



Appeal Decision

Site Visit made on 21 September 2020

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 October 2020

Appeal Ref: APP/L5810/D/20/3255391
31 Riverdale Gardens, Twickenham TW1 2BX

- 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 Ian Fitzgerald & Kristin Ruud against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref 20/0449/HOT, dated 14 February 2020, was refused by notice dated 27 April 2020.
 - The development proposed is a front extension including new porch to facilitate conversion of existing integral garage to habitable floorspace, single-storey rear extension to rear, replacement roof incorporating 2 x hip to gable roof extensions, rear dormer roof extension, 4 rooflights on front roof slope and roof terrace.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the area
 - The living conditions of the occupiers of nearby properties, with particular regard to overlooking and loss of privacy

Reasons

Character and Appearance

3. The appeal development is located in a residential area containing a range of different dwelling types and designs, including large, garden-fronted detached and semi-detached dwellings, together with apartments and a residential institution. The street contains a number of mature trees and many of the gardens are maturely landscaped to the front and rear.
4. The appeal building is located towards the northeastern end of Riverdale Gardens, close to its intersection with Duck's Walk, just a short distance from the river Thames. At this end of the street the predominant style of the dwellings is mock-Tudor and many of the dwellings have been extended or altered since their construction.
5. No 31 is a traditional, detached dwelling with a bay feature at the front and an integral garage, constructed in the early 20th century. It has a prominent hipped-roof, with rooftiles on the front elevation at first floor level, giving it a

- singular appearance on the street and adding to the character of the area. The property has a small front garden and a much larger garden to the rear, which contains a contemporary single-storey annex at the far end.
6. The largely unaltered existing building has a positive effect on the character and appearance of the area. However, the proposed development would entail significant changes to its appearance and consequently to the local townscape.
 7. The proposed porch and associated works to convert the garage would extend the dwelling forwards to the same plane as the front of the existing bay-feature at ground floor level; the first floor tile cladding would also be removed. However, these works would not cause unacceptable harm to the character and appearance of the area.
 8. The rear garden of the property is around one metre lower than the ground floor level in the dwelling, with steps down from a small patio area to the lawn. A substantial, flat-roofed, single-storey extension would project across the full width of the dwelling with two paths providing access on either side. Due to the change in ground levels, the scale and massing of the proposed extension would be greater than what would normally be expected from a single-storey extension, but not harmfully so in this case.
 9. However, the hip-to-gable roof extensions would substantially increase the massing of the roof, reducing the space between the next door dwellings at roof level considerably. From the front, it would be particularly noticeable by No 33 given its gable ended roof, but also by No 29, which has a half-hipped side roof extension.
 10. The addition of four rooflights to the front roof slope would also be a noticeable and somewhat unsympathetic feature. Not all of the rooflights would align with the existing fenestration of the building. Whilst there are examples of irregularly positioned rooflights elsewhere along Riverdale Gardens, they do not make a positive contribution to the character and appearance of the area.
 11. At the rear, the increased massing of the roof caused by the hip-to-gable extensions would be compounded by the substantial dormer extension that would project from it. The proposed dormer would be positioned just below the height of the roof ridgeline and just above the eaves. It would extend across most of the rear roofslope, with two full-height, double dormer windows with Juliet balconies facing over the rear garden. A small terraced area would be located towards the southwest, bounded by a 1.6 metre high obscured glass screen on the side by No 29, with a lower railing to the rear.
 12. Many of the dwellings on Riverdale Gardens have been extended and altered in the past, including both of the next door, semi-detached dwellings. No 33 to the north has a rear dormer window and a part 2-storey, part single-storey rear extension, whilst No 29 to the south has a somewhat smaller rear dormer extension and a single storey outbuilding by the boundary with No 31.
 13. The proposed development would have a greater visual coherence than its next door neighbours in views from the rear, and I also note the appellant's comments regarding the more effective use of the building and its thermal performance.
 14. Nevertheless, the proposed works at roof level would significantly and adversely affect the appearance of the building. The increased massing of the

roof as a result of the hip-to-gable extensions and the rear dormer extension, would be disproportionate and incongruous on this detached dwelling, the width of which would not be changed. The existing spaces between the dwellings would be eroded at roof level and the cumulative impact of the works to the roof would be detrimental to the character and appearance of both the building and the wider townscape.

