an eaves height of 2.885. The proposal before me reduces the height of the development from that of the previously dismissed appeal, yet higher than the approved development.

¹ Ref: 22/0238/HOT

² APP/L5810/D/23/3320024

6. Notwithstanding this the proposed rear elevation submitted does not appear to include the reduction in height. No. 63a has windows and doors face towards the previous built extension and the proposed development.
7. Whilst the proposed development reduces the height of the extension I agree with the previous Planning Inspectors findings that due to their combined height and depth the two extensions are visually overbearing and would create a sense of enclosure to the rooms served by the adjacent windows and rear doors.
8. I conclude that the proposed development would harm the living conditions of the occupiers of the ground floor flat of No. 63 Stanley Road.
9. There is conflict with Policy LP8 of the London Borough of Richmond upon Thames Local Plan (2018) which seeks to protect the living conditions of occupiers of neighbouring properties by ensuring that developments 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.
10. There is conflict with London Borough of Richmond Upon Thames Local Plan Supplementary Planning Document, House Extensions and External Alterations (2015) which seeks amongst other things to protect residential amenity.

Conclusion

11. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than the expiration of 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the approved plans and documents: Plan No's: GI/RI/1 10 PA4, GI/RI/1 11 PA4, GI/RI/1 12 PA4, GI/RI/1 13 PA4, GI/RI/1 15 PA4, GI/RI/1 16 PA4, GI/RI/1 17 PA4, GI/RI/1 18 PA4, GI/RI/1 19 PA4, GI/RI/ 1250 and GI/RI/1 200 PA4.
- 3) The external materials to be used in the development hereby permitted shall match those used in the existing dwelling.
- 4) No part(s) of the roof of the building(s) hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto.
- 5) The development hereby approved shall not be implemented other than in accordance with the principles and methodology as described within the approved Arboricultural details: Arboricultural Impact Assessment & Method Statement Ref AC.2017.089 & Tree Constraints Plan / Tree Protection Plan Ref: AC.2017.093, unless otherwise previously agreed in writing with the local planning authority.