

Appeal Decision

Site visit made on 20 September 2016

by A A Phillips BA(Hons) DipTP MTP MRTPI

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

Decision date: 24 October 2016

Appeal Ref: APP/L5810/D/16/3155537
21 Bellevue Road, Barnes, London SW13 0BJ

- 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 and Mrs Jerry Tebbutt against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/1210/HOT, dated 22 March 2016, was refused by notice dated 31 May 2016.
 - The development proposed is a single storey rear side extension, rear dormer roof extension, 1 no. rooflight to front roof slope and amendments to the rear bay windows and doors.
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Decision

1. The appeal is dismissed insofar as it relates to the proposed rear dormer roof extension and 1 no. roof light to the front roof slope. The appeal is allowed insofar as it relates to the single storey rear side extension and amendments to the rear bay windows and doors and planning permission is granted for a single storey rear side extension and amendments to the rear bay windows and doors at 21 Bellevue Road, Barnes, London SW13 0BJ in accordance with the application, Ref 16/1210/HOT, dated 22 March 2016, and the plans submitted with it, so far as relevant to those parts of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, JMT/1/X1, JMT/1/OD2 and JMT/1/OD10.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matter

2. The description of the development given above is taken from the Council's decision notice because the description on the planning application form does not accurately describe the proposal. The appellant has agreed to the use of this description.
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3. For the reasons that follow, I find the proposed single storey rear side extension to be acceptable and it is clearly severable both physically and functionally to the proposed rear dormer roof extension and 1 no. roof light to the front roof slope. Therefore, I have split the decision in this case.

Main Issues

4. The main issue is the effect of the proposal on the character and appearance of the Building of Townscape Merit (BTM) and the Barnes Green Conservation Area.

Reasons

5. The appeal property is a mid-terrace two storey house with additional accommodation in the roof space. It is situated within a mainly residential area and, along with other properties in the terrace, is one of James Nicholl's 'Lion Houses'. It is in the Barnes Green Conservation Area, is subject to an Article 4 Direction area and is a designated BTM.
6. The Lion Houses were built between 1899 and 1903 and the lion figures on the property identify the work of Nicholl. The houses mainly fall into three categories and the appeal site is a Category C property described in the Barnes Green Study Conservation Area No. 1 The Lion Houses Conservation Guidance (Lion Houses Guidance) as '*Terraced with two storey rectangular bays surmounted by a shared pediment on central pairs and by a balustrade parapet to the terminal buildings with an exposed-eaves roof link. Slate roofs with built-up party walls*'.
7. The appeal property has a two storey mono-pitched rear wing and has been altered at roof level with the addition of a small box dormer extension on the roof of the rear wing and two pitched roof dormer window extensions on the rear roof plane.
8. Policy CP7 of The Local Development Framework Core Strategy Adopted April 2009 (CS) seeks to maintain and improve the local environment through, among other objectives, requiring all new development to recognise distinctive local character and contribute to creating places of a high architectural and urban design quality. Policy DM DC1 of the Local Development Framework Development Management Plan Adopted November 2011(DMP) supports this general objective and requires new development to be of high architectural and urban design quality based on sustainable design principles. The Council will have regard to a range of matters when assessing the design quality of a proposal, including compatibility with local character, the relationship with existing townscape and frontages, scale, height, massing, proportions and form.
9. Policy DM HD1 relates to conservation areas and states that buildings and other features which make a positive contribution to the character, appearance or significance of the area should be retained. New development should conserve and enhance the character and appearance of the area. Under Policy DM HD3 the Council will seek to ensure and encourage the preservation and enhancement of BTMs and will protect their significance, character and setting through, among other means, requiring alterations and extensions to be based on an accurate understanding of the significance of the heritage asset and respect the architectural character and detailing of the building. This is confirmed in the Supplementary Planning Document Buildings of Townscape Merit Adopted May 2015 (BTM SPD).

