



Appeal Decisions

Site visit made on 10 January 2020

by Christopher Miell, MPlan, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd January 2020

Appeal A Ref: APP/L5810/D/19/3239014

9 Marsh Farm Road, Twickenham, TW2 6SH

- 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 Martin Leach against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref: 19/1798/HOT dated 7 June 2019, was refused by notice dated 22 July 2019.
 - The development proposed is described as 'side extension over existing yard area with roof dormer and boundary treatment. This application is exactly the same as 19/1051/HOT, granted May 2019, with the addition of a roof dormer'.
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Appeal B Ref: APP/L5810/D/19/3241155

9 Marsh Farm Road, Twickenham, Middlesex, TW2 6SH

- 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 Martin Leach against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref: 19/2668/HOT dated 22 August 2019, was refused by notice dated 25 September 2019.
 - The development proposed is described as 'side extension over existing yard, boundary treatment (as granted 22.05.2019, 19/1051/HOT) with addition of roof dormer'.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matters

3. In respect of Appeal B, the appellant has submitted a set of 3D drawings which show the intended appearance of the proposed development. As the submitted drawings are for illustrative purposes and they do not evolve the scheme beyond which people's views were sought in respect of the planning application, I am satisfied that neither the Council nor any other appeal party would be prejudiced by my determination of the appeal on that basis.

Main Issue

4. The main issue in both appeals is the effect of the development upon the character and appearance of the area.

Reasons

5. The appeal site is occupied by a semi-detached dwelling with a gated yard to the side and rear of the property. The property is predominately two-storey in scale. However, to the rear of the building there is a large flat roof dormer window, which provides second floor accommodation. The existing dormer window is not readily visible from Marsh Farm Road. As such, when viewed from the street, the existing property appears two-storey in scale with a gable ended side elevation.
6. The surrounding area has an urban residential character and within the immediate vicinity of the appeal site, residential properties are aligned along only one side of Marsh Farm Road, with a railway line and associated embankment and security fencing on the other side of the road. Within the immediate locality the properties are predominately two-storey in scale with hipped or gable roof forms.
7. There are a variety of detached, semi-detached and terraced dwellings from several architectural periods present within the street, with the design of the most recent properties typically based on traditional styles. Whilst there are differing architectural styles present within the street, the consistent two-storey scale of the dwellings and the use of traditional materials, such as brick, results in a design balance and symmetry which contributes positively to the character and appearance of the area.
8. Planning permission¹ was granted by the Council in May 2019 for the erection of a side extension at first floor level over part of the existing yard area at the appeal site. The permission includes alterations to the existing boundary treatments. Whilst the recent planning permission does not appear to have been implemented, it remains extant and given that the appellant wishes to provide additional living accommodation at the appeal site, I am satisfied that there is a greater than theoretical possibility of this fallback option being implemented.
9. Both cases propose the same side extension and changes to the existing boundary treatments as per the extant permission. However, both cases propose the construction of a side/rear dormer window above the first floor of the approved side extension, which would provide additional habitable accommodation. The design and appearance of the proposed dormer window differs in respect of Appeal A and Appeal B.
10. In respect of both cases, the Council have confirmed that they have no concerns with the side extension and changes to the existing boundary treatments, but they dispute the acceptability of the proposed dormer window. For the avoidance of doubt, I have therefore determined the respective appeals on this basis.
11. In respect of Appeal A, due to the size and positioning of the proposed dormer window, which would broadly align with the ridgeline of the proposed extension and occupy a large proportion of the side facing roof slope, I consider that the proposal would appear as a prominent and intrusive structure within the local roofscape when viewed from Marsh Farm Road. Furthermore, due to the predominately flat roof nature of the proposed dormer window, which would be

¹ Council Ref: 19/1051/HOT

- readily perceived due to the design and appearance of the side facing section of the proposal, it would have a stark and jarring appearance when viewed from Marsh Farm Road in the context of the extended host building and nearby buildings, which predominately have traditional hipped and/or gable roof forms and typically do not feature dormer windows to the front or side roof slopes.
12. In respect of Appeal B, whilst the reduction in the overall height and length of the proposed dormer, and, the introduction of a hipped roof form and tile hanging on the side facing section would lessen the harm, I consider that the proposed dormer window would appear as a prominent and intrusive structure within the local roofscape. As such, these alterations would not reduce the impact of the proposal to a significant degree as to remove the harm I have already identified in respect of Appeal A.
 13. Given the above, in respect of Appeal A and Appeal B, I conclude that the proposed dormer window would be an unsympathetic addition to the approved side extension, which would unacceptably diminish the architectural integrity of the host building and cause significant harm to the character and appearance of the area.
 14. In respect of both cases, the appellant argues that only glimpse views of the proposed dormer window would be visible from Marsh Farm Road. However, owing to the size of the gap between the proposed side extension and the neighbouring property, known as No 8A Marsh Road, I consider that the proposed dormer window would be readily visible from the street, especially when viewed from the section of the road outside No. 8A. As such, I am not persuaded by the appellant's assessment.
 15. The appellant points out that there are several properties with dormer windows that are visible from the street within the local area, and that such forms of development have a minimal impact on the architectural integrity of the host building and the character and appearance of the area. Whilst this may or may not be the case, I am not aware of the particular circumstances in relation to those cases. In any event, I note that most of the developments are located a considerable distance away from the appeal site, and such development is not seen in the context of the appeal site and does not therefore contribute directly to the distinctiveness of the local area.
 16. The appellant has drawn my attention to a previous appeal decision² at the site, which related to the erection of a side extension at first and second floor levels over part of the existing yard and included a rear dormer window. The appeal was dismissed with the Inspector finding that the proposal would cause significant harm to the character and appearance of the area. Notwithstanding the Inspector's overall conclusion, the Inspector found that the rear dormer element of the scheme was acceptable.
 17. The appellant argues that the proposed dormer window under Appeal B is 'substantially smaller' than the previous proposal considered by the Inspector. However, the previous proposal related to a rear dormer window which would not have been readily visible from the street, whereas the current proposal relates to a side and rear dormer, which, for the reasons identified above, would be seen from the street. As such, the respective proposals are not directly comparable, and, in any event, I have determined these appeals on

² Appeal Ref: APP/L5810/D/17/3173758

their individual planning merits. In addition, I note that the previous appeal decision appears to predate the adopted London Borough of Richmond Upon Thames Local Plan (July 2018) (the 'LP').

18. For the reasons set out above, I conclude that the dormer window proposed under Appeal A and Appeal B would unacceptably diminish the architectural integrity of the host building and cause significant harm to the character and appearance of the area. As such, the respective proposals would not accord with Policy LP1 of the LP, which requires new development to contribute positively to the character and appearance of the area through high quality design.
19. In addition, the respective proposals would not accord with the design guidance for roof extensions set out within the Local Plan House Extensions and External Alterations Supplementary Planning Document (May 2015), which amongst other things requires the design of dormer windows to be sensitive to the existing character.
20. Owing to its side and rear yard, the appeal site differs from the surrounding urban residential context. To this regard, the appellant contends that there ought to be some flexibility when assessing the proposal against the development plan. Whilst I acknowledge the unique nature of the appeal site, I have assessed both appeals on their individual planning merits and identified harm for the reasons given. As such, this is not a determinative point in these appeals.

Other Matters

21. The proposal would provide additional living accommodation, which would improve the existing living conditions for the appellant and future occupiers. However, such benefits would not be significant enough to alter or outweigh my conclusions on the main issue.

Conclusion

22. For the reasons given above, and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

Christopher Miell

INSPECTOR