
Appeal Decision

Site Visit made on 17 August 2021 by Emma Grierson BSc (Hons) MSc MRPTI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021

Appeal Ref: APP/L5810/D/21/3272316

18 Warren Avenue, Richmond TW10 5DZ

- 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 Nassif Mansour against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref 20/3059/FUL, dated 28 October 2020, was refused by notice dated 29 December 2020.
 - The development proposed is a single storey wrap-around extension on the ground floor and double storey side and rear extension on the first floor.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey wrap-around extension on the ground floor and double storey side and rear extension on the first floor at 18 Warren Avenue, Richmond, TW10 5DZ in accordance with the terms of the application, Ref 20/3059/FUL, dated 28 October 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: 18WA-00C, 18WA-00-1C, 18WA-01C, 18WA-02C, 18WA-03C, 18WA-04C, 18WA-05C, 18WA-06C, 18WA-07C, 18WA-08C, 18WA-09C, 18WA-10C, 18WA-11C and 18WA-12C.
 - 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.
 - 4) The roof of the building shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building.
 - 5) The proposed first floor window in the south elevation of the side extensions hereby approved shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.7 metres above the relevant floor level.

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. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issues

4. The main issues in the appeal are:
 - the effect of the proposed development on the character and appearance of the host dwelling and terrace row, and
 - the effect of the proposed development on the health and longevity of the existing trees on the appeal site.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is occupied by an end of terrace two-storey dwelling with a conservatory to the rear and a large garden. The site is within a dense residential area comprised of small rows of terraced dwellings on Warren Avenue. The proposal would replace the existing conservatory with single storey extensions to the front, side and rear of the property and two two-storey extensions to the side and the rear.
6. The Council raise no objections relating to the single storey elements of the proposal or the two-storey side extension and, as they would be modest and subservient additions to the host property, I find no reason to disagree with this. Therefore, the following assessment will relate solely to the two-storey rear element of the proposal.
7. The two-storey rear extension would be centrally located and slightly greater than half the width of the existing dwelling, which would contradict the requirements of the House Extensions and External Alterations Supplementary Planning Document (2015). Nevertheless, this would be marginal and the width would still be relatively modest. The width and the reduced height of the extension, when compared with the host dwelling, would ensure that the proposal would not be an overly large or dominant addition to the rear of the property, particularly when set within the proposed single storey element to the rear. Furthermore, the incorporation of materials and fenestration matching that of the existing dwelling would ensure that the proposal is in keeping with the host property.
8. The two-storey element would project further to the rear than the neighbouring properties or other dwellings within the terrace row. However, I am not persuaded that this would not alter the character and appearance of the terrace row within the streetscene or harm any perceived symmetry, as various alterations to the rear of dwellings within the terrace have already taken place.

9. In conclusion, the proposed development would not harm the character and appearance of the host dwelling and the terrace row in which it is located. Therefore it would not be contrary to Policy LP1 of the London Borough of Richmond Upon Thames Local Plan (2018) which requires new development to be compatible with the local character including the relationship to existing townscape and development patterns as well as scale, height, massing and density.
10. The proposal would also comply with the general objectives of 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. It would also comply with the objectives of the Richmond and Richmond Hill Village Planning Guidance (2016) which ensures new development is appropriate in terms of height, scale, massing and use of architectural features.

Existing Trees

11. During the site visit it was noted that there were some smaller shrubs to the rear of the garden and a single eucalyptus tree in the centre of the site adjacent to the northern boundary. The Arboricultural Impact Assessment submitted by the appellant indicates that the eucalyptus tree will be removed as part of the proposal, although it is recognised that as the tree is not statutorily protected it could be removed by the appellant regardless. Therefore, due to this and the minor nature of the proposed works, an additional tree report or details of replacement tree planting is not necessary, as I am satisfied that the removal of the eucalyptus tree would not have a significant impact on visual amenity and biodiversity in the locality.
12. Therefore, the proposal would not conflict with Policies LP1, LP15 and LP16 of the London Borough of Richmond Upon Thames Local Plan (2018). These collectively ensure that development respects, contributes to and enhances the local environment, maximises the provision of soft landscaping including trees and requires the protection of existing trees.

Other Matters

13. Third party representations were received concerning the impact upon the living conditions of neighbouring occupiers. Obscure glazing to first floor windows on the side elevation can be secured by condition to ensure that the proposal does not result in overlooking. The appellant and Council have also confirmed that the proposal would meet the 45 degree light test and therefore would not result in a significant loss of light to neighbouring dwellings or their gardens. The two-storey rear element of the proposal would also be a sufficient distance from the boundaries to prevent a sense of enclosure to neighbouring occupiers.

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. Conditions suggested by the Council which restrict the use of the roof and require obscure glazing on

the first floor side elevation window are also necessary to protect the living conditions of the occupiers of the neighbouring dwellings.

15. The condition relating to non-road mobile machinery, suggested by the Council, has not been included as it is not necessary for development of this scale. A condition relating to a tree survey has also not been included as, due to the number of trees on the site and the nature of the proposal, it is not deemed necessary.
16. I have had regard to the condition regarding fire safety measures as suggested by the Council, and as included within The London Plan (2021). However, I am mindful that the condition would only be applicable to the accommodation provided by the extension and not the entire property. Therefore, as the proposal relates to a domestic extension to an existing dwelling, a condition requiring a Fire Safety Statement would neither be reasonable nor necessary for this scale of development.

Conclusion and Recommendation

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

Emma Grierson

APPEAL PLANNING OFFICER

Inspector's Decision

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

Martin Seaton

INSPECTOR