
Appeal Decision

Site visit made on 16 February 2022

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2022

Appeal Ref: APP/L5810/D/21/3284958

4 St Albans Gardens, Teddington, London, TW11 8AE.

- 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 T Fletcher against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref. 21/2401/HOT, dated 2 July 2021, was refused by notice dated 6 October 2021.
 - The development proposed is the erection of a two storey side extension, single storey rear extension and new entrance canopy.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey side extension, single storey rear extension and new entrance canopy, at 4 St Albans Gardens, Teddington, London, TW11 8AE, in accordance with the terms of the application, Ref. 21/2401/HOT, dated 2 July 2021, and the plans submitted with it, subject to the conditions set out in the attached schedule.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the host property and its setting in the wider street scene.

Reasons

Background

3. The appeal site contains a detached two storey property of a contemporary design which lies on a right angled corner in St Albany Gardens, a loose surfaced road serving other detached properties of a range of architectural forms. The planning history of the site makes reference to a silver birch (T7) on the site as the subject of a Tree Preservation Order (TPO), however I understand that this tree died and was removed by the previous owner of the property in accordance with application 18/T0500/TPO.

Effect on character and appearance

4. In considering this effect I have had regard to the Council's House Extensions and Alterations Supplementary Planning Guidance 2015 (SPD). This seeks to provide broad guidelines on how changes to residences should be designed to

harmonise with the original appearance of a property. In this case the 'original dwelling' means the new house as constructed in 2010.

5. The extensions proposed at ground floor would extend along the front and wrap around the front corner of the existing house and the second element would extent out of the south-east corner at the rear. Although the proposal involves a large expanse of flat roof, most of this would be screened from public view by the existing mostly evergreen hedge and shrubs along the property boundary with St Albans Gardens. I agree that the visual impact of this work would be contained as set out on drawing 1909/TO(11)32 and views limited to those in the gap caused by the driveway/entrance. Moreover, the architectural form of these additions would not appear out of place in the modern architectural form of the existing building as justified in the architect's Design and Access Statement.
6. In terms of the proposed first floor addition, the new gable would match the existing one. Although the gabled form would be twinned in size, the addition would be seen against the backdrop of the existing roof and viewed from the southern or western stretch of St Albans Gardens the addition would be not seen as prominent or out of place in the street scene.
7. The Council considers that the proposed extensions taken together would 'engulf' the footprint of the original property but I do not agree. The additions would take advantage of the large plot size and the overall scale and character of the property would remain while the form of the additions would reinforce its modern design.
8. In terms of the guidance in the SPD it appears to me that the cumulative extensions would not exceed more than half of the total width of the property in visual terms measured along both the western and southern axis. Further, I note the SPD guides away from flat roof porches but in this case the existing house does not have the design of a traditional building.
9. Overall I find that the proposed additions would respect and enhance the character and form of the host dwelling; they are sympathetic to its design and would not otherwise harm the character and appearance of the area. The proposal does not conflict with Policy LP1 on design quality.
10. This accord with the provisions of the development plan is not outweighed by any other consideration and this indicates that the appeal should succeed.

Conditions

11. In terms of conditions, the Council recommends three in addition to the standard ones concerning the timing of the development; accord with the approved plans and external materials to match the existing house. One of these conditions was a pre-commencement one and I consulted the appellant on its imposition and I have taken account of the comments made.
12. In addition to the standard conditions on the commencement of the development (No.1) and specifying the plans that are approved (No.2) I will impose the recommended condition (no.4) on the implementation of the Fire Safety Strategy as this is necessary to meet the requirements of Policy D12 of the London Plan, part of the development plan.

13. The Council suggests a condition requiring external materials to match the existing house but the proposal is, in the main, to use contrasting materials which are integral to the contemporary design. The ones depicted on the plans are acceptable therefore there is no need for an additional condition on materials.
14. The Council also recommend a condition to restrict the use of the flat roofs as a balcony. I agree that such a condition is necessary to avoid further overlooking but I will amend the format of the condition in the light of the appellant's comments about the existing terrace at first floor level.
15. Finally, the appellant and the Council agree that there are no TPO trees on the site, but as I have taken account of the screening effect of the existing hedge/shrubs along the southern and western boundaries, I will impose a condition requiring hedge /shrub protection during building work but revise this along the lines suggested by the appellant.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

David Murray

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:
 - 02 Jul 2021 TP(00)01 Location Plan
 - 02 Jul 2021 TP(00)03 Proposed Block Plan
 - 02 Jul 2021 TP(00)05 Proposed Site Plan
 - 02 Jul 2021 TP(00)06 Proposed Site Plan - First Floor
 - 02 Jul 2021 TP(10)20 Proposed Ground Floor
 - 02 Jul 2021 TP(10)21 Proposed First Floor
 - 02 Jul 2021 TP(11)21 South Proposed Elevation
 - 02 Jul 2021 TP(11)22 West Proposed Elevation
 - 02 Jul 2021 TP(11)22 West Proposed Elevation(1)
 - 02 Jul 2021 TP(11)23 North Proposed Elevation
 - 02 Jul 2021 TP(11)24 East Proposed Elevation
 - 02 Jul 2021 TP(11)28 South Street Elevations
 - 02 Jul 2021 TP(11)29 West Street Elevations
 - 02 Jul 2021 TP(11)30 East Street Elevations
 - 02 Jul 2021 TP(11)31 South Proposed Elevation
 - 02 Jul 2021 TP(11)32 West Proposed Elevation

All received 02 July 2021
- 3) The development must be carried out in accordance with the provisions of the Planning Fire Safety Strategy prepared by Cameron Jones Planning and received by the Local Planning Authority on 2 July 2021 and retained as such thereafter.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part of the roof of the new extensions hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto, other than the existing balcony and access, as shown on plan 1909 TP(10)21, which may be retained as part of the scheme.
- 5) The hedge/shrubs along the southern and western boundaries of the site shall be protected by the erection of site fencing prior to the commencement of any demolition or construction work and this fence shall be retained on site for the duration of the building work. If any of these shrubs/hedge need to be removed for access during development, they shall be replanted and/or replaced within 8 weeks following completion of the development with mature shrubs of at least equal height and density.