



Appeal Decision

Site visit made on 8 December 2021

by Rory MacLeod BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2021

Appeal Ref: APP/L5810/W/21/3269919

8 Sandy Lane, Petersham, Richmond, TW10 7EN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr. Giuliano Giovannetti against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref 20/3017/VRC, dated 22 September 2020, was refused by notice dated 22 December 2020.
 - The application sought planning permission for demolition of the existing dwellinghouse and erection of a detached two storey dwellinghouse without complying with a condition attached to planning permission Ref 20/1547/VRC, dated 5 August 2020.
 - The condition in dispute is No 3 U085763 (approved drawings) which states that: The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable.
Demolition Statement; Energy Report; GLA control toolkit simulator 1 and 2; SAP checklist and worksheet; Inclusive Access Statement; Materials; Residential Standards Statement; Transport Statement; Viability Assessment; Water Efficiency Calculator.
1810/EX/001; 1810/EX/002; 1810/EX/003; 1810/EX/004; 1810/EX/005; 1810/EX/006; 1810/EX/007; 1810/EX/008 and 1810/EX/009 received 8th November 2019
Preliminary Ecological Appraisal received 23 January 2020
Construction Management Statement Rev A; 1810/Sk/056 Rev A and 1810/Sk/057 Rev A received 31 January 2020
Arboricultural Report received 24 February 2020. A-10-011; A-19-001; A-19-051; A-19-101; A-19-151 and A-19-201 received 10th June 2020.
 - The reason given for the condition is: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission was granted to application 19/3419/FUL on 11 March 2020 for the demolition of the former dwellinghouse and erection of a detached two storey dwellinghouse with associated hard and soft landscaping. Condition 3 specified the approved drawings.
3. Application 20/1547/VRC sought to vary condition 3 to allow for 1) increase in overall height of the building; 2) Modification to the design/position/shape of the windows; 3) Bricks changed from "London stock" to "bricks to match existing"; 4) Revision to the internal layouts. Permission was granted on 5 August 2020 subject to a new set of planning conditions, including a new condition 3 listing the approved drawings.

4. The current appeal relates to a proposal to vary the approved drawings condition to 20/1547/VRC to enable further changes to the approved development. The Council's decision notice lists these changes as follows: *"To allow for increase of main roof pitch to 45 degrees. Alterations to roof of front bay projection. Increase height of roof to rear outrigger. Addition of a rear dormer to main roof slope. Removal of chimney stack. Minor change to fenestration"*.
5. Work has commenced on constructing the replacement dwelling and was up to first floor level at the time of my site visit. However, work had not taken place in relation to the alterations the subject of this appeal. The appellant claims that development commenced in March 2021 in accordance with the original permission 19/3419/FUL as varied by a further submission 21/0438/VRC that was approved on 13 May 2021.

Main Issue

6. The main issue therefore is whether the condition is reasonable and necessary in relation to the size and siting of the further alterations in order to protect the character and appearance of the surrounding area.

Reasons

7. A chalet bungalow previously on the site has been demolished. The site forms part of a row of 3 dwellings with no.6 a chalet bungalow and no.4 a cottage style detached house. Both sides of Sandy Lane are otherwise predominantly characterised by detached two storey houses with pitched roofs but of varying size and design. The appeal site is a prominent corner plot on the junction with Clifford Road which comprises more modestly sized semi-detached and terraced houses.
8. The replacement house as originally approved included a crown roof, an area of flat roof over the loft, resulting in a relatively bulky appearance in relation to most nearby houses without a crown roof. The permission to application 20/1547/VRC would enable an increase in overall height of about 0.5m but otherwise no significant change to the roof profile. The increase in the pitch of the roof now proposed to 45 degrees would result in a noticeably larger crown roof. The ridged roofs to the front bay projection and to the long rear outrigger would also be raised to be level with the crown roof, adding to the massing at second floor level.
9. In views from the south-east, the front bay projection and rear outrigger would no longer appear as subservient features to the main roof. The resultant long ridge line would appear as a high and conspicuous feature in relation to the lower profile of the chalet bungalow at no.6 set much deeper within its plot. In views from the south-west, across the junction of Sandy Lane with Clifford Road, and in views from the north-west, from Clifford Road, the long flank to the crown roof would be perceived against either the front or rear wall resulting in a dominant and incongruous form of development. Whilst there is some variation in the angle of pitch to the roofs of dwellings in the surrounding area the proposal's roof profile would appear out of keeping with and unsympathetic to the prevailing character and roofscape. The location of the site on an open road junction would mean that the additional mass would be visible from several directions. It would detract from the appearance of this prominent corner site and the immediate surrounding area.

10. The proposal thereby would not be compatible with Policy LP1 of the Richmond upon Thames Local Plan (2018) (RLP) which requires development to be of high architectural and urban design quality and to demonstrate understanding of how the site relates to its existing context. There would be tensions with the Design Quality SPD (2006) which encourages the identification and respecting of common themes in the vicinity of a site and with the Small and Medium Housing Sites SPD (2006) which similarly emphasises understanding of the character and context of residential neighbourhoods.
11. The Council has accepted removal of the originally proposed chimney in the subsequent application 21/0438/VRC. The rear dormer proposed would be of relatively modest proportions and would sit comfortably in the main rear roof slope. It would be similar in size to dormers at 10 Sandy Lane, on the opposite side to the junction with Clifford Road, and would not detract from local character. The minor changes to fenestration would be acceptable.
12. The site is outside the Petersham Conservation Area, but its south-eastern corner abuts a westward spur from the main axis along Petersham Road to include an historic single storey building on the southern side of the junction with Sandy Lane. The significance of this part of the conservation area relates primarily to the fine and continuous architectural form of terraced houses to the Petersham Road frontage. The proposal would not adversely affect this significance and would have a neutral impact. It would not be detrimental to the setting, character or appearance of the conservation area. There would not be conflict with Policy LP3 of the RLP relating to designated heritage assets.
13. The site is covered by the Neighbourhood Plan for Ham and Petersham (2019). The Plan comments, *"The redevelopment of individual houses with larger modern houses can be expected given the shortage of undeveloped plots for individual houses. Providing these are designed with due regard to context this can bring an acceptable diversity to the street scene"*. Redevelopment of the site to provide a larger dwelling has been accepted. The house would be larger than most in the immediate vicinity. The proposal would increase its size at roof level in a way that would not be in keeping with the context of pitched roofs nearby within the Neighbourhood Plan area. It would thereby conflict with Policy C2 of the Plan which requires all applications for new buildings to demonstrate how the proposal addresses key elements of the neighbourhood character area in which the site is located and its context. There would not be conflict with Policy C3 relating to the network of paths and through routes.
14. The appellant has commented on greater massing of approved extensions to the former bungalow, but the current proposal has to be considered on its individual planning merits.
15. I have noted the single representation for the proposal and those against it. These do not change my judgement on the proposal's planning merits.

Conclusion

16. The condition is reasonable and necessary to protect the area's character and appearance. The appeal should therefore be dismissed.

Rory MacLeod

INSPECTOR