



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: 17 December 2021

Appeal Ref: APP/L5810/W/21/3274584

2 Latimer Road, Teddington, TW11 8QA

- 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 Landgrove Properties Ltd against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref 20/0554/FUL, dated 26 February 2020, was refused by notice dated 5 February 2021.
 - The development proposed is part-demolition and reconstruction of the rear second floor elevation to form roof dormers, introduction of 2 conservation-type roof windows to the front roof plane, creation of a private roof terrace to the second floor flat, insertion of larger windows to the flank and rear elevation of the first floor flat and replacement window to the front elevation of the first floor flat.
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Decision

1. The appeal is allowed, and planning permission is granted for part-demolition and reconstruction of the rear second floor elevation to form roof dormers, introduction of 2 conservation-type roof windows to the front roof plane, creation of a private roof terrace to the second floor flat, insertion of larger windows to the flank and rear elevation of the first floor flat and replacement window to the front elevation of the first floor flat at 2 Latimer Road, Teddington, TW11 8QA in accordance with the terms of the application, Ref 20/0554/FUL, dated 26 February 2020, subject to conditions set out in the attached schedule.

Preliminary Matters

2. The proposal has been designed to address the reasons for refusal of a similar application (19/3529/FUL).
3. The replacement of front, rear and flank windows to the first floor flat has already taken place. The Council does not object to the alterations within the proposal to the front elevation.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the building and on the Church Road Conservation Area.

Reasons

Building

5. The appeal relates to a three storey mid-terrace building sub-divided into 3 flats fronting the eastern side of Church Road from which the ground floor flat

is accessed. The upper floors are accessed from the rear via a parking area to the southern side of Latimer Road. The appeal site is located within the Church Road Conservation Area.

6. The replacement front window is sympathetic in design to the front dormer and ground floor windows. The proposed front roof lights would be of modest size and would not be readily visible from street level.
7. At the rear, the property has previously been enlarged by an eaves level second floor extension and by a two storey rear extension. It therefore already differs in size and appearance from adjacent properties in the terrace. The proposed second floor roof terrace would be screened by the existing side parapet wall in views from Latimer Road, and the works to a chimney stack would filter views of the proposed rear dormer. As the property is the third along from the corner, these alterations would not appear unduly dominant or intrusive in the street scene. They would be more conspicuous in private views from adjacent gardens, as would the rear fenestration changes, but the accumulation of works would not be out of keeping with the present mixed character of additions and alterations at the rear of the terrace.
8. The rear dormer would be the most conspicuous element but would be set in from both side boundaries. There are other larger dormers in the immediate surrounding area visible from the appeal site such as at 1 Luther Road. There is a more prominent roof terrace at 1 Latimer Road. The proposal would not detract from the character and appearance of the building and area to the rear of the building within which most of the changes would be viewed. There would not be conflict with Policy LP1 of the Richmond upon Thames Local Plan (2018) (RLP) which require all development to be of high architectural and urban design quality and to be compatible with local character including the relationship to existing townscape, development patterns, views, local grain and frontages.

Conservation Area

9. Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
10. The Church Road Conservation Area is linear in shape, largely comprising buildings fronting Church Road. In the vicinity of the appeal site, it covers just the eastern side of the road and excludes buildings in the side roads such as Latimer Road and Luther Road. The Conservation Area was designated recently in February 2019, and the Church Road Conservation Area no.85 Appraisal adopted in February 2021. The Appraisal's statement of significance refers to a "*Victorian and Edwardian commercial and residential street*" including "*some buildings with evidence of historic domestic and trade/ commercial shared use*". The significance of the conservation area lies in the architectural quality, built form and fine architectural details on the buildings fronting Church Road.
11. Most dwellings in the area are two storeys in height and scale, constructed of London mixed stock brick with red brick detailing. The terrace within which the appeal site is set demonstrates this and former commercial uses of the ground floors. The appeal building's profile includes an eaves level front dormer and is reflective of other buildings fronting Church Road. The building makes a positive contribution to the character and appearance of the conservation area.

12. The replacement front first floor window is an enhancement on the former window better reflecting the proportions of other windows in the terrace. The proposed front roof lights would have a neutral impact; they would only be visible in oblique views, would not be conspicuous and would be similar in appearance to other roof lights in front roof slopes. The top of the rear dormer would be set just below the central roof ridge. The dormer would not be visible from the front of the site or from other positions along Church Road. There would be no adverse effect on the character and appearance of the front of the appeal building which contributes most to the significance of the conservation area.
13. The boundary to the conservation area includes the whole curtilage of buildings fronting Church Road and the initial stretch of Latimer Road from where there would be limited views of the rear dormer. The impact of the proposal at the rear of the building has to be appreciated in the context of neighbouring development. Larger rear dormers have been added to the rear of buildings fronting Church Road; these are visible from within the conservation area from the initial stretch of Luther Road. The context also includes dormers and roof alterations on buildings adjacent to but outside the conservation area and clearly visible from within it.
14. In my judgement, the proposal as a whole would have a neutral impact. It would not detract from considerations that most contribute towards the significance of the conservation area. It would satisfy the statutory duty to preserve the character or appearance of the conservation area. There would not be conflict with Policy LP3 of the RLP requiring development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Similarly, the proposal would be compatible with Policy HC1 of the London Plan (2021) which states that *"development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings"*.

Other Matters

15. Neighbouring occupiers have raised objections in relation to loss of light and overlooking, particularly from the roof terrace. The proposals would not change the massing of the building such as to significantly impact on light to adjacent windows. A privacy screen is proposed to the roof terrace and etched glazing up to 1.7m above floor area for the first floor flank window. These measures should be sufficient to maintain privacy and could be the subject of planning conditions to ensure their provision and retention.

Conditions

16. The substantive part of the proposal has yet to commence. It is therefore appropriate to include the statutory condition requiring work to commence within 3 years. A condition is needed to list the approved drawings to accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning. A condition is needed to ensure that the external materials used are appropriate for the conservation area. To safeguard the privacy of occupiers in adjacent flats, conditions are needed in relation to obscure glazing. Finally, a condition is needed to ensure provision of suitable fire safety measures in accordance with London Plan Policies D5 and D12.

Conclusion

17. The proposal would not have an adverse effect on the character and appearance of the building or on the Church Road Conservation Area. There are no material considerations, including the House Extensions and Alterations SPD (2015), that indicate that the application should be determined other than in accordance with the development plan. For the reasons given I therefore conclude that the appeal should be allowed.

Rory MacLeod

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawings 266/01; 266/02; 266/03; 266/04; 266/05; 266/06; 266/07; 266/08; 266/09; 266/10; 266/13; 266/14; 266/15; 266/16; 266/17; 266/18; 266/19; 266/20; and Application Form, received 26th February 2021.
- 3) No new external finishes, including fenestration and works of making good, shall be carried out other than in the materials stated on the application form, approved drawings or to match the existing building, and the rooflights shall be black framed, conservation type to sit flush with the roof slope.
- 4) The obscure glazed balcony screen to the roof terrace on the rear of the building shall be installed to 1.7m in height prior to first occupation of the flat including the roof terrace, and the screen shall be retained in this form for as long as the roof terrace remains in existence.
- 5) The first floor side window shall be etched glazed up to 1.7m above floor level in accordance with the submitted plans and retained as such thereafter.
- 6) 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; 3) 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; 4) design measures that minimise the risk of fire spread; 5) means of escape and an associated evacuation strategy for all building users; 6) a robust strategy for evacuation which can be periodically updated and published, and 7) suitable access and equipment for firefighting.

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