

Appeal Decisions

Site visit made on 18 October 2021

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2021

Appeal A Ref: APP/L5810/D/21/3276020

18 Orleans Road, Twickenham TW1 3BL

- 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 Amos Grima against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 21/0256/HOT, dated 27 January 2021, was refused by notice dated 23 April 2021.
 - The development proposed is a ground floor refurbishment and first floor infill extension: (1) rebuilding the front porch, which is in poor condition, with a new porch which is considered to be more traditional and in keeping with the period and character of the property; (2) remodelling the interior of the ground floor to better incorporate the existing rear extension; (3) extending the first floor to the rear to form an infill extension between the existing outrigger and the outrigger to No 20 Orleans Road, reconfiguring the accommodation to the first floor to improve the current arrangement and creating a new rear window to a size and style to match the existing sash window to the outrigger; and (4) installing skylights to the pitches of the butterfly roof which would not be visible from the street as they are behind the parapet wall.
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Appeal B Ref: APP/L5810/D/21/3276021

18 Orleans Road, Twickenham TW1 3BL

- 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 Amos Grima against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 21/0257/HOT, dated 27 January 2021, was refused by notice dated 25 March 2021.
 - The development proposed is: (1) rebuilding the front porch, which is in a poor condition, with a new porch which is considered to be more traditional and in keeping with the period and character of the property; (2) remodelling the interior of the ground floor to better incorporate the existing rear extension; (3) extending the first floor to the rear to form an infill extension between the existing outrigger and the outrigger to No.20 Orleans Road, reconfiguring the accommodation to the first floor to improve the current arrangement and creating a new rear window to a size and style to match the existing sash window to the outrigger; (4) installing skylights to the pitches of the butterfly roof which would not be visible from the street as they are behind the parapet wall; and (5) demolishing the rear conservatory and forming a single storey studio to the location of the former outbuilding with a link connection to the house.
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Decisions

Appeal A Ref: APP/L5810/D/21/3276020

1. The appeal is allowed and planning permission is granted for a ground floor refurbishment and first floor infill extension: (1) rebuilding the front porch with a new porch; (2) remodelling the interior of the ground floor; (3) extending the first floor to the rear to form an infill extension between the existing outrigger and the outrigger to No 20 Orleans Road, reconfiguring the accommodation to the first floor and creating a new rear window to a size and style to match the existing sash window to the outrigger; and (4) installing skylights to the pitches of the butterfly roof - all in accordance with the terms of the application Ref 21/0256/HOT, dated 27 January 2021, and subject to the conditions set out in the attached Schedule for Appeal A.

Appeal B Ref: APP/L5810/D/21/3276021

2. The appeal is allowed and planning permission is granted for: (1) rebuilding the front porch with a new porch; (2) remodelling the interior of the ground floor; (3) extending the first floor to the rear to form an infill extension between the existing outrigger and the outrigger to No.20 Orleans Road, reconfiguring the accommodation to the first floor and creating a new rear window to a size and style to match the existing sash window to the outrigger; (4) installing skylights to the pitches of the butterfly roof; and (5) demolishing the rear conservatory and forming a single-storey studio to the location of the former outbuilding with a link connection to the house - all in accordance with the terms of the application Ref 21/0257/HOT, dated 27 January 2021, and subject to the conditions set out in the attached Schedule for Appeal B.

Preliminary matters

3. The National Planning Policy Framework (the Framework) was revised in July 2021, after the appeal applications were determined by the Council. I must take this revised policy into account, but do not consider that the changes to the Framework significantly affect the consideration of these appeals.
4. The description of the proposed developments set out on the application forms is recorded in the above headings. These contain some explanatory phrases which are not descriptions of the proposed developments. I have stripped these out in the formal decisions at paragraphs 1 and 2 in the interest of clarity. Although the internal remodelling mentioned at (2) in each of the descriptions is not 'development' in its own right, I have left these references in because the internal works would be an integral part of the developments.
5. The appellant has submitted fire safety statements with the appeals, but the Council has not had a chance to comment on these within the householder appeal procedure. I therefore cannot give any weight to those documents. This matter is dealt with under the second key issue.
6. A further appeal, APP/L5810/D/21/3284100, has been submitted by the same appellant for similar works at the same house. That appeal will be dealt with in a separate decision letter.

