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## Appeal Decision

Site visit made on 24 September 2019

**by S Tudhope LLB (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 November 2019**

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**Appeal Ref: APP/L5810/W/19/3229745**

**14A Enmore Gardens, East Sheen, London SW14 8RF**

- 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 Mrs E Saary against the Council of the London Borough of Richmond-upon-Thames.
  - The application Ref 19/0696/HOT, is dated 27 February 2019.
  - The development proposed is hip to gable with rear dormer, roof lights, new bay window, first floor side extension, new garage roof, bay window roof and entry canopy.
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### Decision

1. The appeal is allowed and planning permission is granted for hip to gable with rear dormer, roof lights, new bay window, first floor side extension, new garage roof, bay window roof and entry canopy at 14A Enmore Gardens, East Sheen, London SW14 8RF in accordance with the terms of the application, Ref 19/0696/HOT, dated 27 February 2019, subject to the conditions set out in the attached Schedule.

### Procedural Matter

2. The appeal is against the failure to give notice within the prescribed period of a decision on an application for planning permission. Subsequently a decision notice for refusal of the application was provided but this has no legal status as this appeal had already commenced. The Council's putative reasons for refusal are set out within its appeal statement. I have therefore identified the main issue and carried out my assessment of the proposal based on this material.
3. My attention has been drawn to a previous appeal decision<sup>1</sup> related to this property. However, although the main parties have provided me with a copy of that appeal decision, other than a reproduction of the proposed front elevation contained within the appellant's 'final comments', I have not been provided with any substantive evidence related to that appeal. Whilst I acknowledge the previous Inspector's findings, I have considered the present appeal on the merits of the case and, in any event, I am satisfied from the previous appeal decision letter that the proposal is of a different design. Therefore, as set out in the reasons below, the previous appeal decision does not alter or outweigh my conclusion on the main issue.

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<sup>1</sup> APP/L5810/D/16/3167708

## **Main Issue**

4. The main issue is the impact of the proposal on the character and appearance of the host building and the street scene.

## **Reasons**

5. The appeal property is a two-storey detached house situated within a residential area that consists mainly of two-storey terrace properties. It is positioned between the end of a terrace of two-storey dwellings and a three-storey building, comprised of flats known as Enmore Court. A significant number of the properties within the street have undergone roof alterations, in particular the addition of rear dormers.
6. The Council's adopted Supplementary Planning Document House Extensions and External Alterations 2015 (SPD) provides detailed guidance for undertaking extensions and alterations to private dwellings. It advises that hip to gable extensions are not desirable and will not be encouraged particularly where the roof-scape and space between the buildings are important features of the character of the street, and where there is symmetry with the adjoining semi-detached property or within the terrace in which the building is located.
7. The Council considers that the proposed development conflicts with these requirements of the SPD. They refer to the previous appeal and that Inspector's findings that "...in combination, these extensions would appear disproportionately large in relation to the host building and would visually dominate its rear façade... The considerable scale of the new dormer would also give the completed dwelling an awkward top-heavy appearance even on the enlarged rear roof slope".
8. The Council contend that "the expanse of the new extensions' design will still visually accentuate the mass of the roof" and that "the bulk of the extensions combined also necessitate the incorporation of a crown roof, highlighting the grossly altered original form" resulting in development that detracts from the character of the area. However, unlike the previous dismissed appeal where the two-storey side extension that was proposed would have continued elevations on the same plane as existing, the scheme before me proposes a two-storey side extension that would be stepped in from the boundary above the existing garage, back from the existing front elevation and down from the proposed main ridgeline.
9. The proposal would maintain the existing slope of the roof and the side extension would be subordinate to the original dwelling. The step-ins provided at first and second floor levels and the slight drop in its ridge height would serve to ensure that this element is read as an extension and would maintain an appropriate gap between buildings. Whilst the proposed alterations would substantially alter the appearance of the appeal building, such that its original form would be largely lost, it is not considered by either of the parties that the current form of the building is of particular architectural merit.
10. Further, although the area is varied in its built form, I saw from my site visit that the host building is somewhat at odds with the general street scene because of its hipped roof style. As such, I find that although the hip to gable element of the proposal would not be in strict accordance with the guidance set out in the SPD, the resultant roof form would not be out of keeping with the

established pattern of development and would not therefore harm the character and appearance of the street scene. This is the case even though the hip to gable alteration would produce a crown roof form. I do not consider that this would be an overly prominent feature or appear out of place within its surroundings.

11. By virtue of the introduction of other features seen within the street, such as the addition of a front porch, revised bay windows with gable above, the application of render and the use of brick slips to match the facing bricks of Enmore Court, the appeal building would sit comfortably within its position in the street. The character and appearance of the original building would be altered but I do not consider that this results in harm.
12. Notwithstanding the concerns of the Council in respect of the proposed dormer, I find that it would sit comfortably within the proposed hip to gable extension and that its design, unlike that proposed in the previous appeal, follows the guidance of the SPD for dormers. It would sit below the main ridge line, the height of which is as existing, and would be set in from the sides of the main roof and retain a significant area of existing roof beneath. As such this element would not be a conspicuous or unsympathetic addition.
13. I conclude that whilst the appeal proposal would not be in strict accordance with the guidance set out in the SPD, it would not result in unacceptable harm to the character and appearance of the host building or the street scene. It would therefore comply with the overall design aims of Policy LP1 of the London Borough of Richmond Upon Thames Local Plan 2018. This policy is consistent with the National Planning Policy Framework (the Framework) in seeking to ensure high quality design and, amongst other things, for development to respect the established scale, form, massing and pattern of buildings.

### **Other Matters**

14. The Council considers that the proposed development would not cause harm to the living conditions of the occupiers of neighbouring properties. From the plans before me and what I saw during my visit, I see no reason to disagree.
15. An interested party has requested consideration be given to the application of white render to the whole exterior of the appeal building. They consider that this would lessen the impact that the side wall of the appeal property has on them. They also consider that this would be consistent with the rest of the buildings in the street.
16. The appellant has proposed the use of render from first floor level upwards, and has indicated that a condition, requiring the elevation that faces Enmore Court to be white coloured render, would be acceptable. I consider that the application of render, from first floor level upwards as proposed is satisfactory. As the plans do not specify the colour finish of the proposed render, a condition would be necessary to ensure a white finish to this detail.

### **Conditions**

17. The Council has suggested conditions which I have considered against the advice in the Framework and Planning Practice Guidance. In addition to the standard implementation condition, I have imposed a condition specifying the approved drawings as this provides certainty.

18. Whilst the Council suggested matching materials, I have not imposed a condition to this effect. This is because alternative materials are proposed in order to reflect those used in the vicinity of the site. I find these materials to be acceptable. A condition requiring the approved render to be finished in white is necessary for the avoidance of doubt to ensure that the development has an acceptable appearance in relation to its surroundings.

### **Conclusion**

19. For the above reasons, the appeal should succeed, and planning permission should be granted subject to the specified conditions.

*S Tudhope*

Inspector

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location (OS MAP) A005; Proposed Site / Roof Plan A020; Proposed Ground Floor Plan A021; Proposed First Floor Plan A022; Proposed Second Floor Plan A023; Proposed Elevation East (Front) A030 Rev 1; Proposed Elevation North (Side) A031; Proposed Elevation West (Rear) A032; Proposed Elevation South (Side) A033.
- 3) The render as shown on the approved plans shall be finished in white and thereafter maintained in accordance with this detail.