



Appeal Decision

Site visit made on 1 November 2024

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Appeal Ref: APP/L5810/D/24/3348662

16 Priory Gardens, Hampton TW12 2PZ

- 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 Mrs Janet Munday against the decision of Richmond upon Thames.
 - The application Ref 24/1290/HOT.
 - The development proposed is for ground floor rear, two-storey side, and ground floor front extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: - i) the character and appearance of the area; and ii) the living conditions of the occupiers of No. 15.

Reasons

Character and Appearance

3. The semi-detached property is reflective of the other properties in the street with two storey bay windows to the front. The appeal proposal would add a two-storey side extension up to the shared boundary with No.17, together with single-storey additions to the front and rear.
4. The proposed two-storey side element incorporates some subservient design features, such as the setting down of the roof profile to the front. However, it is not set back and would result in the whole building extending across the full width of the plot. It is thereby contrary to the advice in the Council's House Extensions and External Alterations – Supplementary Planning Document (SPD), which indicates that side extensions should be inset and offset 1m from the side boundary to eliminate terracing and the loss of important spaces between properties.
5. The adjacent property has been extended to the side, and whilst this maintains a small gap to the shared boundary, the separation and existing pattern of semi-detached pairs would be significantly diminished as a result of the proposed development. Additionally, due to the gabled roof form of the appeal property, the loss of space would be heightened as it extends to the roof level and, therefore, would fully consume the gap.

6. I acknowledge that there are side extensions to other properties in the street which do extend up to the boundary, although they vary in design and the planning background to these extensions is not before me. Nonetheless, there is also a prevalence of subservient extensions, and the semi-detached form remains predominant and, together with the spacing between the buildings, contributes to the character of Priory Gardens.
7. Many properties have also altered the porch. The depth and design of these additions are not consistent, nor are they significant architectural features contributing to the pattern of development. Therefore, whilst the proposed porch would project further forward than the bay window (by a limited amount) I do not find it would be an intrusive or incongruous addition.
8. Nevertheless, as a whole, the scale and design of the proposed alterations would be out of keeping with the prevailing form and would result in a harmful loss of space to the side of the property. This would be to the detriment of the appearance of the host property and the character of the area. Thus, the proposal would be contrary to policies LP1 and LP8 of the London Borough of Richmond Upon Thames Local Plan July 2018 (Local Plan), which require all development to be of high architectural and urban design quality which respects the local character, including the space between buildings. There would also be conflict with the specific design guidance in the SPD for side extensions.
9. These objectives are also echoed in policies LP28 and LP46 of Richmond Local Plan 'The best for our borough' Draft for consultation, although as emerging policies they do not carry full weight.

Living Conditions - No.15

10. The rear extension would be positioned immediately adjacent to the boundary with No.15. The end of the extension would breach a 45-degree line taken from the neighbour's window. However, its depth would only exceed the maximum recommended distance for single-storey extensions to semi-detached properties set out in the SPD by 0.1m.
11. The SPD provides helpful guidance, but is not policy, and as the SPD notes, individual assessments are required. The Council do not specifically indicate what harm would occur. While the appeal property is to the south of No.15, I am not convinced that the relatively modest degree of extra depth or bulk would be an undue imposition on the neighbour's residential amenity through overshadowing or loss of light. Designed with a mono-pitched roof, the extension would be at its lowest furthest from the house with an eaves height of 2.5m, not significantly taller than the boundary fencing.
12. Due to the proximity, there would be a degree of increased enclosure to No.15 however, considerable outlook would remain, and due to its form, I do not consider it would be overbearing.
13. From my observations, and as referenced by the appellant, single-storey rear extensions are present on numerous properties in Priory Gardens. This includes No.17, to the other side, which is slightly set back, and the rear elevation of its extension aligns further back than that of the proposed extension. I am also conscious of the scale of extensions of this type which can be achieved under permitted development rights.

14. Given the above, I conclude that the proposal would not result in material harm to the living conditions of the occupiers of No.15. The proposal would not conflict with the aim of Local Plan policy LP 8 which seeks to protect living conditions or the associated objectives of the SPD and that in this instance, given the very limited extent of the breach, flexibility on its depth guidance should apply.

Conclusion

15. While I have found that the rear extension would not adversely affect the living conditions for the occupiers of the neighbouring property and that the porch extension would also be acceptable, the two-storey side extension would be harmful to the character of the area and conflict with the development plan. The appeal is therefore dismissed.

G Ellis

INSPECTOR