



Appeal Decision

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

by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2021

Appeal Ref: APP/L5810/D/21/3276262

68 Gladstone Avenue, Twickenham, TW2 7PR

- 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 Parviz Yeganeh against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 20/2175/HOT, dated 4 August 2020, was refused by notice dated 4 May 2021.
 - The development proposed is erection of an outbuilding on the rear of the house which will be used as a gym and games room with bathroom.
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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 Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have had the opportunity to make submissions on this matter, but no substantive comments were made. I have determined the appeal in accordance with the revised Framework.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the host property and whether the character or appearance of Rosecroft Gardens Conservation Area would be preserved or enhanced; and
 - Whether the proposal would provide satisfactory standards with regards to fire safety.

Reasons for Recommendation

Character and Appearance

5. The appeal site is located within the Rosecroft Gardens Conservation Area (CA). The CA is a distinctive example of a 1930s model housing estate. The significance of the heritage asset is derived from a number of features, which include the distinct triangular shape of the estate, individual plot layout of well-designed bungalows with small spaces to the front and larger rear gardens and low-density development providing a sense of openness. Gaps between the bungalows were designed to be functional, serving rear parking and garages.
6. I saw on the site visit that where garages remained, they were narrow forms set to the side of dwellings within the plot. Although many properties, including Nos 24, 26, 30 and 36, have additional outbuildings of varying size, the position of these buildings reflects the original plot layout of their respective dwellings and they have a smaller footprint than the proposal before me. In terms of the wider setting, despite some unsympathetic additions and alterations, including a clutter of development in the rear gardens of Nos 104 and 108, the significant features of the CA outlined above are appreciated from the grass verge along Chertsey Road and contributes to the high quality suburban character of this estate.
7. 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. 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. The appeal property, a detached bungalow, has a prominent location with its side boundary aligned with the single access road into the estate. It forms part of the outer edge of the CA, where the rear boundaries of properties are parallel with and visible from the main Chertsey Road. Although the original plan form has been altered, through extensions the bungalow retains its distinctive style, and the characteristic plot layout remains evident. In these respects, the property contributes positively to the significance of the CA in this prominent part of the heritage asset.
9. The proposed outbuilding would extend most of the width of the rear garden plot and it would cover a substantial part of it. Whilst it would have a flat roof and low profile, which would be subordinate in scale and design to the host property, the bulk of the large structure would be visible above the rear and side boundary wall and side gate. In this respect the proposed structure would reduce the appreciation of the well-designed bungalow and its original plot layout and would harmfully erode the garden space to the rear of the dwelling, which would be detrimental to the host property. The use of materials to match the dwelling would not reduce this harmful effect.

10. The contribution that the host property and its rear garden make to the significance of the CA would be significantly reduced as a result of the proposal. The alteration that would result to the plot layout would diminish the distinct low density of the area and would introduce an uncharacteristic and harmful development into the rear garden environment resulting in an overdevelopment of a plot at the entrance to the CA. As a consequence, the proposal would neither preserve or enhance the character or appearance of the conservation area.
11. The effect on the character and appearance of the CA would be limited and localised and the harm that would be caused 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 home improvement would be a benefit which would be limited to existing and future occupants of the property and would not therefore be of wider public benefit. Accordingly, in this case I find no public benefits would weigh against the great weight that I must attach to the harm that would be caused to the significance of this designated heritage asset.
12. My attention has been drawn to other outbuildings in the locality, including at Nos 17, 35 and 43 Gladstone Avenue and 56 Rosecroft Gardens. These properties are located within the central section of the triangular estate, where the rear of the properties are confined within the estate and in turn, they are less prominent than the appeal property. Nos 13 and 65 Rosecroft Gardens flank the River and railway line and also have less prominent locations than the appeal property. Outbuildings in rear gardens at these properties are therefore not comparable to this case for this reason. The relatively tall garages at Nos 26 and 28 were approved some time before the current local plan adoption and the case before me is subject to a different policy context. No planning histories could be found in respect to outbuildings at 66 Gladstone Avenue and Nos 113 and 115 Rosecroft Gardens, which is a matter for the Council and outside the scope of this appeal. For the reasons outlined I attach limited weight to these examples in this recommendation.
13. I acknowledge that the Character Appraisal¹ does not identify outbuildings as a problem in the CA. This does not however provide justification for harmful development in the CA. I have also had regard to the appeal decision² and note the dimensions of this proposal have been reduced. However, these matters do not alter my findings.
14. For the above reasons I conclude that the proposal would be harmful to the character and appearance of the host property and would fail to preserve or enhance the character or appearance of Rosecroft Gardens Conservation Area. It would conflict with policies LP 1 and LP 3 of the London Borough of Richmond Upon Thames Local Plan, which collectively require amongst other matters, all development to be of high architectural and urban design quality, which maintains or enhances the high quality character and heritage of the borough and its villages. It would also be inconsistent with the design and heritage policies of the Framework and guidance of the Supplementary Planning Document Houses Extensions and Alterations (SPD) which seeks high quality of design, and the statutory test.

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

² Ref APP/L5810/D/13/2209027

Fire Safety

15. 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.
16. 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. Indeed, the suggested conditions submitted by the Council include such a condition.
17. Accordingly, and subject to the imposition of a suitably worded planning condition, the proposal could provide satisfactory standards with regards to fire safety in accordance with the requirements of policy D12 of the London Plan.

Conclusion and Recommendation

18. Although there would be no conflict in respect to fire safety, I have concluded that the proposal conflicts with the development plan in respect of the first main issue. 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

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

RC Kirby

INSPECTOR