



Appeal Decision

Site visit made on 7 November 2023

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 20.12.2023

Appeal Ref: APP/L5810/D/23/3324175 24 Church Lane, Teddington, TW11 8PA.

- 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 Mr Jared Griffiths against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 23/0185/HOT, dated 21 January 2023, was refused by notice dated 24 March 2023.
 - The development proposed is demolition of existing rear extension and erection of a new single storey full width extension.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing rear extension and erection of a new single storey full width extension at 24 Church Lane, Teddington, TW11 8PA in accordance with the terms of the application, Ref 23/0185/HOT, dated 21 January 2023, and the plans submitted with it, subject to the conditions set out below:

Procedural Matters

2. I have adopted the wording for the description of development in the bullet point above used by the Council in drafting its decision notice, as it more succinctly describes the development proposed rather than that set out on the original planning application form.

Main Issues

3. I consider the main issues in this case are:
 - a) the effect of the development on the architectural integrity of the host and neighbouring properties and thereby the character and appearance of the local area; and,
 - b) the effect of the proposal on the living conditions of neighbouring occupiers, in terms of its potential to appear overbearing, dominant or to overshadow.

Reasons

4. The appeal property, 24 Church Road, is a two-storey end of terrace dwelling. It has a traditional mono-pitched roof rear out shot. However, being the last house in the terrace it is not linked to a similar addition to a neighbouring property.

First main issue

5. The appellant proposes the demolition of the existing rear out shot and the erection of a new single storey full width extension. It would be the same depth as the existing addition to be demolished, and therefore not as deep as the main house. It would have a flat roof set down behind a brick parapet so that the overall height would be less than the existing out shot.
6. The proposed extension would be of a simple contemporary design with a set of full width folding doors facing the rear garden. A sky light set down below the parapet wall is also proposed.
7. I consider that in this context the proposed addition would appear as a contrasting, well-mannered addition. It would be clearly read as an obvious new addition to the property.
8. For the reasons set out I conclude in respect of the first main issue that the development would not cause harm to the architectural integrity of the host or neighbouring properties and thereby the character and appearance of the local area. It would therefore accord with the objectives of the National Planning Policy Framework, Policy LP1 of the London Borough of Richmond upon Thames Local Plan (Adopted July 2018) (LP), the aims and objectives in the Local Plan supplementary Planning document-House Extensions and External Alterations (Adopted May 2015) (LP) and the Hampton Wick and Teddington Village Planning Guidance Supplementary Planning Document (Adopted June 2017) (SPD), as they relate to amongst other things the quality of development and the need for it to be compatible with the local character.

Second main issue

9. The adjoining property to the south, 26 Church Road has a two-storey rear outrigger with an adjoining single storey rear extension. These extensions are not full width, thereby leaving a gap between their flank walls and the boundary to number 24. There is a pair of French doors in the rear wall of 26 and window serving a kitchen in the flank wall of the outrigger.
10. The boundary between numbers 24 and 26 is formed by a wall, approximately 1.8 to 2.0 metres or so high.
11. The overall height of the proposed rear extension to number 24 would be about 3.0 metres. Accordingly, it would be marginally higher than the current boundary wall. Nevertheless, from what I have seen and read I am not persuaded that the proposed extension as designed would appear either so overbearing or dominant as to cause significant harm to the living conditions of the occupiers of number 26.
12. Furthermore, given the limited height of the extension and the orientation of the properties one to another I do not consider that the extension would overshadow the kitchen window of 26 so as to cause harm to the living conditions of the occupants.
13. The Council found that the proposed development would have no impact on the occupiers of number 22 to the north. From what I have seen and read I have not formed a contrary view.

14. I conclude in respect of the second main issue that the proposed development would not cause harm to the living conditions of neighbouring occupiers, in terms of its potential to appear overbearing, dominant or to overshadow. It would therefore accord with the aims of LP Policy LP8 and the Council's SPD guidance, as they seek to protect residential living conditions.

Conditions

15. The conditions follow from those suggested by the Council. To ensure a high quality development, I shall include a condition about the materials to be used in the construction of the external surfaces of the building.
16. To ensure that the development incorporates the necessary fire safety measures I will require the development to be carried out in accordance with the submitted Fire Strategy Plan.
17. I understand from the Council's evidence that the site is classed as 'past industrial'. To protect current or subsequent occupants of the proposed extension I shall require a Preliminary Risk Assessment in respect of land contamination to be undertaken together with any necessary remediation measures. In addition, to prevent the risk of flooding to and from the site I shall require a detailed drainage design scheme to be submitted to the local planning authority for approval.
18. Furthermore, to protect neighbours' living conditions, I shall restrict, by condition, the use of the flat roof to maintenance or emergency purposes only.
19. In the interests of certainty, I shall impose a condition requiring the development to be undertaken in accordance with the approved plans.

Conclusions

20. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed.

Philip Willmer

INSPECTOR

Schedule of Conditions Appeal Ref: APP/L5810/D/23/3324175

Conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the provisions of the Fire Strategy Plan received by the Council on 27 January 2023.

- 4) The development hereby permitted shall be carried out in accordance with the following approved plans, drawings: 01 REV 03, 02 REV 03, 03 REV 03 and Location Plan scale 1:2500.
- 5) Access to the flat roof over the extension hereby approved shall be for maintenance purposes only and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
- 6) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of Potentially Contaminated Sites–Code of Practice and the Environment Agency’s Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the local planning authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation work shall be submitted to the local planning authority within 14 days of the report being completed and approved in writing by the local planning authority.
- 7) The extension hereby permitted shall not be occupied until the proposed drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The details shall include drawings and supporting calculations. The submitted details should demonstrate that surface water run off levels equivalent to greenfield runoff rates would be achieved. Before any details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra’s non-statutory technical standards for sustainable drainage systems (or subsequent version), and the results of the assessment shall have been provided to the local planning authority. A detailed management plan identifying routine maintenance tasks for all drainage components shall also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development.

End of Schedule of conditions