Main Issues: Appeal A and Appeal B

7. The main issues are:

- i) Whether the proposals would preserve or enhance the character or appearance of the Twickenham Riverside Conservation Area including a designated Building of Townscape Merit (BTM); and
- ii) Whether adequate arrangements would be made to minimise the risk to future occupiers from fire.

Reasons

Character and appearance of conservation area and BTM

8. The Council's Twickenham Riverside and Queen's Road Conservation Area Study (CAS) notes that Orleans Road is 18th Century in origin and has changed little over the years. The CAS does not state any relevant conservation concerns regarding this street but notes that one of the pressures on the area in general is the loss of traditional architectural features and materials due to unsympathetic alterations.
9. 18 Orleans Road is a 2 storey house in the middle of a handsome and uniformly designed terrace of houses which are designated by the Council as a BTM. The terrace is set well back from Orleans Road behind long front gardens, providing some relief from the otherwise closely built-up character of the lane. The Council has not provided any documentation showing the reasons for designation of the terrace as a BTM. These are good quality buildings which complement the semi-rural character of this area of Twickenham near to the river due to their harmonious architecture and their unusual siting.
10. To the front, both proposals would replace the existing front porch with a new porch on much the same footprint as existing and with a new roof to match others within the row. The Council raises no objection to this aspect of the scheme, which would fit in better with the established frontages here and thus enhance the street scene in a minor way. Neither the Council nor I find any objection to the introduction of rooflights as proposed in both appeals. These would not interfere with the form of the butterfly roofs and would be out of view behind parapet walls.
11. To the rear, both proposals include a small, first floor flat roofed extension that would infill a gap between an existing first floor extension at No 18 and a first floor extension at No 20. Although this would remove much of the remaining exposed section of original rear wall, enough wall would be retained above the extension so that the form of the building would still be clearly legible. The extension would not be seen from public vantage points and would only be seen in limited private views. The depth of the combined first floor extension would be modest so that it would not be out of proportion with the building. The flat roof would be in character with other rear projections in the row and the clean lines of the extension would fit in well with the design of the terrace.
12. Appeal A would retain a poor quality conservatory at the back of the house and would not include any new outbuilding. These aspects would be neutral. Appeal B, in contrast, would include a new outbuilding at the back to provide a study, plus a wide linking extension in place of the conservatory. These

elements would be modest in height and contemporary in design. Most of the other houses in the row have outbuildings in their rear gardens so that type of development is not out of character. As with other development at the back of the house, these elements would be out of public view. Although only a very small courtyard garden would be retained, these houses were apparently designed to only have small courtyard back gardens. The long front garden would continue to give the house a green setting so that the plot would not become over developed.

13. I conclude in respect of this first key issue that the proposals in both appeals would preserve the character and the appearance of the conservation area and the BTM. The proposals therefore accord with the aims of London Borough of Richmond upon Thames Local Plan July 2018 Policies LP1, LP3 and LP4 and the Council's Supplementary Planning Document House Extensions and External Alterations May 2015, to ensure that development is of high architectural and urban design quality that conserves the historic environment of the Borough including non-designated heritage assets like this BTM.

Fire safety

14. Policy D12 of the new London Plan as adopted in early March 2021 states that all development proposals must achieve the highest standards of fire safety, which includes matters of fire risk reduction, fire escape and provision for fire fighting. This is a small scale development which should not much alter the use of the house or the safety of occupiers. Although, as above, I cannot take account of the submitted fire statement, I have no reason to doubt that a satisfactory fire safety strategy could be agreed here if suitable conditions are imposed.
15. I conclude that, subject to conditions requiring the submission and approval of a fire safety strategy, adequate arrangements would be made to minimise the risk to future occupiers from fire.

