
Appeal Decision

Site visit made on 3 January 2017

by Rory Cridland LLB (Hons), Solicitor

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

Decision date: 10 February 2017

Appeal Ref: APP/L5810/W/16/3157401

44 & 46 Upper Grotto Road, Twickenham TW1 4NF

- 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 John Wykeham against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 16/1557/HOT, dated 21 April 2016, was refused by notice dated 28 June 2016.
 - The development proposed is conversion of the roof space above the existing outrigger to form new bedrooms at Nos 44 and 46 Upper Grotto Road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - (i) the character and appearance of the existing building and the surrounding area; and
 - (ii) the living conditions of occupiers of neighbouring properties with particular regard to outlook and light.

Reasons

Character and appearance

3. The appeal site is located on the north side of Upper Grotto Road, a residential street characterised by a mixture of housing types, many of which benefit from roof conversions. The site itself consists of a pair of semi-detached dwellings that share an outrigger at the rear. This outrigger projects out towards Heath Gardens, a residential cul-de-sac consisting of modest two story dwellings which are set at a right angle to those on Upper Grotto Road. The rear of the appeal occupies a prominent position in Heath Gardens due to its central position at the end of the cul-de-sac.
4. Policy CS7 of the Core Strategy¹ (CS) seeks to ensure that new development recognises distinctive local character and contributes to creating places of a high architectural and urban design quality. It requires proposals to be based on an understanding of the borough's development patterns, features and

¹ London Borough of Richmond Upon Thames Local Development Framework Core Strategy (2009).

views that connect positively with their surroundings in terms of, amongst other things, scale and form. Similarly, Policy DMDC1 of the Development Management Plan² (DMP) requires new development to respect local character and to contribute positively to its surroundings. It sets out a number of criteria against which proposals will be assessed including their scale, massing, proportions and form.

5. The Council is concerned that the proposal would erode the original roof form of the outrigger and result in a harmful and dominating addition to the existing building. Furthermore, it considers the increased bulk would negatively impact on the street scene of Heath Gardens. Those concerns are well founded. The proposal would result in a significant addition to the host property. Its scale would be at odds with that of the existing building and the replacement of the roof of the existing outrigger would materially alter the character of the existing property.
6. Furthermore, while I note that the appellant asserts that the proposal has been designed to be subordinate to the main dwellings, it would nevertheless appear as a third storey, dominating the existing building as well as the roofline when viewed from Heath Gardens. It would introduce an imposing and dominant addition to the street scene, which, in view of its prominent position, would appear in stark contrast to the more modest two storey dwellings located in Heath Gardens. This would fail to respect distinctive local character or contribute positively to the surroundings.
7. The appellant has provided evidence which confirms that certain works to enable the conversion of the roof space are lawful within the meaning of Section 192 of the Town and Country Planning Act 1990. It is argued that these works are sufficiently similar to the appeal proposal that its impact would not be materially different. However, while I accept that it would itself change the character of the rear elevation, the retention of the pitched gable would help ensure that the development appeared subservient to the original building. This, coupled with the stepping in from the eaves would, in my view, be less intrusive both in terms of its impact on the character of the host dwelling and on the street scene of Heath Gardens. I do not therefore consider it provides sufficient reason to justify the development proposed.
8. Consequently, I find the proposal would be harmful to the character of the existing property, would fail to respect distinctive local character and would not contribute positive to its surroundings. As such, it would be contrary to Policies CS7 & DMDC1.

Living conditions

9. The Council has also raised concerns regarding the impact of the proposal on the occupiers of neighbouring Nos 42 & 48, both of which have first floor windows which would face towards the proposed dormers. In particular, it raises concerns regarding the loss of outlook and light to these neighbouring properties.
10. While I note that these windows currently face out towards the first floor of a two storey outrigger, they are small and do not serve habitable rooms. Their overall contribution to the outlook experienced by those who reside there is

² London Borough of Richmond Upon Thames Local Development Framework Development Management Plan (2011).

limited, particularly in view of the fact that the majority of the widows in the rear elevations of those properties face out towards Heath Gardens.

11. Likewise, while I note the concerns of the occupiers of No 42 in relation to light levels, for similar reasons to those set out above, I consider its impact would be minimal and insufficient to have any significant effect on their living conditions.
12. Accordingly, I do not consider the proposal would be harmful to the living conditions of neighbouring occupiers. As such, I find no conflict with CS Policy CS7 or DMP Policy DMDC1 which, amongst other things, seek to maintain appropriate levels of amenity and protect adjoining properties from visual intrusion and loss of light.

Other matters

13. The appellant has drawn my attention to other examples of dormer additions within the immediate area which, it is suggested, are comparable to or have greater impacts than those of the appeal scheme. Even though I do not have full details of these schemes or the policies against which they were considered, I do not consider that any of them are sufficiently similar to the proposed development either in terms of their size, positioning or impact on Heath Gardens so as to act as a justifiable precedent for the development proposed.

Conclusion

14. Although I have found that the proposal would not be harmful to the living conditions of neighbouring occupiers with regard to outlook and light, I have nevertheless found that it would be materially harmful to the character of the existing building and the surrounding area. This would fail to accord with a number of development plan policies.
15. Consequently, for the reasons set out above, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR