



Appeal Decision

Site visit made on 10 February 2020 by Ben Phillips Bsc Msc

Decision by Zoe Raygen Dip URP MRTPI

An appointed by the Secretary of State

Decision date: 26th March 2020

Appeal Ref: APP/L5810/D/19/3240907

38 Grosvenor Road, Twickenham TW1 4AE

- 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 Jonathan Scriven against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 19/1967/HOT, dated 24 June 2019, was refused by notice dated 20 August 2019.
 - The development proposed is described as a single storey, part two storey rear extension.
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Decision

1. The appeal is allowed, and planning permission is granted for the single storey, part two storey rear extension at 38 Grosvenor Road, Twickenham TW1 4AE in accordance with the terms of the application, Ref 19/1967/HOT dated 24 June 2019, subject to the following condition:
 - 1) The development hereby permitted shall begin no 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: 1938/1B, Location Plan
 - 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.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - the effect of the development on the living conditions of the occupiers of 40 Grosvenor Road having particular regard to outlook; and,
 - the effect of the development on the character and appearance of the building and terrace, and whether the development would preserve or enhance the character or appearance of the Queens Road Twickenham Conservation Area.

Reasons for Recommendation

Effect on Living Conditions

4. The proposed first floor element of the rear extension sits on the boundary with No 40. This neighbour has its sole first floor window set away from this boundary on its southern side, indeed the plans show that the proposed extension would not breach a 45 degree line when drawn from the centre of this window. This is not contested by Council and illustrates the limited impact of the proposed extension in terms of sunlight and daylight.
5. The limited depth of the extension and the distance from this window means it would only be visible in oblique views and therefore would not lead to a sense of enclosure. It is unlikely to make the rear bedroom less pleasant to use as a result. It follows that no harm to the living conditions of the occupiers of No 40 would result. Furthermore, the effect of the proposed extension upon the outlook from this room would be similar to that resulting from the first-floor rear projection of its southern adjoining neighbour, No 42.
6. The single storey element of the proposed extension will sit next to the existing ground floor projections of both adjacent neighbours, Nos 36 and 40 Grosvenor Road. Given its limited height and additional depth over the existing extension, there would be no detrimental impact upon the living conditions of either neighbour.
7. With regards to remaining garden space, the Supplementary Planning Document (SPD) 'House Extensions and External Alterations' (2015) requires the retention of usable open space. Given the extension mainly infills the side of an existing rear projection and only extends 1m into the rear, the majority of usable open space is retained.
8. I conclude therefore that the proposal would not adversely affect living conditions including the outlook from the rear of No 40. There would therefore be no conflict with Policy LP8 of the London Borough of Richmond Upon Thames Local Plan 2018 (LP) and the Council's SPD House Extensions and External Extensions (2015), which collectively seek to protect the living conditions of adjoining occupiers.

Character and Appearance

9. The appeal site is a terraced dwelling located within the Queens Road Twickenham Conservation Area (CA). The CA is located close to Twickenham train station, west of London Road and its significance is largely derived from the quality of its traditional buildings, including attractive terraces, many of which are unaltered.
10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas and the guidance contained within the National Planning Policy Framework (the Framework) states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and that great weight should be given to the asset's conservation.
11. In addition, the terrace of properties which includes the appeal property (Nos 30 – 44) are designated as a Building of Townscape Merit (BTM) and as such

are considered non-designated heritage assets, contributing positively to the character and appearance of the CA.

12. No particular information is provided with regards to this particular BTM, however it is clear that its significance is largely derived from the frontage of the terrace, which is uniform and historic, and therefore forms a distinctive and cohesive group of buildings. The rear elevations, however, have clearly been altered over time and include some visible variety, with some first floor projections, a rear dormer and a number of single storey projections of similar depth but differing width and heights.
13. The plans show that the proposed single storey rear extension would add approximately 1m in depth to the existing rear projection whilst extending it to the full width of the plot. While therefore it would extend beyond the general length of the rear extent of the terrace, the minor additional built form would have a very limited impact on the character and appearance of the property. Consequently, this together with the restricted scale of the first floor element means the proposed extensions would remain subservient and in keeping with the original property and would not prevent its original form being appreciated.
14. Given the visual variety apparent within the rear elevations of the terrace, there is no particularly strong continuity or consistency of built form on this elevation which contributes to its wider character and appearance, in contrast to the frontage which would be retained as existing. It is this frontage which provides the terrace with its architectural merit, and given the proposed development is limited in scale and in keeping with the existing character, the development would not detract from the wider terrace, BTM or CA, thereby causing no material harm to the significance of the heritage assets.
15. The Council also raises the issue of the limited remaining garden space as a consequence of the additional length of rear projection with regards to character and appearance. Given the limited additional depth of the proposed extension, the remaining garden space would appear to be comparable to the neighbouring properties and would not therefore detract from the character and appearance of the property or terrace.
16. In light of the foregoing, I conclude that the proposed extension would be in keeping with the existing character and appearance of the existing property and wider terrace, and would preserve the character and appearance of the CA. There is therefore no conflict with LP Policies LP1, LP3 and LP4, which seek, amongst other things, to ensure that development proposals are of a high standard of design, that the scale and form of extensions should respect or complement those of the host dwelling, that the character or appearance of the CA is preserved or enhanced and that development retain the features of the BTM's which contribute to its architectural integrity and historic interest. The proposal would also comply with the further advice set out in the SPD 'House Extensions and External Alterations' (2015) which requires development to be subordinate and harmonise with the original appearance

Conditions

17. The standard conditions relating to the start date and approved plans are considered necessary in the interest of clarity. In addition, a condition requiring the external materials to match the existing building is considered necessary to ensure that the development is in keeping visually with the existing dwelling

and terrace. Finally, the Council recommend a condition removing permitted development rights for use of the use of the roof of the single storey extension as a balcony or terrace nor shall any access be formed thereto.

18. Paragraph 200 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification for doing so, and the Planning Practice Guidance advises that conditions restricting the future use of permitted development rights should only be used in exceptional circumstances. There is no suggestion that the roof of the single storey projection would be used in this way and the Council have not provided this clear justification and as such the suggested condition removing permitted development rights is not considered necessary.

Recommendation

19. For the above reasons and having regard to all other matters raised, I recommend that the appeal should be allowed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Zoe Raygen

INSPECTOR