



Appeal Decision

Site visit made on 21 April 2021

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2021

Appeal Ref: APP/L5810/D/20/3260053

5 Abercorn Mews, Richmond London TW10 6BY

- 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 Dr Vanessa Ginn against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 20/1770/HOT dated 19/06/2020, was refused by notice dated 18 August 2020.
 - The development proposed is replacement French door to rear dormer rear extension and installation of a glazed balcony screen to roof of outrigger to facilitate use of roof to outrigger as roof terraced.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council altered the description of development, this is also the description used by the Appellant on the appeal form. I consider this to be a more accurate description of the appeal proposal, accordingly I have adopted an amended description in the heading above.
3. I observed during my site visit that works had commenced on the proposed development, the French door opening outwards and decking on the roof of the outrigger were in place, however the glazed balcony screen was not installed.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the St Matthias Conservation Area; and (ii) the living conditions of the occupiers of neighbouring properties.

Reasons

Character and Appearance

5. The site is within a residential area and comprises an end terrace property of a relatively new development. The site is located within the St Matthias Conservation Area.
6. In accordance with the statutory duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990; I am required to have special regard to the effect of the proposed development on the character or

appearance of the area. The Conservation Area, in the immediate area of the appeal site is characterised by dwellings of varying design, with shared external material pallet. The appeal property, is a relatively new development within the conservation area and whilst a modern addition does not look out of keeping with the wider area. The varying styles of property along play a role in defining the historic character of the area which is part of the Conservation Area's significance as a heritage asset.

7. The proposed development would not appear visible from public vantage points and the site is screened to a degree by trees to the rear. Notwithstanding this the proposed development would be visible from neighbouring properties which surround the appeal site, particularly those along Princes Road.
8. The glazed balcony screen is not a feature which is typical of the area, and whilst the appeal site is a relatively new addition to the area I find that the contemporary design would be a discordant feature which would detract from harmonious pallet of materials used in the area which is of significance to the Conservation Area. Paragraph 192 of the Framework indicates that the desirability of sustaining and enhancing the significance of heritage assets should be taken into account in determining planning applications.
9. The Appellant has drawn my attention to a recently completed development to the north east in which glass balconies have been installed, this may be the case however I have not been provided with substantive details to compare the setting to that development to the proposal before me. Notwithstanding this each development needs to be considered on its individual merits and circumstances against the relevant policies and taking account of other material considerations.
10. Whilst the materials used for the balcony screen can be controlled by a planning condition, I have not been provided with substantive evidence to suggest that a screen using different materials/design would be sympathetic to the area or the appeal property itself. I also note the comments from the Appellants Planning and Heritage Statement with regard to the technical issues with fixing railings to the parapet wall or through the coping stones and therefore I am not persuaded that other materials would be feasible.
11. I therefore conclude that the proposed development would not preserve or enhance the character or appearance of the St Matthias Conservation Area. There is conflict with Policies LP1 and LP3 of the London Borough of Richmond upon Thames Local Plan (2018) (the Local Plan) which seek to ensure developments are a high quality of design which conserve the character of the area.
12. There is also conflict with the London Borough of Richmond Upon Thames Local Plan Supplementary Planning Document, House Extensions and External Alterations (2015) (the SPD) which seeks to ensure visual continuity is retained.

Living Conditions

13. I observed during my site visit that there is a degree of mutual overlooking between properties in the area. Including from the appeal site towards the neighbouring properties from the French doors, when closed which would be a similar view to that if the doors opened inward. The views from inside the

appeal site are restricted due to the set back from the outrigger and the small parapet wall.

14. Whilst I note that the proposed terraced area is small and would be accessed from a private bedroom and that there is potential its use would be limited, nonetheless the proposed development would allow direct overlooking of neighbouring properties and private outside space. For the occupiers of properties along Princes Road, in particular, this would create a sense of being under surveillance and to my mind would significantly diminish the enjoyment of their properties. I conclude that the proposed development would significantly harm the living conditions of the occupants of neighbouring properties.
15. There is conflict with Policy LP8 of the Local Plan which seeks to protect the living conditions of occupiers of neighbouring properties by ensuring that balconies do not raise unacceptable overlooking issues. There is also conflict with the SPD which seeks to ensure privacy between buildings is retained.

Other Matters

16. I understand from the Appellant that there has been issues in terms of water ingress due to the previously installed inward opening French door. I am mindful that most domestic properties have inward opening external doors which do not suffer from water ingress. I have not been provided with substantive evidence to demonstrate that this could not be achieved in this situation.

Conclusion

17. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR