

Appeal Decision

Site visit made on 23 March 2021

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2021.

Appeal Ref: APP/L5810/D/20/3264509
31A Montague Road, Richmond TW10 6QJ

- 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 Ms Caroline Baillie against the decision of the London Borough of Richmond upon Thames Council.
 - The application Ref 20/2170/HOT, dated 20 July 2020, was refused by notice dated 15 September 2020.
 - The development proposed is for a hip to gable and rear dormer roof extension, additional rooflight on front roof slope and addition of new window to side elevation (south east) at ground floor level.
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Decision

1. The appeal is allowed and planning permission is granted for a hip to gable and rear dormer roof extension, additional rooflight on front roof slope and addition of new window to side elevation (south east) at ground floor level at 31A Montague Road, Richmond TW10 6QJ, in accordance with the terms of the application Ref. 20/2170/HOT, dated 20 July 2020, subject to the conditions set out below:
 1. The development to which this permission relates must be commenced not later than three years from the date of this permission.
 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans: 1909/1A, 1909/2B, 1909/3A, 1909/10 and 1909/11.
 3. No new external finishes (including fenestration) shall be carried out other than in materials to match the existing building, unless otherwise agreed in writing by the local planning authority.
 4. The proposed third floor window in the side elevation of the extension hereby approved shall at no time be openable or glazed, other than in obscured glass, below a minimum height of 1.7m above the relevant floor level.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the host dwelling and whether the proposal would preserve or enhance the character or appearance of the St. Matthias Conservation Area.

Reasons

3. The appeal site comprises a modern semi-detached infill dwelling located within the St. Matthias Conservation Area, with the immediate vicinity generally comprising well conserved four storey town houses which include accommodation within their roof voids. There are a multitude of dormer roof extensions of various designs and scales that have been constructed on nearby properties, including those fronting Onslow Road to the north east.
4. I note that as a matter of principle the Council does not object to a roof extension on the appeal property, and has previously approved a scheme with a pair of rear dormers, pursuant to planning application Ref. 19/3912/HOT. The only difference between the extant approval and the proposal that is before me is the inclusion of a Mansard roof extension between the 2nd dormers.
5. The Council's House Extensions and External Alterations SPD states that dormers should be of an appropriate scale and should not dominate the original roof. Respectfully, the provision of a hip to gable extension with the previously approved dormers would substantially change the roof form of the host dwelling and unbalance the pair of semi-detached dwellings of which it forms part. Therefore in the grand scheme of things, I consider that the Mansard roof infill between the dormers would not have a significantly greater visual impact upon the appearance of no31A.
6. By virtue of the back-to-back distances and the fact that the Mansard roof would be located high up on this four storey building, views of it from the immediate rear garden scene would be reasonably oblique, and in many cases quite distant. Consequently I find that no demonstrable harm would be caused by the Mansard roof link to the appearance, form and proportion of the host dwelling; and that the proposal would preserve the character and appearance of the Conservation Area as a whole.
7. Whilst the proposal may not comply with the strict letter of the SPD, I find no conflict between the proposal and Policies LP1 and LP3 of the London Borough of Richmond upon Thames Local Plan (2018) which require all development to be of high architectural and urban design quality whilst conserving and, wherever possible, take opportunities to make a positive contribution to the historic environment of the Borough.

Conclusion and Conditions

8. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
9. Other than the standard time limit condition, the Council recommends that conditions are imposed that require the development to be carried out in accordance with the approved plans and that materials used in the construction of the roof extensions match those existing. I consider that in the interests of the character and appearance of the area that these conditions are necessary. Furthermore, the Council also suggests that a further condition be imposed which requires the proposed third floor window in the side elevation of the extension to be obscurely glazed and non-openable below a height of 1.7m above the internal floor level. I consider that this is an appropriate condition to protect the living conditions of neighbouring residents.

10. However, the Council's suggested fifth condition regarding emissions from non-road mobile machinery is an additional condition to that imposed upon the previous approval and their reason for imposing this is vague. Therefore, I find that bearing in mind the limited scale of the development, that this condition is neither necessary or reasonable.

C J Tivey

INSPECTOR