



Appeal Decision

Site visit made on 15 June 2022

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2022

Appeal Ref: APP/L5810/D/22/3298119

12 Eleanor Grove, London SW13 0JN

- 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 Sam Watkins against the decision of the London Borough of Richmond upon Thames
 - The application Ref 21/4018/HOT, dated 22 November 2021, was refused by notice dated 8 February 2022.
 - The development proposed is the demolition of existing single storey rear extension and construction of part single, part two storey rear extension; construction of a rear dormer; new timber sash windows to the front elevation at first floor; installation of three rooflights to the main front roof slope; demolition of external portico to front elevation and installation of rectilinear fanlight above front door; erection of a garden room to the rear of the garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal comprises several elements, however the Council's concerns are restricted to the first floor of the rear extension. Having regard to the character of the area and the form of alterations to neighbouring properties I have no reason to disagree with that position, and therefore, my reasoning below is primarily directed to the first-floor element.
3. The appellant has submitted an amended Arboricultural Impact Assessment (AIA)¹ with the appeal, but the Council has not had a chance to comment on this within the householder appeal procedure. I therefore cannot give any weight to that document. This matter is dealt with under the second main issue.

Main Issues

4. The main issues are: -
 - the effect of the development on the character and appearance of the host property and the Conservation Area; and
 - whether adequate arrangements would be made to protect existing trees.

¹ Appendix 3 to Appeal Statement - Report prepared by Ryan Tunnadine undated.

Reasons

Character and Appearance

5. No.12 is a mid-terraced property to the northern side of Eleanor Grove, which together with a small group of properties in White Hart Lane, comprises the White Hart Lane Conservation Area (CA). The appearance and charm of the two storey Victorian cottages which enclose Eleanor Grove are part of the conservation areas' significance. The properties comprise a mix of brick and pale coloured render/painted brick and have a relatively consistent form and architectural detailing.
6. Whilst following the same general form of its neighbours, No.12 is a wider property and is sited forward of the adjoining terrace (Nos.2 to 10). To the rear, unlike the other properties in the row, it does not have a shared two storey outrigger. To that end the appellant's Heritage Statement explains that the property originally incorporated a passageway allowing access to the rear by horse and cart. The property has a long rear garden which extends to the railway line and is bound by walls and landscaping.
7. The proposed 'L' shaped first floor extension would align with the rear elevation of No.10 with a central element projecting further. The overall depth of the extension would be akin to the existing outriggers; however, in contrast it would have a flat roof and would only be marginally off set from the eaves.
8. The scale of the extension would exceed the guidance in the Council's *House Extensions and External Alterations Supplementary Planning Document* (SPD). While I acknowledge that there is flexibility in applying the guidance, and that an extension to No.12 is unable to follow the same pattern as the neighbours, in my view, the proposals would dominate the host property, particularly as the first-floor extension would be read together with the proposed box dormer which would sit directly above.
9. The form and design of the first-floor extension would be an incongruous feature, at odds with the modest and more simple form and appearance of the host property and the wider terrace. The proposed arched design of the opening is taken from the shape of the existing window. Nonetheless, as set out in the Appellant's Heritage Statement this is not a feature found elsewhere in the road, and it is unclear if it is original. In my opinion, unlike the existing window which has a discrete presence, the Juliet balcony to the projecting central element would further contribute to the prominence of the extension. I accept that the rear of the property is not visible in public views from the surrounding streets, but I cannot agree with the appellant that the extension sits comfortably within its context.
10. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. The harm to the significance of the CA that would result from the proposed extension would be localised, but the incremental and cumulative impact from the diminishment of its character from unsympathetic alterations could adversely affect the CA as a whole.
11. The effect of the development on the CA would be less than substantial and thereby having regard to the approach in paragraph 202 of the National Planning Policy Framework that harm should be weighed against the public

benefits of the proposal. In this case the first-floor extension would create an additional bedroom which is clearly of personal benefit to the occupiers. Whilst other alterations and extensions which form part of this proposal include some benefits, for example the replacement of the modern windows with wooden sash windows, I am not persuaded that it equates to a public benefit sufficient to outweigh the harm that I have identified.

12. For the reasons set out above, the first-floor extension would not respect the character of the host dwelling. As such, it would neither preserve nor enhance the character or appearance of the CA. The proposal would not comply with policies LP1, LP3 and LP8 of the London Borough of Richmond Upon Thames Local Plan (2018) (LP) which, amongst other aspects, afford great weight to the conservation of a heritage asset, seek to ensure compatibility with local character, for development to be of a high architectural design quality and not be visually intrusive.

Trees

13. The CA location affords existing trees statutory protection. An AIA was submitted with the planning application, however as set out in the officer's report, the Council's tree officer raised points of clarification and sought additional details.
14. Although, as above, I cannot take account of the amended AIA, I have no reason to doubt that the inadequacies identified could be addressed, and a satisfactory tree protection strategy could be agreed to ensure compliance with LP policy LP16, which seeks to ensure the protection of existing trees of amenity value and the provision of appropriate replacement trees following removal.
15. I therefore conclude that, if the decision had been to allow the appeal, a condition could be imposed requiring the submission and approval of appropriate details to ensure adequate arrangements would be made to minimise the impact on the existing trees.

Other Matters

16. The appellant has referred to examples of extensions to other properties in the vicinity, but the scale and form of these are not directly comparable. No.12 is distinct from its neighbours and in any event each proposal is to be considered on its own merits.

Conclusion

17. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

G Ellis

INSPECTOR