Other matters

16. I have also taken into account the views expressed by neighbours. In particular, the proposed ground floor link extension in Appeal B would be low enough (with a stated height of just 2.0m on the boundary) so that it would have relatively little effect on the light to the next door back garden at No 16 and the outlook from that property. The effect on living conditions at No 20 on the other side would be minimal. Although only a small area of courtyard garden would be retained, this would have a southern aspect that would help to make it a readily usable space so that the amenity of future occupiers would be satisfactory. I have no reason to doubt that appropriate arrangements could be made for storm water drainage. I agree with the Council that none of these issues would justify refusal.

Conditions

17. The Council has suggested basically the same list of draft conditions for both appeals and I deal with both at the same time here. I impose conditions specifying the relevant plans to provide certainty. Conditions controlling the use of external materials and roof lights are necessary to protect the character and appearance of the conservation area and the BTM. Submission of schedules of

materials is required as full details are not provided in the submitted plans and application forms.

18. Further conditions restricting the use of roofspace for roof terraces is needed to protect neighbours' privacy. Finally, conditions requiring fire safety strategies are required for the reasons set out above. The Council has also suggested conditions controlling the type of plant or machinery used during construction, but has not justified this in terms of adopted policy. I do not find this type of condition to be necessary in order to grant permission for these small scale domestic developments.

Conclusions

19. For the reasons set out above, and having regard to all other matters raised, I conclude that both appeals should succeed.

Les Greenwood

INSPECTOR

Schedule of Conditions – Appeal A - APP/L5810/D/21/3276020

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 278/A001, 278/A010, 278/A011, 278/A012, 278/A020, 278/A021, 278/A030, 278/App1/A110, 278/App1/A111, 278/App1/A112, 278/App1/A200 and 278/App1/A300.
- 3) All new external materials and finishes including fenestration and works of making good shall be in accordance with a schedule of materials and finishes first submitted to and approved in writing by the local planning authority.
- 4) The rooflights hereby approved for the rear roof slope shall be black framed, conservation type and sit flush with the plane of the roof.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part of the development hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto.
- 6) Prior to the commencement of above ground works as part of the development hereby permitted, excluding any works of demolition, a Fire Safety Statement shall be submitted to and approved in writing by the local planning authority. This shall include details that identify:
 - 1) unobstructed outside space for fire appliances to be positioned on, to be shown on a site plan;
 - 2) areas for use as an evacuation assembly point, to be shown on a site plan;
 - 2) appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures;
 - 3) design measures that minimise the risk of fire spread;

- 4) means of escape and an associated evacuation strategy for all building users;
- 5) a robust strategy for evacuation which can be periodically updated and published; and
- 6) suitable access and equipment for firefighting.

The development shall not be implemented or occupied other than in accordance with the approved details.

Schedule of Conditions – Appeal B - APP/L5810/D/21/3276021

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 278/A001, 278/A010, 278/A011, 278/A012, 278/A020, 278/A021, 278/A030, 278/App2/A110, 278/App2/A111, 278/App2/A112, 278/App2/A200, 278/App2/A201, 278/App2/A202 and 278/App2/A300.
- 3) All new external materials and finishes including fenestration and works of making good shall be in accordance with a schedule of materials and finishes first submitted to and approved in writing by the local planning authority.
- 4) The rooflights hereby approved for the rear roof slope shall be black framed, conservation type and sit flush with the plane of the roof.
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- 6) Prior to the commencement of above ground works as part of the development hereby permitted, excluding any works of demolition, a Fire Safety Statement shall be submitted to and approved in writing by the local planning authority. This shall include details that identify:
 - 1) unobstructed outside space for fire appliances to be positioned on, to be shown on a site plan;
 - 2) areas for use as an evacuation assembly point, to be shown on a site plan;
 - 2) appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures;
 - 3) design measures that minimise the risk of fire spread;
 - 4) means of escape and an associated evacuation strategy for all building users;
 - 5) a robust strategy for evacuation which can be periodically updated and published; and
 - 6) suitable access and equipment for firefighting.

The development shall not be implemented or occupied other than in accordance with the approved details.