The Planning Inspectorate

Appeal Decision

Site visit made on 14 December 2021

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date:5TH January 2022

Appeal Ref. APP/L5810/D/21/3283494 30 Jubilee Avenue, Twickenham TW2 6JB

- 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 Ram Chouhan against the decision of the Council of the London Borough of Richmond upon Thames.
- The application ref. 21/2382/HOT, dated 1 July 2021, was refused by notice dated 25 August 2021.
- The development proposed is described on the application form as "*Single storey rear extension and double storey side extension.*"

Decision

1. The appeal is dismissed.

Procedural matter

2. An application for a full award of costs has been made by Mr Ram Chouhan against the Council of the London Borough of Richmond upon Thames. This application will be the subject of a separate decision and is the more appropriate place in which to cover the appellant's reservations about how the Council handled the planning application.

Main issue

3. The Council had no objections to the proposed single-storey rear extension and whilst the proposed double storey side extension is perhaps more accurately described as a first floor side extension, the Council expressed no reservations about its effects upon the amenity and living conditions of neighbours. I see no reason to disagree with those findings. The sole main issue is therefore the impact of the proposed first floor side extension upon the character, appearance and setting of the dwelling and the surroundings.

Reasons

4. Jubilee Avenue is a straight avenue comprising primarily 2-storey semi-detached houses. The appeal property (with the adjoining property at no. 28) is a typical example being characterised by a main hipped roof with red tiles, a double-height advanced bay topped by a gable end with applied half-timbering, a secondary oriel window at first floor level and a former garage to the side (now in use as a study according to the submitted plans) linked to the garage

at no. 32. The vernacular-inspired detailing is a positive attribute of this and many other very similar properties along the avenue, giving the locality a sense of place and a degree of local distinctiveness.

5. The Council's objections to the proposed first floor side extension are twofold. The first concern can be said to relate to its general spatial effect, whilst the second involves its detailed design.

6. I have been referred to the Council's Supplementary Planning Document titled House Extensions and External Alterations 2015 (SPD). Amongst other things, this explains that development which would result in the significant reduction of an existing important space or gap between neighbouring houses is not normally acceptable. It is said that in conjunction with existing extensions to neighbouring buildings this can have a terracing effect on the street. Consequently, 2-storey side extensions should be sited one metre from the side boundary. The SPD carries weight as a material consideration in decision making but it should not be applied prescriptively to the exclusion of all other factors, including the physical circumstances and context of a site.

7. The appellant's statement includes a survey of the houses in Jubilee Avenue which have had 2-storey or first floor side extensions built up to or very close to the side boundaries. The survey is broadly accurate and includes no. 10 where a 2-storey side extension (approved under ref. 20/2617/HOT) is still being built. Viewing the road as a whole there are undoubtedly now gaps of various sizes between the dwellings. This varied spatial pattern contributes to the character and appearance of the street scene. That said, the fully-fledged and objectionable terracing effect referred to in the SPD is only apparent in the relationship between nos 51 and 53 on the opposite side of the avenue.

8. As well as that general variation in the street scene, I saw that no. 30 itself sits within a row of 5 houses between the junction with Pauline Crescent next to no. 26 (a detached house) and the junction with the rear service lane next to no. 34. The side extension would be built up to the shared boundary with no. 32 thereby reducing the upper level space between the 2 properties. However, there would still be a good-sized space above the garage wing at the side of no. 32. There has been no similar upper level side extension to no. 32 so a fully-fledged and objectionable terracing effect would not be produced. The gap would be consistent with many other gaps along Jubilee Avenue in general. Moreover, it is a telling point that the resulting space left between these 2 properties would match the current upper level space (above the ground floor side wing to no. 28) in the relationship between nos 26 and 28. The spaces between the buildings across this row of 5 houses would arguably have an improved balance and rhythm as a result of the appeal scheme.

9. I find the development to be acceptable in spatial terms as it would broadly respect the setting of the dwelling in the local street scene. The scheme would not be in full conflict with the SPD; the use of the word "normally" appears to allow for the possibility of exceptions where gaps are proposed to be reduced.

10. Careful choices over detailed design are important even though the site is not in a conservation area. Innovative architectural designs are not discouraged by the National Planning Policy Framework (the Framework), the Local Plan 2018

or the SPD but they should still fit in with local character including the surrounding built environment. The proposal falls short in this key respect.

11. Whilst the first floor side extension would be subordinate to the host dwelling, I am afraid its detailed design would be unsatisfactory for a building which displays such good architectural quality. The flat roof to the rear of the front hipped section may well limit the volume of the addition, compared to a fully pitched or hipped roof, but this built form and profile would visibly clash with the roof design of the original house and the neighbouring houses when viewing above the garage wing at the side of no. 32 on the approach from the east. It would an incongruous form of development. The fact that the front hipped section would possess very little depth and be partly obscured by a parapet in views from the side would further add to the adverse visual effect of the chosen roof form. The hipped section would lack any real substance and appear almost like a fake roof along the front wall of the extension which the SPD seeks to avoid.

12. I noticed a handful of properties along other sections of Jubilee Avenue where this approach has been broadly adopted. The planning history behind those additions is not before me. They are few and far between and situated some distance away. Moreover, the visual dissonance they bring about means that they are not good examples to follow.

13. The detailed design would produce a development which would not relate positively to its context or represent a visually attractive solution that would add to the overall quality of this area. Rather, it would fail to complement or enhance the host residential building and the immediate surroundings. My positive analysis about the spatial considerations of the project does not outweigh my negative analysis about its detailed design. My overall finding on the main issue is that the proposed first floor side extension would be harmful to the character and appearance of the dwelling and the surroundings.

14. Policy LP 1 of the Local Plan 2018 requires all development to be of high architectural and urban design quality so that it respects, contributes to and enhances the local environment and character. The SPD explains how the external appearance of any extension must be carefully designed in order to avoid the visual confusion that can result when the style and materials of the original house are ignored. It also advises that it is generally desirable to use a pitched roof on all 2-storey, side or rear extensions. The scheme would not respect this policy and guidance. There would also be a failure to adhere to the overarching design themes of the Framework insofar as they relate to achieving well-designed places.

15. My overall finding on the main issue is decisive to the outcome of this appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other material considerations. For the reasons given above and taking into account all other matters raised, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR