

Appeal Decision

Site visit made on 16 August 2017

by G Powys Jones MSc FRTPI

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

Decision date: 31 August 2017

Appeal Ref: APP/L5810/D/17/3173047

16 Orleans Road, Twickenham, Middlesex, TW1 3BL

- 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 Nick Laughland against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 17/0369/HOT, dated 29 January 2017, was refused by notice dated 27 March 2017.
 - The development is the replacement of shed/outbuilding with studio.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement of shed/outbuilding with Studio at 16 Orleans Road, Twickenham, Middlesex, TW1 3BL in accordance with the terms of the application, Ref 17/0369/HOT, dated 29 January 2017, subject to the conditions set out in the attached Schedule.

Preliminary and Procedural Matters

2. In the application form the appellant explains that:

The studio cannot be built without the removal of the shed. This has already been done and a structure has already been built but with significant differences from the approved scheme (The approved scheme is that granted permission on appeal: decision dated 21 November 2013 Ref: APP/L5810/D/13/2206187).

3. Accordingly, the scheme before me differs from that previously granted planning permission on appeal. The corridor linking the main house to the studio has been omitted, and a flat roof design option adopted.
 4. According to the Council, the roof is higher than previously approved in relation to the height of the adjacent boundary fences and it is about 0.3m greater in depth. The appellant says that the garden area was excavated in compensation for the increased height.
 5. The previous appeal decision is material to my considerations, attracting significant weight as part of the recent planning history of the property.
 6. I saw that the studio structure had been substantially completed, although it was covered with a canopy. The appellant, in effect, wishes to retain that already built and to complete the building in accordance with the deposited plans. I shall proceed on this basis.
 7. The site lies within the Twickenham Riverside Conservation Area (CA).
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Main issues

8. The main issues are the effect of the proposed development on the character and appearance of the host property; whether the development would preserve or enhance the character or appearance of the CA, and the effect on neighbouring residents' living conditions with particular reference to outlook and visual impact.

Reasons

Effect on host property and conservation area

9. The appeal property is comprised within a small, attractive terrace of dwellings. All have front gardens, but the spaces to the rear are rather confined, and development in the immediate locality is tightly knit.
10. The Council describes the appeal dwelling as being a Building of Townscape Merit (BTM). The Supplementary Planning Document (SPD) on BTMs sets out, amongst other matters, the criteria for selection, but no specific assessment has been provided as to what the Council regards as the significance of the appeal dwelling.
11. Primarily as a consequence of the visual betterment arising from the omission of the corridor link, the amended scheme, to my mind, despite the small increase in the studio's scale, has far less of an impact on the host property than that previously permitted.
12. I also find, as did the previous Inspector, that the studio, because of its visually sheltered location, would have no material impact on the character and appearance of the CA. At worst, it would have a neutral effect.
13. The extent of the rear amenity space, in view of the omission of the corridor link, would be greater than that previously considered acceptable on appeal.
14. I therefore conclude that the proposed scheme would not harm the character and appearance of the host property or the CA. Accordingly, no material conflict arises with those provisions of policy CP7 of the Council's adopted Core Strategy (CS) and policies DM DC1 & DM HD3 of the Council's Development Management Plan (DMP) that, in combination, require development to be well designed so as to connect positively with their surroundings, to be compatible with local character, and for the setting of BTM to be protected and enhanced.

Living conditions

15. A wall separates the appeal property and others in the terrace from the properties backing-on in Montpelier Row. The wall provides a strong sense of enclosure to the rear of the terrace. Despite its increased height when compared with that originally approved, the studio's roof would be at a lower level than the wall, which would retain its visual dominance.
16. Although, as the Council says, the studio would be higher than the boundary fences either side, it would only be marginally so in my view, and insufficient to cause harm. I consider the removal of the corridor link from the scheme to be beneficial in that there would be a reduced visual impact and increased sense of space in this confined area, particularly when viewed from the upper floor windows of adjacent properties.

17. I conclude that the development would not harm the living conditions of neighbouring residents by reason of visual impact or loss of outlook. Accordingly I find no conflict with those provisions of DMP policy DM DC 5 relating to the neighbourliness of development.

Conditions

18. Since the development has already begun, a condition setting out the statutory commencement date, as suggested by the Council, is unnecessary.
19. The Council also suggests that the external materials to be used shall match those of the existing building. However, the external materials proposed are listed in the application form, albeit sketchily. Nonetheless, a condition relating to materials shall be imposed in the interests of visual amenity.
20. It is necessary, in the interests of certainty, that the development is completed in accordance with the approved plans.

Other matters

21. All other matters raised in the representations have been taken into account, including the points made by neighbouring residents. There is insufficient evidence to convince me that the studio would cause loss of daylight or sunlight. The Council's references to its Guidelines for House Extensions and External Alterations have also been noted. No other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be completed in accordance with the following approved plans: The OS location plan and Drawing Nos. 2013/01 & 2013/03.
2. Unless otherwise specified in the original planning application form, the external materials utilised shall match those of the existing building.