



Appeal Decision

Site visit made on 19 October 2021 by A J Sutton BA (Hons) DipTP MRTPI

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/L5810/D/21/3278619

57 Rosecroft Gardens, Twickenham, TW2 7PT

- 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 James and Catherine Berry and Atkinson against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 21/0345/HOT, dated 19 January 2021, was refused by notice dated 7 June 2021.
 - The development proposed is ground floor rear extension including roof extension with dormer.
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Decision

1. The appeal is dismissed.

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. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Accordingly, the parties have been provided with a further opportunity to make submissions in respect of the publication. The comments received have been taken into account within the appeal decision.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the Rosecroft Gardens Conservation Area; and
 - Whether the proposal would provide satisfactory standards with regards fire safety.

Reasons for Recommendation

Character and Appearance

5. Rosecroft Gardens Conservation Area (CA) is a model 1930s estate of mostly semi-detached and some detached bungalows. The CA comprises cohesive

rows of well-designed and distinctive bungalows in garden plots. The bungalows are characterised by painted render elevations, brick surrounds to doorways, linking band courses, curved bays below deeply projecting eaves and pitched, plain tile roofs. The original pitched roofscape of the bungalows is a strong unifying feature of the area. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily associated with the uniformity of the design and roofscape of the buildings. The loss of traditional architectural features and materials due to unsympathetic alterations is identified as a threat to the character of the bungalows and their contribution to the significance of the area.¹

6. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. At paragraph 197, the Framework sets out matters which should be taken into account including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 199 states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Framework also indicates that good design and high quality, beautiful places is fundamental to what the planning and development process should achieve, and it identifies good design as a key aspect of sustainable development.
8. No 57 is a detached bungalow at the western edge of the small estate. The dwelling's front elevation has lost much of the original detailing, but it retains the characteristically distinct curved bay window. The roof ridge also appears altered with the introduction of a narrow crown at the apex. However, the original distinct pitched form is generally retained and clearly discernible. In this respect, it positively contributes to the coherent character of the area and in turn the significance of the CA.
9. The proposal would form a full width extension across the rear elevation of the dwelling. Its roof height would be equivalent to the existing roof and would substantially elongate the side roof profile of the property. In doing so, the proportions of the locally distinct pitched roof would be detrimentally altered and there would be a significant visual change in the mass of the property. The resultant incongruous, side hipped form with a horizontal emphasis would diminish the unity in the roofscape in the area. The use of matching materials would not minimise the harmful alteration to this significant feature.
10. The harmful change would be at the rear of the property. However, the significantly stretched form and associated solid mass would be noticeable from glimpse views within the street scene. Accordingly, the unsympathetic roof alteration would have a negative impact on the appearance of the area where consistency in roof form makes a positive contribution to the significance of the CA. It would in this respect fail to preserve the character or appearance of the CA, in conflict with the statutory test.

¹ Ref Character Appraisal, Management Plan and Article 4(2) Guidance Conservation Area - Rosecroft Gardens No 46

11. The existing dormer is a relatively small alteration and is therefore not comparable with the proposed substantial extension before me. For this reason, it is not a justification for harmful development.
12. The depth of the extension may not exceed that advised in the House Extensions and External Alterations Supplementary Planning Document (SPD). However, the SPD is advisory with its intent to ensure that development should harmonise with the original appearance of the existing house. I find that this would not be the case with this proposal for the reasons outlined.
13. I observed a number of other properties surrounding No 57, including No 59 which have been extended to the rear. These extensions are subservient in respect to original roof height and are also generally of partial width and therefore less bulky additions. For this reason, I am not persuaded that the harmful proposal before me would be the only means open to secure improved and additional accommodation for the appellants' family.
14. The effect of the harmful development would be limited and localised and would only affect a small part of the CA. The harm to the significance of the CA as a whole would be less than substantial. In accordance with the Framework this harm needs to be weighed against the public benefits of the proposal. The benefit of improved family accommodation would be limited to existing and future occupants of the dwelling. The effective use of land, which is supported in the Framework, would be of small benefit given the scale of the development. Against these limited and small public benefits is the great weight that I must attach to the harm that would be caused to the significance of the heritage asset. Consequently, the public benefits do not outweigh the harm that would be caused to this designated heritage asset.
15. I therefore conclude that the proposal would fail to preserve the character or appearance of the Rosecroft Gardens Conservation Area. In this respect it would conflict with policies LP 1 and LP 3 of the London Borough of Richmond Upon Thames Local Plan (Local Plan) which require collectively, amongst other matters, that all development be of a high architecture and urban design quality, and, in respect to designated heritage assets, require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough.
16. It would also be inconsistent with design and heritage policies of the Framework and advice set out in the Planning Practice Guidance on these matters.
17. My attention is drawn to various other policies of the Local Plan and policies of the Core Strategy and the Unitary Development Plan. I do not have copies of these policies and while the development may accord with them as alleged by the appellant, I have found conflict with Policies LP1 and LP3 of the Local Plan.
18. Planning Policy Statement 5 was replaced some years ago by heritage policies of the Framework. Moreover, the effect on the setting of a heritage asset is not at issue in this case as the appeal property is wholly within the Conservation Area. These matters are therefore not relevant to this appeal.

Fire Safety

19. Policy D12 of the London Plan 2021 (the London Plan) requires that all development proposals must achieve the highest standards of fire safety. The

supporting text to the policy elucidates that fire safety of developments should be considered from the outset. The appellants have indicated that a fire report was submitted with the application. Whilst this has not been submitted as part of the appeal, I have no reason to doubt this.

20. The policy requires that fire statements are submitted with all major development proposals. This requirement is not applicable in this case as the proposal is for minor development. Given the nature and scale of the development I am satisfied that requirements outlined in section A of the policy could be secured by means of planning condition.
21. For these reasons, I conclude that the proposal could provide satisfactory standards with regards fire safety and would therefore not conflict with the requirements of policy D12 of the London Plan in this regard.

Conclusion and Recommendation

22. Although I have found that the proposal would not be contrary to the London Plan policies in respect to fire safety, it would conflict with heritage and design policies of the Local Plan and the Framework and therefore the development plan as a whole. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and agree with the recommendation. The appeal is therefore dismissed.

Zoe Raygen

INSPECTOR