15. For these reasons the proposed development would adversely affect the character and appearance of the area. It would, therefore, conflict with Policy LP1 (local character and design quality) of the Richmond upon Thames Local Plan July 2018 (RLP).

Living Conditions

16. The appeal dwelling is located in a residential street where a degree of reciprocal overlooking of rear amenity spaces is unavoidable. The rear elevation of the appeal dwelling is set back a short distance from the rear elevation of No 29 and set forward a similar distance from the main rear elevation of No 33.
17. The proposed development would introduce two Juliet balconies to the rear at first floor level, where currently there are only windows; the proposed rear dormer extension would introduce two full-height dormer windows with Juliet balconies, as well as a small terrace on the southwestern side of the dwelling by No 29.
18. The appeal property has a large and well landscaped rear garden with a single storey annex building at the end. The length of the garden means that there would not be significant overlooking of the back elevations of the dwellings to the rear, which face onto Park House Gardens, or their back gardens.
19. The proposed first floor Juliet balconies would slightly increase the potential for overlooking of the rear gardens of the next door dwellings, in comparison with the existing windows. However, this would not result in harmful overlooking or loss of privacy. The impact would also be generally similar to that seen from the next door dwellings towards the rear garden of the appeal dwelling.
20. However, the end of the proposed dormer extension would occupy a similar plane to the first floor elevation beneath it but would be significantly higher. Consequently, the northernmost Juliet balcony in the proposed dormer, as well as the small terrace area, would significantly increase the likelihood of overlooking of the rear private amenity spaces of the next door properties. The 1.6 metre high obscured glazed panel is slightly lower than what would normally be expected¹ and in any event, would not prevent overlooking from over the rear balcony of the terrace.
21. Both of the next door dwellings have rear dormer extensions. However, the potential for reciprocal overlooking from these dormers would be much less. The rear dormer at No 29 has no balcony and is set back some distance from the boundary with No 31. The rear dormer at No 33 is positioned closer to the boundary with No 31 but is set back from its rear elevation. Furthermore, the nearest transparent window in the dormer at No 33 is set back from the boundary with the appeal dwelling.

¹ Such as with regard to Schedule 2, Part 1, Class B, paragraph B.2.c) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

22. Notwithstanding the fencing and mature planting along parts of the boundaries, and the positions of Nos 29, 31 and 33, relative to each other, the height and position of the proposed dormer extension / terrace would considerably increase the chance of overlooking occurring with a consequent loss of privacy.
23. I note the list of properties that the appellant states have loft level Juliet balconies; a roof terrace; and, a first floor balcony², in the vicinity of the appeal site. I did not see such a Juliet balcony at 33 Riverdale Gardens when I visited the area. In any event, each proposal should be determined on its own merits, which is what I have done in this case, as set out above.
24. For these reasons the proposed development would adversely affect the living conditions of the occupiers of nearby properties, with particular regard to overlooking and loss of privacy. It would, therefore, conflict with Policy LP8 (amenity and living conditions) of the RLP.

Other Matters

25. There is some dispute as to whether the proposed development would entail raising the roof ridgeline. Regardless of whether the ridgeline is raised or not, the difference in appearance would be marginal, and in this case, not significant in terms of my decision.
26. I note the appellant's comments regarding what they perceive to be unfair treatment from the Council as a result of lobbying from local residents. This has had no bearing on my decision.

Conclusion

27. For the reasons given above, and taking into account all matters raised, I conclude that the appeal is dismissed.

Andrew Parkin

INSPECTOR

² Nos 33, 25 and 17 Riverdale Gardens; 21 Riverdale Gardens; and, property at the junction of Duck's Walk and Riverdale Gardens.