



Appeal Decision

Site visit made on 19 August 2021

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 06 September 2021.

Appeal Ref: APP/L5810/W/21/3274057

45 Ashleigh Road, Mortlake, London SW14 8PY

- 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 Ms Alice and Karolyn Aldridge-Kee against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 20/3267/FUL, dated 17 November 2020, was refused by notice dated 3 February 2021.
 - The development proposed is the erection of an extension to a loft of a first floor flat.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the living conditions of the occupiers of 51 Ashleigh Road.

Reasons

3. The appeal property comprises a flat which occupies the first and second floors of terraced dwelling situated within a primarily residential area. These properties property have 2-storey outriggers. Within the side elevation of 51 Ashleigh Road's outrigger, which is a first floor flat, there are 3 windows facing towards the outrigger of the property. From the evidence available and what could be observed during the site visit, 1 of these windows is associated with a bedroom and the others appear to serve a kitchen and a bathroom. proposed development includes an extension to its roof which would be visible to the occupiers of No. 51 from the bedroom and kitchen windows.
4. The Council has undertaken an assessment of the likely impact of the proposed development on the bedroom window of No. 51 based upon the Building Research Establishment Report's (BRE) *Site Layout for Daylight and Sunlight: A Guide to Good Practice*. By reason of siting and size, the Council claims that the proposed development would fail the 25° assessment and, as such, the outlook from the bedroom window would be visually dominated by the appeal scheme. The failing of the 25° assessment also suggests that the bedroom of No. 51 could receive reduced daylight, particularly in circumstances where the window is sited within a north facing flank wall and there is a limited gap between the outriggers. Although not decisive, this has the potential to accentuate the unacceptable harm which has already been identified.

5. The appeal scheme's external appearance has been designed to accord with the guidance on character and appearance matters for dormers contained in the Council's *House Extensions and External Alterations Supplementary Planning Document* (SPD) and could be constructed from materials matching the host property. However, in the absence of any alternative BRE style assessment or other drawing demonstrating a different relationship between the bedroom window and the proposed extension, there are no reasons for me to disagree with the Council's assessment about the identified adverse effect of the appeal scheme on the outlook of the occupiers of No. 51.
6. Reference has been made by the appellants to other dormers which have been erected within the surrounding area. However, the full planning circumstances of these other schemes have not been provided, including their relationship with neighbouring windows and any BRE style assessment made by the Council. For this reason, only limited weight has been given to these other schemes in the determination of this appeal.
7. In the absence of other assessment evidence, it is concluded that the proposed development would cause unacceptable harm to the living conditions of the occupiers of 51 Ashleigh Road and, as such, it would conflict with Local Plan Policy LP8. This policy is concerned with protecting the amenity and living conditions of the occupiers of existing properties.

Other Matters

8. The appellants have provided a personal statement explaining the circumstances concerning why the additional accommodation sought is required. However, although these personal circumstances have been carefully considered they are not sufficient reasons to outweigh the unacceptable harm which has been identified. Such circumstances could change in the future but the effect of the proposed development would have a longer term effect of the current and future occupiers of No. 51. Accordingly, for the reasons given, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR