



Appeal Decision

Site visit made on 7 June 2019

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th September 2019

Appeal Ref: APP/L5810/W/19/3222349

Second Floor Flat, 12 Marlborough Road, Richmond TW10 6JR

- 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 Mrs Hien Le against the decision of the London Borough of Richmond upon Thames.
 - The application Ref 18/3530/FUL, dated 27 October 2018, was refused by notice dated 19 December 2018.
 - The development proposed is Erection of rear dormer roof extension, installation of rooflight to front and side roofslope.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of rear dormer roof extension, installation of rooflight to front and side roofslope at Second Floor Flat, 12 Marlborough Road, Richmond TW10 6JR in accordance with the terms of the application 18/3530/FUL, dated 27 October 2018 and the plans submitted with it 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: MRL_01, MRL_12 B, MRL_13 B, MRL_15 B, MRL_16B, MRL_17B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The description of development in the heading above has been taken from the Council's decision notice and the appeal form. Part E of the appeal form states that the description of development has not changed from that stated on the planning application form but, nevertheless, a different wording has been entered. Notwithstanding this, based on the evidence presented to me, the original proposal has been amended to reduce the number of proposed dormer windows to one and to insert rooflights to the front and side roofslopes of the appeal site. The Council's decision notice confirms that these amended plans were the subject of their refusal, and the officer's report also confirms that the amendments were received and considered. The description given on the

decision notice accurately reflects these amendments and I have therefore used this description within my decision.

3. The proposal description as amended is clearer and more accurate, but is not the same as that description used by the Council when consulting third parties. Nonetheless, I consider that this amended description would not prejudice the interests of third parties.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host property, also a non-designated heritage asset, and the conservation area.

Reasons

5. The appeal site lies within the St Matthias Conservation Area (CA) and is a locally listed Building of Townscape Merit, a non-designated heritage asset (NDHA). The CA, in its entirety, is a designated heritage asset. The statutory duty within Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, which requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas, applies.
6. The appeal site is the loft space of the building which is split into flatted residential accommodation. The building is four storeys which includes a lower ground floor. This is a late Victorian detached dwelling, constructed of red brickwork with white painted wooden sash windows and stucco features. The rear and sides of the building are constructed of London tan bricks with a slate roof. This building is a variance of a similar theme throughout Marlborough Road and the CA, with the white stucco detailing, London and red bricks with predominantly slate roofs. Most buildings are characterised by their height, similar use of materials and detailing. At the time of my site visit I was able to see the variety of buildings along Marlborough Road and the nearby streets, including more modern developments.
7. Marlborough Road is a residential street with dwellings set back from the road frontage, some with off-road parking. Hedges and trees to the front and rear of dwellings create a sense of openness and space, also adding to the quiet residential character and appearance of the road. The road slopes uphill from Queen's Road as it reaches Richmond Hill. The appeal building forms part of the quiet residential character of the road, in contrast to the more bustling neighbourhood area of Richmond Hill beyond. Travelling along the street, it is clear that some dwellings are retained as single dwellings, whilst others have been split in various ways, including the appeal site.
8. Policy LP1 of the London Borough of Richmond upon Thames Local Plan (adopted July 2018) (the Local Plan) requires new development to be of high architectural and urban design quality. This includes ensuring that development respects, contributes to and enhances the local environmental and character. Policy LP3 of the Local Plan deals more specifically with Designated Heritage Assets, including CAs, expecting development to protect the significance and settings of CAs. Policy LP4 of the Local Plan seeks to preserve and where possible enhance, the significance, character and setting of non-designated heritage assets.

9. The National Planning Policy Framework ('the Framework'), which states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to the conservation of the heritage asset. New development should respond to local character and history, add to the overall quality of the area and be visually attractive as a result of good architecture and landscaping.
10. The Framework is clear that the effect of an application on the significance of a NDHA must be taken into account and that a balanced judgement will be required with regard to the scale of any harm or loss and the significance of the heritage asset.¹
11. The appeal proposal would result in three rooflights; one to the front and one to each of the two sides of the roofslope. These would follow the existing roof slope and would not result in any protrusions beyond this. The hipped roof design and shallow pitch combined with the tall building would make it difficult to easily see these rooflights as seen from the street. Therefore, the insertion rooflights would not cause harm to the character and appearance of the CA.
12. There are varying types of roof treatments and alterations visible from Marlborough Road, including dormer windows, gabled features, hipped roofs and use of parapets. The proposed dormer extension would be located to the rear of the appeal site, located centrally within the existing roofslope. It would not protrude above the main central ridge where the hipped roof slopes meet. The main characteristic features of the building within the CA would be retained and the new extension would be located to the rear. Due to the rear positioning and the height of the building set back from the road, any views of the extension would be glimpses and would not inherently harm the overall character and appearance of the CA or the building.
13. It might be possible to see the development from the garden of the public house to the rear of the appeal site, however this would not harm the overall character of the 'rear streetscene' of Marlborough Road as seen from this location. The addition of the extension within a roof design is not unusual in the area.
14. The St Mattias & Sheen Road Study (1994) (CA Study) identifies the area's special character and also problems and areas for improvements. The CA Study identifies the large Victorian houses, in particular the set back of the dwellings from the road and the character created by the pattern of long back gardens creating a feeling of space between buildings, including mature trees throughout. The addition of the dormer window and the rooflights would not introduce any additional built form which would interrupt this spaciousness, and as such would not harm the character and appearance of the CA.
15. With the above in mind, the characteristics and the appearance of the CA would be preserved as would those of the NDHA. Therefore I find that the proposal would be in accordance with policies LP1, LP3 and LP4 of the Local Plan which seek to conserve the historic environment, including NDHAs and their settings.
16. I find no conflict with the policies found in the Framework, which seek to secure developments which are sympathetic to local character and history, including

¹ Paragraph 197

the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.

Other Matters

17. The Council refers to the House Extensions and External Alterations SPD² and I have had regard to the guidance for dormer windows and there is no conflict with this guidance.
18. I have had regard to a request for obscure glazing to the window facing number 10 Marlborough Road. However, given the amendments of the plans and the proposed style of window being a rooflight, and its angle following the roof I consider that there would be no substantive harm to the occupiers of the neighbouring property from overlooking.

Conditions

19. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. As well as the time limit condition, I have specified the approved plans for certainty. In the interests of the character and appearance of the CA and NDHA, I have imposed a condition requiring that all external facing materials match the existing.

Conclusion

20. For the reasons set out above and subject to the conditions attached, I allow the appeal.

Rebecca Thomas

INSPECTOR

² Local Plan Supplementary Planning Document House Extensions and External Alterations May 2015