



Appeal Decision

Site visit made on 23 November 2021

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2021

Appeal Ref: APP/L5810/D/21/3280422

22 Park Road, Twickenham, TW1 2PX

- 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 Terry McCaughey against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 21/1210/HOT, dated 6 April 2021, was refused by notice dated 3 June 2021.
 - The development proposed is a rear aspect box dormer to replace existing dormer window. Change a rear aspect window to the lower ground floor to a door-set.
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Decision

1. The appeal is allowed in part and planning permission is granted for change a rear aspect window to the lower ground floor to a door-set. Blocking up of side and rear opening on lower ground floor. One rooflight on rear roofslope at 22 Park Road, Twickenham, TW1 2PX in accordance with the terms of the application, Ref 21/1210/HOT, dated 6 April 2021, subject to the conditions set out in the attached schedule.

Procedural Matters

2. For clarity, permission is only granted for that part of the development referred to under the decision above. The appeal is dismissed insofar as it relates to a rear aspect box dormer to replace existing dormer window.
 3. The description of the proposed development is taken from the application form. This differs to that on the Council's decision notice, which describes the development proposed as "replacement rear dormer roof extension and one rooflight on rear roofslope. Blocking up of side and rear opening on lower ground floor."
 4. Neither the appellant's nor the Council's descriptions of development are particularly accurate. The description of development on the application form, does not refer to the rooflight on the rear roofslope or the blocking up of openings and the Council's description of development does not refer to the door-set referred to in the description on the application form.
 5. Consequently, the attached schedule clarifies that the development hereby permitted shall be carried out in accordance with the approved plans insofar as they relate to "change a rear aspect window to the lower ground floor to a door-
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set. Blocking up of side and rear opening on lower ground floor. One rooflight on rear roofslope.”

6. Whilst the Council refers to fire safety in its reasons for refusal, it has suggested a condition that responds to the requirement for the provision of a fire safety assessment, having regard to guidance.
7. The Council states that the application to fill in two side windows at lower ground level, the replacement of the lower ground rear facing window with double doors and the provision of a rooflight are acceptable. These are the elements of the proposal for which planning permission is granted. This appeal decision focuses upon that part of the proposal to which the Council objects – the proposed rear aspect box dormer.

Main Issue

8. The main issue in this case is the effect of the proposed development on the character and appearance of the Richmond Riverside Conservation Area.

Reasons

9. The appeal property is a three storey semi-detached dwelling located in a residential area.
10. The appeal property is located within Richmond Riverside Conservation Area, a varied area covering both sides of the River Thames, which includes a range of 18th and 19th Century dwellings, including Park Road, part of the 19th Century grid layout of roads, containing good examples of ornate Victorian houses.
11. During my site visit, I observed Park Road to be notable for the presence of Victorian period properties, complete with a range of original and restored period features, including ornate brickwork, gable features and bow windows. The presence of low brick boundary walls, front garden areas and retained period features provides for a notable and satisfying sense of rhythm and uniformity.
12. I also noted during my site visit that the rear roofscape within the immediate vicinity of the appeal property makes a positive contribution to this sense of uniformity. The appeal property, along with its attached neighbour and the adjacent pair of dwellings, all have small-pitched dormers on their rear roofslope, providing for significant visual continuity at roof level.
13. The proposed dormer would comprise a large box-like structure. This and its prominent location at roof level would result in it dominating the roof slope of the host property. The harm arising from this would be exacerbated as a result of the proposed dormer disrupting the strong sense of uniformity afforded by the run of small-pitched dormers along the roofscape. The large size and boxy appearance of the proposal would jar severely with the common form of dormers in this location.
14. Further to the above, I noted during my site visit that the roofscape to the rear of Number 22 is visible from a wide range of locations and I find that the proposed dormer would, due to its incongruous appearance and prominent siting, draw attention to itself as an unduly dominant and awkward feature.

15. Taking all of the above into account, I find that the proposed dormer would fail to conserve the appearance of the Richmond Riverside Conservation Area. Having regard to paragraph 202 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of the Conservation Area would be less than substantial. This needs to be balanced against any public benefits the development may bring.
16. In this respect, there is no substantial evidence to demonstrate that there are any benefits that would amount to such public benefits that they would outweigh the harm identified.
17. Consequently, I find that the proposal would fail to conserve the character and appearance of the Richmond Riverside Conservation Area, contrary to the National Planning Policy Framework; to Local Plan¹ Policies LP1, LP3 and LP4; and to the Council's Supplementary Planning Document (SPD): House Extensions and Alterations (2015), which together amongst other things, seek to protect local character.

Conditions

18. As part of this appeal, the Council submitted a request for four conditions to be imposed should the appeal be successful and I have considered these against the tests set out in Paragraph 56 of the Framework.
19. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning.
20. A condition controlling external finishes is necessary in the interests of local character. A condition controlling the use of non-road mobile machinery is necessary in the interests of residential amenity; and a condition requiring a fire safety statement is necessary in the interests of safety.

Conclusion

21. For the reasons given above, the appeal succeeds in part but is dismissed insofar as it relates to rear aspect box dormer to replace existing dormer window.

N McGurk

INSPECTOR

**Schedule of Conditions attached to
Appeal Decision APP/L5810/D/21/3280422
22 Park Road, Twickenham, TW1 2PX**

- 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 insofar as they relate to change a rear aspect window to the lower ground floor to a door-set. Blocking up of side and rear

¹ Reference: Richmond upon Thames Local Plan (2018).

opening on lower ground floor. One rooflight on rear roofslope: 2103-22ParkRoad-03; 2103-22ParkRoad-04.

- 3) No new external finishes (including fenestration), including works of making good, shall be carried out other than in materials as submitted.
- 4) During onsite construction of any phase of development, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel-powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra-low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel').

"Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the local planning authority in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been issued by the local planning authority.

No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

- 5) Prior to the commencement of above ground works, 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;
 - 6) suitable access and equipment for firefighting.

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