10. The proposed single storey rear infill extension would be discreetly situated to the rear of the property between the existing two storey wing and the flank wall of the rear single storey pitched roof side extension on 19 Bellevue Road. The proposed extension would be subservient to the existing property and appropriate in terms of its size, scale, design and materiality. It would be an appropriate addition and would not harm the character and appearance of the BTM and the Conservation Area.
11. The proposed amendments to the rear bay windows and doors would appear to run contrary to the advice contained in the Lion Houses Guidance which considers the retention of original doors and windows to be essential in retaining the character of the houses. However, the proposal are appropriate in terms of their overall design which would match the detail, style and character of the Lion House and be of no detriment to the character and appearance of the BTM and the Conservation Area.
12. Turning to the remainder of the proposal, the rear dormer roof extension would be a full width mansard roof incorporating three dormer windows. This would replace the existing two pitched roof dormer window extensions on the rear roof plane of the property. These existing dormers are in keeping with the design and appearance of the host property, being subservient and relatively minor additions to the roof which do not significantly distort the existing roof form or compromise the overall architectural or historic significance of the house and the wider area. It is clear to me that as traditional dormer features they are consistent with the approach to such developments as set out in the development plan and relevant guidance in the Lion Houses Guidance, BTM SPD and Local Plan Supplementary Planning Document House Extensions and External Alterations May 2015.
13. Although the proposal would introduce a simple new roof form it would be at odds with the existing form of the building and would dominate the rear roof slope and materially alter its overall form. The scale of the addition is excessive given the sensitivity of the building and it would dominate the host property to the detriment of its architectural integrity and its positive contribution to the Conservation Area in which it is situated. Therefore, it would be out of character with the host BTM and the wider Conservation Area.
14. I acknowledge that the proposal would be mostly obscured from public views within Cardigan Road by existing built form, trees and landscaping in the vicinity. However, it would be clearly visible from other properties nearby, including some rear private amenity spaces. Furthermore, as a BTM within the Conservation Area it is significant from an architectural perspective and its unique character and its contribution to the Conservation Area should be conserved and enhanced in line with the development plan.
15. Given the scale of the proposal within the context of the Conservation Area as a whole, I consider that it would cause less than substantial harm to its character and appearance. In accordance with paragraph 134 of the National Planning Policy Framework (the Framework), I must weigh the harm against the public benefits of the proposal.
16. There may be some benefits from the proposal in terms of improving the living conditions of the residents of the property. However, in my opinion the public benefits would be minimal, and insufficient to outweigh the harm identified. I conclude that the development would fail to accord with national policy.

17. In support of the appeal, I have been referred to some other developments. I observed on site that there are many existing dormer and other roof extensions of various forms, designs and sizes in the vicinity of the site and the wider residential area. These do make a contribution to the character of the area, but not necessarily in a positive way. Indeed, some local extensions have been designed and implemented in a way that is harmful to the character and appearance of the Conservation Area and illustrate how poorly designed developments can be harmful.
18. Many nearby extensions were approved under a previous planning policy regime and more recent cases were approved before the most up to date SPDs relating to Buildings of Townscape Merit (May 2015) and House Extensions and Alterations (May 2015). Other cases do not share the same Conservation Area or BTM designations of the appeal property or proposals are materially different to that proposed by the current case. Many are not in the Article 4 Direction Area which is further recognition of the architectural significance of this property and some others in the immediate vicinity.
19. I do not have the full details of the circumstances that led to all other cases or the policies that applied at the time of their consideration. In any case, in spite of other examples put to me, I have determined the appeal on its merits taking account of the current development plan and other material considerations.
20. For these reasons, I conclude that, although the single storey rear side extension and amendments to the rear bay windows and doors would be appropriate, the rear dormer roof extension would harm the character and appearance of the BTM and the Barnes Green Conservation Area. As such it would conflict with the design and heritage provisions of Policy CP7 of the CS Adopted April 2009, Policies DM HD1, DM HD3 and DM DC1 of the DMP, the Local Plan Supplementary Planning Document House Extensions and External Alterations May 2015 (SPD) and the Framework.

Conditions

21. In addition to the standard time limit I have imposed a condition requiring that the development is carried out in accordance with the approved plans as this provides certainty. In order to protect the character and appearance of the host property and the area, generally, I have also imposed a condition requiring details of the materials to be used in the external surfaces to be approved by the local planning authority.

Conclusion

22. For the reasons given above and taking account of all other matters I conclude that this appeal should be allowed insofar as it relates to the single storey rear side extension and amendments to the rear bay windows and doors and dismissed insofar as it relates to the proposed rear dormer roof extension and 1 no. roof light to the front roof slope.

Alastair Phillips

INSPECTOR