



Appeal Decision

Site Visit made on 30 November 2021

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 December 2021

Appeal Ref: APP/L5810/D/21/3283587

1 Sheen Wood, East Sheen, London SW14 7AG

- 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 A Sperrin against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref 21/2075/HOT, dated 7 June 2021, was refused by notice dated 5 August 2021.
 - The development proposed is alterations and extensions to existing detached house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the application form. Although different to that given on the decision notice and appeal form, no confirmation that a change was agreed has been provided.

Main Issue

3. The main issue of the appeal is whether the proposed development would preserve or enhance the character or appearance of the Christchurch Road East Sheen Conservation Area (CA).

Reasons

4. The appeal site is located within the CA. As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing its character or appearance. The significance of the CA lies, in part, in the plentiful tree planting in both streets and gardens, in particular along Christchurch Road and Fife Road, along with the general set back of properties, that gives a verdant and spacious appearance to the CA.
5. While some streets or rows of properties have a consistency to their materials, scale and appearance, there is variation in the built form across the CA with many individually designed properties.
6. The scale and design of the appeal property is more akin, although not identical to, the adjacent semi-detached properties rather than the terrace to the other side that are Buildings of Townscape Merit. Views along Christchurch Road of the appeal site beyond the adjacent semi-detached properties are largely screened by mature vegetation and the curvature of the road. The similar materials and design to the adjacent pair of dwellings, as well as the set back

of the property, means it is relatively discrete in the streetscene even in other views.

7. The appeal site currently makes a positive contribution to the significance of the CA due to its set back from the road, mature frontage vegetation and materials that generally replicate those on this side of Christchurch Road. The mature frontage tree contributes to the verdant streetscene and is a prominent feature in views along parts of Christchurch Road, Spencer Gardens and from the nearby properties.
8. The plans show the existing large trees at and adjacent to the site are to be retained with only the loss of a small area of planting next to the property. The 2-storey extension would be set in from the trees adjacent to Christchurch Road at the site and the neighbouring property.
9. Nonetheless, no tree survey, arboricultural impact assessment or tree protection plan has been provided. There is a boundary wall with a pavement beyond to one side of T1. This and the slightly higher land levels within the garden of the appeal site would be likely to influence the root spread of the tree being more towards the property. Although it would be some distance from the proposed extension, the scheme would bring the built form closer to this tree.
10. Conditions have been suggested by the Council that the appellant was satisfied with. However, in the absence of any detailed information on the root protection area and the proximity of the proposed works to the tree, I cannot be sure what impacts there would be and whether if there were any, whether they could be appropriately mitigated to protect the tree. Its loss would detract from the leafy streetscene and be harmful to the significance of the CA.
11. The proposed single storey extension would be set in from the boundaries of the site and the trees in the plots behind and to the side. Moreover, it would be mostly on the footprint of the existing extension and patio. The condition of T2 and its relatively screened position adjacent to boundary treatments and other vegetation meant that at the time of my site visit it added little to the area. Therefore, even if there were implications on the tree from the scheme, it would not be harmful to the character and appearance of the CA.
12. The proposed 2-storey extension would add bulk to the property and bring the building line closer to Christchurch Road. Nevertheless, a set back comparable to the adjacent semi-detached properties and the row of cottages would be retained. This and the matching materials would prevent the front extension standing out or the dwelling competing with the cottages in views where they are seen together.
13. While the existing offset bow window that is unique to the property would be lost, it makes a limited contribution to the existing dwelling and the CA. The contrasting colour draws the eye away from the cottages. A ground floor bay window would replace it, that while not matching those adjacent continues the presence of such a feature in this small group of properties. The side bay windows would replicate the design of the one proposed on the front. These features give a consistency and rhythm to the most visible elevations in public views and retain an individuality to the property.

14. The single storey extension would be of a greater depth than the SPD¹ indicates is generally acceptable for rear extensions. Still, it is not significantly larger than the one that it would replace. The external materials would be more in keeping with the main property than the existing extension and it would be clearly subordinate. Sufficient garden space would also be retained.
15. There would be technical breaches of the SPD. However, the proposed alterations to the dwelling would accord with SPD aims to avoid visual confusion in terms of style and materials and would have a neutral effect on the CA.
16. Nevertheless, within the overall context, the proposal would lead to less than substantial harm to the significance of the CA due to potential effects on T1. For the purposes of the National Planning Policy Framework (Framework), the CA is a designated heritage asset. The Framework and Policy LP3 of the Local Plan² indicates that such harm is to be weighed against the public benefits of a proposal, although great weight should be given to an asset's conservation.
17. The proposal would provide additional accommodation at the property. Even if I were to consider this a public, rather than private benefit, it would be limited. The public benefits do not outweigh the identified material harm to the designated heritage asset.
18. Consequently, the scheme would fail to preserve or enhance the character or appearance of the CA. The proposal would be contrary to the historic environmental policies contained within the Framework and the aims of Policies LP1, LP3 and LP16 of the Local Plan to protect local character, heritage and trees.

Other Matters

19. A fire safety strategy has been provided and were the appeal to be allowed a condition could be imposed to secure its implementation. Even if I were to agree that the proposal did not give rise to harm to the living conditions of the occupiers of adjacent properties, the lack of harm would be a neutral factor and does not weigh in favour of the scheme.
20. I do not have full details of the submission for works to T1 and therefore cannot be sure what was permitted or the relevant considerations at that time. I appreciate the appellant has amended the scheme from the previous submission. Nonetheless, along with whether a tree assessment was requested or a lack of one raised as an issue previously, this does not alter my findings on the main issue, which are based on the individual circumstances of the scheme before me.
21. I have not been made aware of any certificate of lawfulness for the single storey extension and this would not alter the considerations with regard to T1.
22. The application of policies in the Framework that protect areas or assets of particular importance, in this case the CA, provides a clear reason for refusing the development proposed. Therefore, the presumption in favour of sustainable development set out in paragraph 11d)ii is not engaged.

¹ House Extensions and External Alterations Supplementary Planning Document

² London Borough of Richmond Upon Thames Local Plan

Conclusion

23. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
24. For the reasons given, and having considered all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR