
Appeal Decision

Site visit made on 15 September 2020

by Martin Small, BA (Hons), BPI, DipCM, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th September 2020

Appeal Ref: APP/L5810/D/3255762

82 Second Cross Road, Twickenham, TW2 5RA

- 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 M Miller against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref: 20/0387/HOT dated 10 February 2020, was refused by notice dated 1 June 2020.
 - The development proposed is first floor rear extension. Replacement roof with roof lights to existing side extension (porch).
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension and replacement roof with roof lights to existing side extension (porch) at 82 Second Cross Road, Twickenham, TW2 5RA in accordance with the terms of the application, Ref: 20/0387/HOT dated 10 February 2020, subject to the following 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 approved drawings: FLU.971.01-A, FLU.971.02-A, FLU.971.03-A, FLU.971.04-I, FLU.971.05-J and FLU.971.06-I.
 - 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 dwelling.

Main Issues

2. The Council's decision notice has a single reason for refusal relating to character and appearance. However, the Planning Report also refers to the effect of the proposal on the living conditions of the occupiers of 84 Second Cross Road (No. 84).
3. I therefore consider there to be two main issues in this appeal; the effect of the proposed development on:
 - i) the character and appearance of the host property, the area and the street scene; and
 - ii) the living conditions of the occupiers of No 84 in respect of outlook.

Reasons

Character and appearance

4. Second Cross Road is a mature residential street with predominantly modest 2-storey terraced and semi-detached dwellings to the south-west side and south-eastern end of the other side of the road set back from the road with small front gardens or hard standings. The dwellings vary in design and appearance with a mixture of gabled and hipped roofs. The gaps between the terraces break up the built development but vary in width, resulting in an irregular pattern of development along the south-west side of the road and an overall feeling of enclosure on this side. The north-western end of the north-east side of the road comprises the rear elevations and boundaries of properties on Chestnut Road, some of which have rear roof extensions.
5. The appeal property (No. 82) forms one end of a terrace of three dwellings with a common hipped roof and is separated from its neighbour to the north-west, No 84, by a narrow gap, partially infilled at ground floor level by a single-storey side extension. There is a large single-storey extension to the rear extending across the full width of the relatively long and narrow rear garden.
6. The proposed first floor extension would extend across the full width of the existing single-storey extension but not its full depth. In combination with the existing extension it would represent a substantial addition to the original modest dwelling. However, the ridgeline of the proposed extension would be below that of the main dwelling and its depth would be less than that of the main dwelling or the existing extension. I do not consider therefore that it would represent 'gross overdevelopment' of No. 82 nor, given the length of the rear garden, of the plot as a whole.
7. The hip and pitch of the roof of the proposed extension would reflect that of the host dwelling. The juxtaposition of the roofs of the main dwelling and of the extension would be somewhat awkward, but this juxtaposition would be hidden in direct side-on views by No. 84 and would not be readily apparent from either the street or the rear of No. 82. The full width of the proposed extension across the existing extension would give it a coherent appearance. It would thus not detract significantly from the appearance of the appeal property.
8. The proposed extension would extend beyond the existing first floor side wall of No. 82, filling the narrow gap between it and No. 84. However, it would be set back from the front of No. 82 and thus would only be apparent from the street when directly opposite the property. The extension would have the same roof pitch as the existing dwelling and with its lower ridgeline and being set back, it would appear subservient to the original dwelling as viewed from the street. In views along Second Cross Road, there would be no effect on the street scene as the gap between No. 82 and No. 84 would be no less visible. Consequently, the proposal would have a very limited effect on the street scene overall.
9. The majority of the proposed extension would, in fact, not be visible from the public realm. Although it would be visible to an extent in private views from nearby properties, I observed during my site visit that there is a range of rear extensions to properties in the vicinity of No. 82 varying in size and appearance. These include a first-floor extension to No. 84 comprising a flat-roofed element set in from the boundary with the appeal property and a

smaller glazed element within this set-back facing No. 82. There is thus no consistency of appearance or form to the rear elevations.

10. Although other first-floor rear extensions in the vicinity of the appeal property appear to have flat roofs, pitched and hipped roofs are common roof forms in the area. The proposed extension would therefore not be particularly incongruous and so would not have a materially harmful effect on the character or appearance of the area.
11. I therefore conclude that the proposed development would not be materially harmful to the character and appearance of the host property or of the area or to the street scene. Accordingly, the proposal would not harmfully conflict in this respect with Policy LP1 of the London Borough of Richmond upon Thames Local Plan (2018) (the Local Plan), which requires all development to be of high architectural and urban design quality.
12. The proposal would not fully accord with the House Extensions and External Alterations Supplementary Planning Guidance (2015) (the SPG) in that the proposed and existing extension would be greater than half the width of the original building, but this is guidance rather than policy and I cannot give it the same weight as a development plan policy. I find no conflict in this respect with Section 12 'Achieving well-designed places' of the National Planning Policy Framework (the Framework).

Living conditions

13. It appears that the proposed extension would be at least partially directly opposite the glazed element of the existing first-floor extension at No. 84. The proposal would therefore partially obstruct the outlook from the side elevation of this element facing No. 82. However, even if the proposed extension was to extend the full extent of the side elevation of the glazed feature, from my observations on the site, the height to the eaves of the proposed extension would not be significantly higher than that of the glazed feature with the roof sloping away.
14. Furthermore, the outlook from the other elevation of the glazed element and from the large window in the rear elevation of the main first-floor extension to No. 84 down the garden of that property would not be significantly or at all affected by the proposal. The proposed extension would not, therefore, be unduly overbearing or have an unacceptable sense of enclosure.
15. I therefore conclude that the proposed development would not have an unacceptably adverse effect on the living conditions of the occupiers of No. 84. Consequently, the proposal would accord in this respect with Policy LP8 of the Local Plan and with the SPG which seek to protect the living conditions of the occupiers of existing properties.

Other Matters

16. I note the considerations raised by the occupiers of No. 84, including potential damage to that property. However, these matters have not been determinative in this appeal.

Conditions

17. In addition to the standard time limit for commencement, the Council has suggested conditions requiring compliance with the approved plans and requiring materials to match those of the existing dwelling were the appeal to be allowed. I consider these to be necessary for the avoidance of doubt and in the interests of the character and appearance of the host property and wider area.
18. I see no need for a condition requiring measures to protect the glazed first-floor element of No. 84 during construction as put forward by the occupiers of that property. Any potential damage does not relate to the planning merits of the proposal and is a legal matter outside my jurisdiction and the scope of this appeal. A restriction on working hours is not justified given the limited scale of the development and construction period. Such conditions would therefore not meet the tests of paragraph 55 of the Framework.

Conclusion

19. For the reasons given above, and having had regard to the other matters raised, the appeal is allowed, and planning permission is granted subject to conditions.

Martin Small

INSPECTOR