



Appeal Decision

Site visit made on 9 December 2025

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/L5810/C/24/3336774

Land at 27 Broad Street, Teddington TW11 8QZ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by A-Z Building Services against an enforcement notice issued by the Council of the London Borough of Richmond Upon Thames.
 - The notice was issued on 14 December 2023.
 - The breach of planning control as alleged in the notice is without planning permission and within the last four years, the unauthorised erection of a single storey rear extension with external staircase and walkway.
 - The requirements of the notice are: (a) Remove the single storey rear extension, including the walkway created on its roof. (b) Remove the stairway installed on the roof of the outbuilding. (c) Make good of any damage caused by compliance with steps 5(a) and 5(b) above. (d) Remove from the Land debris, rubbish and other materials associated with carrying out step 5(a), 5(b) and 5(c) above.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the ground[s] set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matters

2. The Richmond Local Plan 2024-2039 (LP) was adopted on 7 October 2025, superseding the previous version of that document. The deemed planning application arising from the ground (a) appeal falls to be determined against the Development Plan policies currently in force. The main parties were afforded the opportunity to make further representations concerning the LP policies relevant to the development and I have taken account of the comments received in my decision.
3. My decision takes the revised National Planning Policy Framework (the Framework), which also came into force during the course of the appeal, into account.

Ground (a) appeal

Main Issue

4. The main issue in this appeal is the effect of the development on the living conditions of occupiers of neighbouring residential property, having regard to privacy and noise and disturbance.

Reasons

Living conditions

5. The appeal premises contains a mid-terrace three-storey building, with a café on the ground floor and residential living accommodation on the upper floors. The premises form part of a shopping parade with commercial uses at ground floor level and living accommodation above, occupying a district centre location.
6. The enforcement notice attacks a single storey extension erected at the rear of the premises, with a walkway which runs over the flat roof, along with external stairs. The walkway and stairs provide pedestrian access from ground level at the rear of the premises to living accommodation on the upper floors.
7. Occupiers of residential property in the vicinity of the premises might reasonably expect to experience some mutual overlooking, having regard to the built-up nature of the surroundings. Also, it is not uncommon for living accommodation on the upper floors of a shopping parade to be accessed by external stairs and walkways. However, the walkway and stairs make the extension roof accessible to pedestrians. The rooftop position affords persons using the walkway and stairs direct, relatively close-up views towards windows at the rear of living accommodation on the upper floors of neighbouring buildings at 25A (No 25A) and 29A Broad Street.
8. The walkway is enclosed by timber fencing on both sides, with fencing also at the top of the stairs. The fencing has been erected since the notice was issued. At around 1.8m in height, the fencing adjacent to the boundary with No 25A and at the top of the stairs does not sufficiently mitigate the extent to which neighbouring residential properties at the rear of the premises can be overlooked, with direct and relatively close-up views available from the extension roof towards windows in the rear elevations of 16 and 18 Walpole Place.
9. Persons are unlikely to linger on the walkway and stairs for significant periods, as they are probably mainly focussed on accessing or egressing the living accommodation at the premises. Even so, that does not lessen the sense of being overlooked by persons on the extension roof experienced by neighbouring residential occupiers. This does not compare favourably with the external stairs adjacent to the rear elevation of the building, where views towards windows in the rear elevations of neighbouring residential property are at a considerably greater distance, with limited effect on neighbouring occupiers' privacy. Therefore, the development has significantly and harmfully eroded the levels of privacy that occupiers of neighbouring residential property previously enjoyed.
10. During my visit, I saw that the roof of a single storey rear extension at neighbouring premises in the parade is used as an outdoor amenity area. I also saw another premises which had a flat roof extension enclosed by fencing. However, there is little detail before me concerning the circumstances in which those developments originated. For example, it is unclear whether such developments benefit from planning permission. The mere existence in the vicinity of other extensions with accessible roof areas adds little weight to the appellant's case.
11. Also, my attention was drawn to the planning permission recently granted to construct a roof terrace and external stairs at a residential property in the Council's

area¹. Even so, I have to deal with the development in this appeal on its individual planning merits. Moreover, in that instance neighbours' privacy was clearly capable of being safeguarded.

12. As use of the walkway and stairs is mostly by occupiers of the living accommodation and their visitors, for the most part the numbers of daily pedestrian comings and goings associated with their use are in all likelihood limited. The restricted width means that the walkway and stairs are not easily used as a roof terrace for sitting out or other recreational activity associated with the living accommodation. Moreover, given the district centre location it is highly likely that neighbouring residential occupiers experience a certain amount of background noise at times. Set in the above context, neighbouring residential occupiers have probably experienced little increase in noise and disturbance from pedestrian comings and goings along the walkway and on the stairs. However, that is not a sound reason to set aside the harmful effects on their privacy identified above.
13. Therefore, the development causes unacceptable harm to the living conditions of occupiers of neighbouring residential property, in conflict with LP Policy 46, which requires new development to protect the amenity and living conditions of occupiers of neighbouring properties. The Council confirmed that this was the policy which should have been referenced in the reasons for issuing the notice, with LP Policy 26 referred to in error. Besides, by not creating a high standard of amenity for existing and future users the development is inconsistent with the Framework.

Other matters

14. The extension, walkway and stairs have had no adverse effect on the character and appearance of the surrounding area. This is a neutral factor which weighs neither for nor against the granting of permission.

Conclusion

15. The development harms the living conditions of occupiers of neighbouring residential property, in conflict with the Development Plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the Development Plan. Therefore, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Stephen Hawkins

INSPECTOR

¹ Council Ref: 22/3368/HOT