



Appeal Decision

Site visit made on 19 November 2024

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2024

Appeal Ref: APP/L5810/W/23/3335964

119 Station Road, Hampton TW12 2AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Yusuf Ali against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref is 23/2644/FUL.
 - The development proposed is a rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a rear extension at 119 Station Road, Hampton TW12 2AL in accordance with the terms of the application, Ref 23/2644/FUL, and the plans numbered DWL 01 Rev A, DWL 02 and DWL 03 (except where they refer to the internal layout).

Preliminary Matters

2. The main parties have confirmed that the description of development should refer to a rear extension only. This is consistent with what is shown on the submitted plans. I have therefore used that description in the banner header and the formal decision above.
3. The development has already been undertaken and therefore I have determined the appeal on the basis that it is a retrospective proposal. It has not been laid out internally in the way shown on the plans submitted, however I concur with the Council that this is not material to the assessment of the development.

Main Issue

4. The main issue is the effect of the development on the living conditions of the occupants of 117 Station Road, with reference to outlook and light.

Reasons

5. The appeal development sits at first floor level, positioned directly above a ground floor extension of substantial depth. There is a similar ground floor extension to the rear of No 117, which also has a small first floor extension above part of it. In between that first floor neighbouring extension and the appeal development there are patio doors which serve residential accommodation at No 117.
6. In conjunction with the first floor extension to No 117, the appeal development has created somewhat of a tunnel effect in terms of the outlook from the patio doors. However, even though they cross the 45 degree line taken from the

doors, neither of the extensions extend in any significant depth out beyond the patio doors. In that regard, whilst referring to the 45 degree line, the House Extensions and External Alterations Supplementary Planning Document 2015 also states that the effect of a single storey extension is usually acceptable if the projection is no further than 3 metres for a terraced property.

7. In this instance, due to their limited projections, an outlook beyond the existing two first floor extensions is available. Because of the limited projections and height of the extensions, light levels are also not likely to have been significantly affected. Therefore, I am satisfied that there has been no undue harm caused to the living conditions of the occupants of the residential property at No 117 as a result of the appeal development.
8. Reference is also made to the cumulative impact with the existing first floor extension at the rear of the terrace at No 119. However, that extension is some distance from the patio doors of No 117 and is physically separated from the appeal development. There is therefore no cumulative harm caused to the living conditions of the occupants of No 117 from these two built elements.
9. For the above reasons, the development has not caused harm to the living conditions of the occupants of 117 Station Road. Consequently, the development accords with Policy LP 8 of the Local Plan 2018 where it seeks to protect the amenity and living conditions of the occupants of adjoining and neighbouring properties.

Other Matters

10. The appeal site is located within the Hampton Conservation Area (CA). The Council does not consider that there has been harm caused to the character and appearance of the CA. Having had regard to the CA appraisal provided, to the visibility of the extension and to the presence of other development to the rear of adjoining properties, I find no reason to take a different view on that matter. The character and appearance of the CA has therefore been preserved.

Conditions

11. It is not necessary to impose a condition relating to the commencement of the development as the work has already taken place. As the development is already built and because of the highlighted issue relating to the internal layout, it is not necessary to impose a condition requiring that the development be undertaken in accordance with the submitted plans.
12. The development provides a store which is not a habitable room. It is not accessed through a bedroom. A Fire Safety Report and plan have been provided but appear to relate mainly to other parts of the building which existed prior to the development taking place. It is therefore not necessary or reasonable to impose a condition requiring compliance with that report.

Conclusion

13. For the reasons given above, the appeal should be allowed.

Graham Wraight INSPECTOR