



Appeal Decision

Site Visit made on 10 August 2021 by Emma Grierson BSc (Hons) MSc MRPTI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2021

Appeal Ref: APP/L5810/D/21/3270646

4 Lenton Rise, Richmond, TW9 2TP

- 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 Stephan Croix against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref 20/3165/HOT, dated 4 November 2020, was refused by notice dated 31 December 2020.
 - The development proposed is a ground floor rear extension, with modifications to existing first floor balcony and a ground floor side extension with new first floor roof terrace.
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Decision

1. The appeal is allowed and planning permission is granted for a ground floor rear extension, with modifications to existing first floor balcony and a ground floor side extension with new first floor roof terrace at 4 Lenton Rise, Richmond, TW9 2TP in accordance with the terms of the application, Ref 20/3165/HOT, dated 4 November 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 following approved plans: 001A, 002A, 003A, 004A, 005A, 006A, 007A and 008A.
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building except where indicated otherwise on the submitted application form and/or approved drawings.

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.

Preliminary Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. The parties have been provided with an opportunity to make submissions in respect of the publication. In this respect, whilst neither party has made further submissions, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issue

4. The main issue in the appeal is the effect of the proposed development on the character and appearance of the host terrace, surrounding area and the adjacent Old Deer Park Conservation Area.

Reasons for the Recommendation

5. The appeal property is a three-storey end of terrace dwelling within the cul-de-sac Lenton Rise. The site is located in a modern estate comprised of terraced dwellings of a similar appearance on Lenton Rise and Tower Rise. It is within a residential area close to the centre of Richmond and is also adjacent to Old Deer Park Conservation Area.
6. Although the proposed extensions would occupy a relatively large footprint, they would be single storey in nature, would have limited visibility from the public realm and due to their modest design, would be subservient additions to the host dwelling.
7. To the rear of the dwelling is a first floor Juliet balcony with distinctive black metal railings that is also seen on the front of the dwelling and is repeated on the other dwellings within the terrace and on the estate. These railings form a key feature on the property and the surrounding dwellings. Although the proposal would create a larger terrace to the rear of the dwelling than at present, it would retain the existing metal balustrade to the rear and introduce a matching railing to the terrace on the side elevation. The retention of this feature would ensure that the proposed development would be in keeping with the existing design of the property and would largely retain the uniform design of the surrounding properties. In this regard the proposal would be different to the enclosure proposed on an earlier scheme which was dismissed at appeal¹.
8. Due to their first floor location, the roof terraces would be prominently sited and visible from the rear of the site and neighbouring properties. However, as they would be largely open terraces and the railings would be of a low height and visibly permeable, the proposal would not result in additional bulk to the property, which was identified as a concern in the previous appeal. Furthermore, although visible from Lenton Rise, the roof terrace and balustrade on the side extension would be sufficiently set back from the front elevation to ensure it would not be a dominant feature within the streetscene.
9. The modern, built form of the existing dwelling and the estate in which it is located currently has a neutral effect on the character and appearance of the adjacent Conservation Area, which is defined by its extensive open space and natural landscape. Although there would be some public views of the proposed terraces from the Conservation Area, these would be minimal, long distance views and would not be harmful to its setting.
10. Consequently, the proposed development would be in keeping with the character and appearance of the host terrace, surrounding area and the setting of the Old Deer Park Conservation Area, in compliance with Policies LP1 and LP3 of the London Borough of Richmond Upon Thames Local Plan (2018). These policies seek to ensure that development is compatible with the local character. Policy LP6 is not relevant to the appeal before me as it relates to the

¹ Ref: Appeal Decision APP/L5810/D/19/3230666

impact upon the Royal Botanic Gardens and Kew World Heritage Site, which is not in close proximity to the appeal site.

11. The proposal would also comply with the House Extensions and External Alterations Supplementary Planning Document (2015) which states that extensions should not dominate the existing house and should harmonise with the original appearance and the Richmond and Richmond Hill Village Planning Guidance (2016) which has similar objectives.

Other Matters

12. Third party concerns regarding the potential for overlooking into the gardens of neighbouring dwellings and increased noise levels from the proposal are noted. However, views would be comparable to those from the current windows and Juliet balcony on the first floor and any noise associated with the roof terraces use would be unlikely to result in disturbance to the degree that neighbouring occupiers' living conditions would be harmed given the residential use of the property. Furthermore, and in the absence of substantive evidence to demonstrate otherwise, the single storey nature of the proposal would be unlikely to overshadow neighbouring gardens to the degree that would reduce their occupiers' enjoyment
13. I have considered the concern that the grant of planning permission would set a precedent for other similar developments. Given that I have found that the proposal would be acceptable, I can see no reason why it would lead to harmful developments on other sites nearby.

Conditions

14. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, as this provides certainty and precision. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development.
15. Conditions relating to fire safety measures and construction equipment, suggested by the Council, have not been included as they are not reasonable or necessary for a development of this scale.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed with the suggested conditions.

Emma Grierson

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR