
Appeal Decision

Site visit made on 31 October 2017

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

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

Decision date: 17th November 2017

Appeal Ref: APP/L5810/D/17/3181449

38 Gladstone Avenue, Twickenham, TW2 7PR

- 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 David Myers against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 17/1884/HOT, dated 3 April 2017, was refused by notice dated 23 June 2017.
 - The development proposed is a loft conversion with rear roof extension and dormers to sides/rear.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Appellant has proposed to change the number of frontage rooflights from two to one in response to the Council's concerns. Given the small-scale nature of the amendment, the appeal has been considered on this basis.

Main Issues

3. The main issues are (a) whether the proposal would preserve or enhance the character or appearance of the Rosecroft Gardens Conservation Area, and (b) the living conditions of the occupiers of neighbouring properties, having regard to privacy.

Reasons

Character and appearance

4. The appeal site comprises a detached bungalow within a frontage of similar properties in a development accessed off Chertsey Road (A316). It has a single storey rear extension and lies within the Rosecroft Gardens Conservation Area. Within the Conservation Area, there is an Article 4 Directive removing development rights for household external alterations and extensions.
5. The Council's Rosecroft Gardens Conservation Area 46 Statement (CAS) indicates that the Conservation Area is a distinctive estate of 1930s bungalows. The CAS further indicates that the dwellings are laid out in a tightly constrained triangular plan with Gladstone Avenue and Rosecroft Gardens on the perimeter and Denhurst Gardens at the centre. Based on what I saw on my site visit, bungalows are set behind small wall planted front gardens and low boundary walls. Original bungalows are also of painted render over brick plinths with

- brick surrounds to doorways and linking brick band course. Furthermore, bungalows have curved bays below deeply projecting eaves and plain tile roofs.
6. My attention has been drawn to properties that have been extended with side/rear dormers, rooflights and substantial roof extensions to the rear. Some properties also have had external wall finishes changed and curved bays missing, and new porches added. However, there are also a significant number of properties that have largely retained their original features, especially in the vicinity of the appeal site. On this basis, the distinctive bungalow shapes and architectural detailing are locally distinctive and attractive, and the wider setting of open green spaces, contributes to the quiet suburban character of the estate. It is the historical, architectural and aesthetic qualities that are of significance and importance, and of special interest to the Conservation Area.
 7. The appeal property has a painted/rendered frontage with a recent porch. Although not red coloured, the bungalow has retained a plinth and banding. It has also curved bays and intact pitched roof to the frontage. As such, it still retains many of its original features and contributes positively to the character and appearance of the Conservation Area.
 8. The raising of the roof ridge to the rear would increase the height of an existing flat-roofed area and would still be lower in height than the existing ridge. However, the proposal side and rear dormers would remove the existing bungalow roofscape and symmetry with neighbouring bungalows. By reason of their box-like design and size, the dormers would appear visually obtrusive and out of keeping with sloping nature of the pitched roofs. In respect of the rear dormer, it would be sizeable given its height and depth. As such, the dormers with their flat roofs would be out of character with the original building and would not represent small dormers with flat roofs in conflict with the guidance of Council's House Extensions and External Alterations Supplementary Planning Document 2015.
 9. Although the dormers are to the side and rear, there would be views of the two flank dormers from the street. The rear dormer would not be seen from the street but would be seen from occupiers of the appeal property and neighbouring properties. However, the rear dormer would be harmful in heritage terms when seen from these properties by reason of its poor design. Furthermore, planning for heritage assets is concerned with ensuring their significance are enjoyed by present and future generations which would include both existing and future occupiers of the property and neighbouring properties. Therefore, the lack of public visibility of this dormer would not justify permitting it in this instance.
 10. In conclusion, the proposal would fail to preserve the character and appearance of the Conservation Area for the reasons indicated. Accordingly, the proposal would be contrary to policy CP7 of the Council's Local Development Framework Core Strategy 2009, policies DM HD1 and DM DC1 of the Council's Local Development Framework Development Management Plan (DMP) 2011, which collectively and amongst other matters, protects buildings and areas of recognised high quality and historic interest from inappropriate development, require high quality architectural and urban design quality, and that new development should preserve or enhance the character or appearance of the area.

11. As paragraph 132 of the National Planning Policy Framework (the Framework) makes clear, when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
12. The harm identified above would be less than substantial and it is necessary in line with paragraph 134 of the Framework that the identified harm is weighed against the public benefits of the proposal. There have been no substantive public benefits identified. The harm to the Conservation Area's significance would be considerable for the reasons indicated and applying the balance in paragraph 134, I consider that such harm would be of a scale that would outweigh the scheme's benefits.

Living conditions

13. Each of the side dormers would face onto neighbouring properties. However, they would be obscure glazed and the Appellant has agreed that these can be non-opening. Such requirements could be conditioned and on this basis, the development would not harm the living conditions of the residents of the neighbouring properties by reason of significant loss of privacy. Accordingly, the proposal would comply with policy DM DC 5 of the DMP, which amongst other matters, seeks to protect neighbouring property from unreasonable loss of privacy.

Conclusion

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

Jonathon Parsons

INSPECTOR