



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: 29.05.2024

Appeal Ref: APP/L5810/D/24/3338981

32 Acacia Road, Hampton, Richmond Upon Thames TW12 3DS

- 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 Sunny Srai against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 23/3040/HOT dated 16 November 2023, was refused by notice dated 30 January 2024.
 - The development proposed is described as part double storey side extension and part single storey side on LHS, part single storey side extension on RHS, part single storey rear extension, loft conversion with rear and side dormers and roof lights.
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Decision

1. The appeal is allowed and planning permission is granted for Part double storey side extension and part single storey side on LHS, part single storey side extension on RHS, part single storey rear extension, loft conversion with rear and side dormers and roof lights at 32 Acacia Road, Hampton, Richmond Upon Thames TW12 3DS in accordance with the terms of the application, Ref 23/3040/HOT dated 16 November 2023, and the plans submitted with it, subject to the conditions set out below.
 - (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - (2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan and proposed block plan; and Drawing No's: PL2/SM/3304 – 00; PL2/SM/3304 – 03; PL2/SM/3304 – 04 and PL2/SM/3304 – 05.
 - (3) The external surfaces of the hereby approved development shall match those used in the existing building.
 - (4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part(s) of the roof of the development hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto.
 - (5) The new first floor side window hereby approved shall be fitted with obscured glazing at the time of use and at no time be openable. Once installed the obscured glazing shall be retained thereafter.

Procedural Matter

2. I have also dealt with another appeal (Ref: APP/L5810/D/23/3334801) on this site. That appeal is the subject of a separate decision.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property and area in general.

Reasons

4. The site is within a predominantly residential area, property design varies within the immediate area, there is no harmonious architectural style. The differing styles and materials used for the properties play a role in defining the character of the area.
5. The proposal includes a modest single storey extension to the right hand side (RHS) of the property along with raising the ridge height to connect with a proposed part two storey / part single storey extension to the left hand side (LHS) of the property. The proposed side extensions would be set back on either side of the existing projecting two storey central bay window, this is not an unusual arrangement within the immediate area.
6. The side extensions although large with an increased ridge height would not dominate the central bay window feature. The proposed development would not be incongruous within the context of the various design and form of properties in the area.
7. The Council do not raise concerns with regard to the part single storey rear extension, loft conversion with rear and side dormers and roof lights, from the information I have before me I do not disagree.
8. I find that the proposed development would not harm the character and appearance of the host property or area in general.
9. There is no conflict with Policy LP1 of the London Borough of Richmond Upon Thames Local Plan (2018) which seeks to ensure developments are a high quality of design which respects and contributes to the local environment and character.
10. There is no conflict with the London Borough of Richmond Upon Thames, Local Plan, Supplementary Planning Document, House Extensions and External Alterations (2015) which seeks amongst other things to ensure development are well designed and sympathetically complement the existing property and neighbourhood.

Other Matters

11. Third party representation have been received during the determination of the application objecting to the proposed development and included concerns relating to loss of privacy. The Council did not raise concern regarding the effect of the proposed development on the living conditions of neighbouring properties. From the information before me and my observations on my site visit, I concur with the Council, subject to the imposition of a planning condition relating to obscure glazing of the new first floor window.

12. The proposed replacement of windows with slightly larger windows would not exacerbate any current overlooking as such it would be unreasonable to impose restrictions on these windows.

Conclusion and Conditions

13. For the above reasons I conclude that this appeal should be allowed.
14. I have imposed a standard condition relating to the commencement of development and a condition specifying the relevant plans as this provides certainty. In order to safeguard the character and appearance of the area I have imposed a condition concerning materials.
15. I have imposed a condition relating to the provision of obscure glazing within the side first floor window and restricting the use of the roof as a balcony or terrace in the interest of protecting the living conditions of occupiers of neighbouring properties.
16. The Council have suggested a condition relating to a submitted fire safety strategy. Policy D12(A) of the London Plan 2021 seeks to ensure that all development proposals achieve the highest standards of fire safety which includes the development of a robust strategy for evacuation. Notwithstanding this I note that the fire safety strategy does not alter existing emergency vehicle access, includes passive/active fire safety measures/material in compliance with Building Regulations and includes a plan detailing basic means of escape and assembly points. I have not been provided with substantive evidence to persuade me that a condition relating to the fire safety strategy for this householder development, is necessary in this instance when the matter of fire safety compliance is covered by Part B of the Building Regulations which is referenced in the strategy itself.
17. The Council have suggested a condition relating to the provision of detailed drawings, including sectional drawings, of new and replacement windows, including roof lights, and doors to specify the design and external finishes. I do not consider this necessary given the plans and information before me.

C Pipe

INSPECTOR