

Appeal Decisions

Site visit made on 18 October 2016

by L Fleming BSc (Hons) MRTPI

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

Decision date: 8th November 2016

Appeal Ref: APP/L5810/W/16/3152258

46 Sixth Cross Road, Twickenham, Richmond upon Thames TW2 5PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr & Mrs Sahoo against the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 15/4352/FUL is dated 13 October 2015.
 - The development proposed is Demolition of an existing 3-bedroom bungalow and erection of a new 5-bedroom two storey dwelling (including loft accommodation) with associated landscaping works).
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Appeal Ref: APP/L5810/W/16/3152259

46 Sixth Cross Road, Twickenham, Richmond upon Thames TW2 5PB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr & Mrs Sahoo against the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/0759/FUL is dated 26 February 2016.
 - The development proposed is Demolition of an existing 3-bedroom bungalow and erection of a new 4-bedroom two storey dwelling (including loft accommodation) with associated landscaping works).
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Decision

Appeal A: APP/L5810/W/16/3152258

1. The appeal is dismissed.

Appeal B: APP/L5810/W/16/3152259

2. The appeal is dismissed.

Procedural Matters

3. As set out above there are two appeals on this site. The main differences between the two schemes relate to the overall scale of the dwelling proposed. Whilst I have considered each proposal on its own merits, in order to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
 4. The Council resolved that had it been in a position to determine the applications, it would have refused planning permission in relation to both Appeal A and Appeal B for reasons relating to (1) the effects of the proposed
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development on the character and appearance of the area, (2) the impact on the living conditions of No 44 Sixth Cross Road (No 44) with regard to outlook.

Main Issues

5. I consider that the main issues for both Appeals A and B are the effects of the proposed development on the:
- character and appearance of the area;
 - the living conditions of the occupants of No 44 with particular regard to outlook.

Reasons

Character and appearance

6. The appeal site is a detached bungalow on the corner of Sixth Cross Road and Fielding Avenue. The properties nearby are mainly two storey semi-detached dwellings, set back from the road a similar distance with space between the buildings, giving the area a relatively formal and spacious character and appearance.
7. Both appeal proposals would replace the existing bungalow with a two storey detached dwelling with accommodation in its roof space which would face Sixth Cross Road. I acknowledge both proposals would incorporate features such as a hipped roof and a lean to canopy matching other properties nearby. However, both appeal proposals would incorporate a large front gable detail, which would be much larger than the gable detail of the properties to the west. Furthermore, the proposed gable would be adjacent to No 44 which together with the other properties nearby to the east have relatively modest hipped roofs with no similar gable features.
8. Whilst I acknowledge the roof extensions and gable features of other properties nearby none would be as prominent as the proposed front gable. Thus, I find through its contrast with No 44 the gable facing Sixth Cross Road proposed in both Appeal A and B would be an incongruous feature of the Sixth Cross Road street scene.
9. Moreover, the development proposed in Appeal A would result in the introduction of a significant expanse of the two storey brickwork in the Fielding Avenue frontage and at the entrance to the road. I acknowledge the extension to No 48 Sixth Cross Road. However, the presence of development is not sufficient to justify a development as each case must be considered on its merits. I find the western elevation proposed in Appeal A would result in the introduction of a significant bulk of development, which would dominate the frontage and erode the space at the entrance to Fielding Avenue.
10. With regard to Appeal B, the proposed western elevation would at its closest point to Fielding Avenue be comparable in scale to other properties nearby and stepped away from the road. Thus, in this regard, the development proposed in Appeal B, in my view would maintain sufficient space at the entrance to Fielding Avenue.
11. However, overall for the reasons given, I find the proposed development in both Appeal A and Appeal B would be harmful to the character and appearance of the area and would be in conflict with the development plan and the good

design aims of the National Planning Policy Framework (the Framework) and the Small and Medium Housing Sites Supplementary Planning Document (2006). It would specifically conflict with Policy CP7 of the London Borough of Richmond Upon Thames Local Development Framework Core Strategy (2009) and Policies DM DC1, DM HO1 and DM HO2, of the London Borough of Richmond Upon Thames Local Development Framework Development Management Plan (2011) (DMP) which, taken together, aim to ensure good design and that new development recognises distinctive local character and contributes to creating places of a high architectural and urban design quality.

Living Conditions

12. The dwelling proposed in Appeal A would be set off the shared boundary with No 44 and its rear elevation would only project a small distance beyond the rear elevation of No 44 at two storey level. Whilst, it would also include a relatively large single storey rear projection, this would have a flat roof and would be some distance from the shared boundary.
13. Appeal A would also include the removal of a large outbuilding which is adjacent to the boundary between the appeal site and No 44. Therefore the majority of the shared boundary between the appeal site and No 44 would remain free from any significant structures other than the existing fencing. On this basis, I find the development proposed in Appeal A would not generate any significant feeling of enclosure and thus would not be overbearing when viewed from No 44.
14. However, the dwelling proposed in Appeal B would include a significant single storey rear projection beyond the rear elevation of No 44. Even though this would have a flat roof, it would be significantly taller than the existing boundary fence. Furthermore, whilst the existing outbuilding would be reduced in length, only a small gap between the proposed dwelling and the outbuilding would remain. Thus, the development proposed in Appeal B would result a significant bulk of development relatively close to and long the majority of the length of the appeal site boundary with No 44. In my view, this would generate a feeling of enclosure which would be overbearing when viewed from the rear elevation windows and rear garden of No 44.
15. For these reasons, I find the development proposed in Appeal A would not harm the living conditions of the occupants of No 44 with particular to outlook, whereas the development proposed in Appeal B would be harmful in this regard. Thus, the development proposed in Appeal A would comply with the development plan; specifically Policies DM HO2 and DM DC5 of the DMP which seek ensure new development does not harm the living conditions of nearby residents. For the reasons given the development proposed in Appeal B would be in conflict with the same development plan and specific policies.

Other Matters

16. It is contested whether the proposed developments should make a contribution towards the provision of affordable housing in the area. However, even if I were to find a contribution was required and a completed obligation was before me, the benefit of such would not outweigh the harm I have identified above. Thus, I have not considered this matter any further.

17. I have considered the appellants comments with regard to the Council's handling of the planning applications. However, these are matters which would need to be taken up with the Council. I have assessed both appeals on their planning merits only.
18. I acknowledge that both appeals follow two previous planning applications and I note the attempts to overcome the previous reasons for refusal. However, on the basis of the evidence before me, I have found the development proposed in both Appeal A and Appeal B would harm the character and appearance of the area and the development proposed in Appeal B would be harmful to the living conditions of residents living nearby.

Conclusion

19. For the reasons set out above and having had regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

L Fleming

INSPECTOR