## **Appendix A**

Application Refs. 82/1168 and 84/0097 Decision Notices



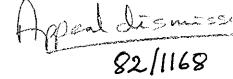
# Department of the Environment and Department of Transport

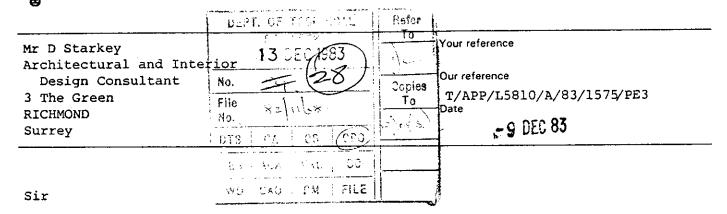
Common Services

Room1421Tollgate House Houlton Street Bristol BS2 9 DJ

Telex 449321

Direct line 0272-218 950 Switchboard 0272-218811





TOWN AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9 APPEAL BY MR AND MRS A DAOUD APPLICATION NO:- 82/1168

- 1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the London Borough of Richmond upon Thames to refuse planning permission for alterations to and extension of the ground floor and provision of an additional storey to the bungalow at 25 Ham Farm Road, Ham. I have considered the written representations made by you and by the council and also those made by interested persons. I inspected the site on 4 October 1983.
- 2. From my inspection of the site and its surroundings, and from the representations made, I am of the opinion that the main issues in this case are the effect the alterations and extensions to the ground floor of the bungalow and the construction of a second storey would have on the neighbourhood in general and neighbouring properties in particular.
- 3. The appeal property is one of a group of properties on Ham Farm Road, which were either designed or approved by the late architect, Eric Lyons, whose work in the housing field achieved distinction. The houses in Ham Farm Road are typical of the archiect's style and have matured well in a landscaped setting which is entirely appropriate on the southern edge of Ham Common. The properties are generally distinctive and substantial, within large well vegetated gardens, and present an immediate sense of spaciousness coupled with privacy, in a very pleasant, semi-rural area.
- 4. The proposed alterations and extensions to the property at ground floor level comprise changes in the layout and use of rooms with some extensions into the garden area to provide a larger lounge, a study, a play room and a terrace with a wing wall. I see no planning objection to these ground floor proposals. The major proposal is an extension to provide a second storey over much of the property which would contain 3 bedrooms, 3 bathrooms and a first floor terrace. This would represent a substantial increase in the height and bulk of the original dwelling. I find that because of the arrangement and considerable size of the second storey, which in my view would be considerably emphasised by the extensive and exclusive use of tile hanging, the extension would give rise to an oppressive effect on neighbouring properties. The proposed first floor terrace outside bedroom 5 would come very close to the boundary with No 23 and overlook that property with loss of privacy to the occupant. The south-western extension containing bedroom 1 and bathroom would have an unpleasant

overbearing effect on habitable rooms in No 27 and the windows of bedroom 1 would overlook, quite closely, the gardens of adjoining houses. It appears to me that the proposed dwelling with an exclusively tile-clad second storey and a ground floor of white painted brickwork would no longer relate in appearance to the other properties in Ham Farm Road, which is undesirable in an area where dwellings have a strong and historic relationship in layout and appearance.

- 5. I feel that the drawbacks I have mentioned add up to a substantial objection to the proposal and I do not consider it would be right to grant planning permission in this case. I have considered all other matters raised in the representations, but I am of the opinion that they are outweighed by the considerations that have led to my decision.
- 6. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

I am Sir Your obedient Servant

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T. R. Semon

Inspector

Local Planning Authority	Ref82/1168
Greater London Council	Ref

### London Borough of Richmond upon Thames

TOWN AND COUNTRY PLANNING ACT 1971

To Mr. and Mrs. A. Daoud, c/o Mr. Donald Starkey, of Sinhe Green, Richmond, Surrey.

at 25 Ham Farm Road, Ham.

Alterations to and extension of the ground floor and provision of an additional storey to the existing bungalow.

(Revised plans received 8th December, 1982).

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough as the Local Planning Authority, HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that —

Permission to develop the said land in accordance with the said application is hereby REFUSED.

The reasons why permission is refused are as follows: -

The size and siting of the proposed extension would have an overbeating effect on the adjoining residential properties.

Dated this 26 APR 1983

day of

Signature

Director of Technical Services.

Chief Planning Officer Dept. of Technical Services Regal House (2nd Floor) London Road Twickenham, TW1 3QB

TWP. 973/950

- NOTES: (i) Attention is particularly drawn to the Schedule to this Notice which sets out the rights of applicants who are aggreed by the decisions of the Local Planning Authority.
  - (ii) This decision does not purport to convey any approval or consent which may be required under the Building Regulations 1976 or under any enactment other than the Town and Country Planning Act 1971.

#### THE SCHEDULE REFERRED TO

Rights of Applicants Aggrieved by Decision of Local Planning Authority

- (1) If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with Section 36 of the Town and Country Planning Act 1971. The Secretary of State has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed development are in progress. The Secretary of State is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provisions of Sections 29 to 33 of the Act and of any Development Order and to any directions given under such Order.
- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may in accordance with Section 180 of the Town and Country Planning Act 1971, serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land.
- (3) In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Sections 134 to 163 and 169 of the Town and Country Planning Act 1971.

FOR OFFICE USE ONLY

Particulars of any Direction under the Acts or the Orders made thereunder.

Date of Appeal to the Secretary of State for the Environment and Date and Effect of his decision.

Local Planning Authority	Ref. 84/97
Greater London Council	Ref

### London Borough of Richmond upon Thames

#### **TOWN AND COUNTRY PLANNING ACT 1971**

To c/o Donald Starkey
127 London Road
of TWICKENHAM
Middlesex.

WHEREAS in accordance with the provisions of the Town and Country Planning Act, 1971, and the Orders made thereunder you have made application dated ..... 25th. January ... 1984............ and illustrated by the plans for the permission of the Local Planning Authority to develop land situated

at 25 Hem Farm Road, Ham.

by Alterations and extensions to existing house.

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough as the Local Planning Authority, HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that—

Permission to develop the said land in accordance with the said application is hereby REFUSED.

The reasons why permission is refused are as follows:—

The size and siting of the proposed extension would have an overbearing effect on the adjoining residential property.

Dated this

day of -9 MAR 1984

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Latham

Signature ....

FOR - Director of Technical Services
CHIEF PLANNING OFFICER.

Chief Planning Officer
Dept. of Technical Services
Regal House (2nd Floor)
London Road
Twickenham, TW1 3QB

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- NOTES: (i) Attention is particularly drawn to the Schedule to this Notice which sets out the rights of applicants who are aggreed by the decisions of the Local Planning Authority.
  - (ii) This decision does not purport to convey any approval or consent which may be required under the Building Regulations 1976 or under any enactment other than the Town and Colomby Planning Act 1971.

### THE SCHEDULE REFERRED TO

Rights of Applicants Aggrieved by Decision of Local Planning Authority

- (1) If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may by notice served within six months of receipt of this notice, appeal to the Secretary of State for the Environment in accordance with Section 36 of the Town and Country Planning Act 1971. The Secretary of State has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the Local Planning Authority in regard to the proposed development are in progress. The Secretary of State is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provisions of Sections 29 to 33 of the Act and of any Development Order and to any directions given under such Order.
- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may in accordance with Section 180 of the Town and Country Planning Act 1971, serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land.
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