



Appeal Decision

Site visit made on 15 July 2022

by G Ellis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th July 2022

Appeal A Ref: APP/L5810/D/22/3291188

9 Orchard Rise, Richmond TW10 5BX

- 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 Andrew Hill against the decision of the London Borough of Richmond upon Thames
 - The application Ref 21/2637/HOT, dated 22 July 2021, was refused by notice dated 29 October 2021.
 - The development proposed is an infill glazed porch, first floor rear extension, front and rear rooflights, extension of existing roof ridge, alterations to elevational treatment, side dormer windows and removal of two chimney stacks.
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Appeal Ref B: APP/L5810/D/22/3292940

9 Orchard Rise, Richmond TW10 5BX

- 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 Andrew Hill against the decision of the London Borough of Richmond upon Thames
 - The application Ref 21/3930/HOT, dated 9 November 2021, was refused by notice dated 7 January 2022.
 - The development proposed is for an extension of existing roof ridge, removal of chimney stack, insertion of front rooflights, new entrance door to existing front porch, two side dormer roof extensions, two storey rear extension with rear rooflight, rear rooflight to rear roofslope, proposed PV panels, alterations to existing window openings and proposed new window openings.
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Decisions

Appeal A - APP/L5810/D/22/3291188

1. The appeal is dismissed.

Appeal B - APP/L5810/D/22/3292940

2. The appeal is dismissed.

Procedural Matter

3. As set out above there are two appeals on this site. They mainly differ in the detail of the design of the proposed two storey extension. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

4. The description of development in relation to both appeals as set out in the headers is taken from the Council's decision notices as this more accurately and concisely describes the proposed developments.

Main Issues

5. The main issues are the effect of the development on: -

Appeal A and Appeal B

- The character and appearance of the area, including the Conservation Area, and the host property; and

Appeal A only

- The living conditions of the occupiers of the neighbouring properties (Nos.7 & 11) with regards to privacy.

Reasons

Character and Appearance

6. The detached property is located at a bend in the road and has a staggered relationship with its neighbours. It is part of an area of 1920/1930 properties which are designated as The Sheen Common Drive Conservation Area (CA). The significance of the CA is derived from the unity of the properties architectural style and the materials, with the suburban area having a pleasant and well-maintained appearance.
7. No.9 is reflective of the prevailing form, but it is rendered rather than brick. The plot is splayed with the property extending across the majority of the width with the long garden widening to the rear. The property benefits from a first-floor extension to the side which partially sits on what would have originally been the garage. The proposed extension in both appeal proposals would extend above the rest of the flat roofed single storey side element and would wrap around to the rear to create a two-storey extension on the footprint of the existing single storey extension.
8. The modern faux gabled form of the rear extension proposed under appeal A would contrast with the existing hipped roof and would extend up to the ridgeline. In appeal B, the rear element would have a hipped roof with rooflights and be marginally offset from the ridge. Additionally, in both appeals the pyramidal roof profile would be altered and would include the provision of a dormer projection to each side, albeit without a window.
9. Whilst the Council's Supplementary Planning Document (SPD) *-House Extensions and External Alterations* does indicate that one approach is for extensions to integrate rather than making them subordinate, the guiding principles include reflecting the existing character and ensuring continuity of the street as a whole. The additional massing to the roof and northern elevation, which due to the siting of the properties would be visible in views along Orchard Drive and would reduce the sense of spaciousness between the buildings.
10. I acknowledge that there are some crown roofs and side dormers evident in the locality, and that individually such features maybe appropriate. Nevertheless, in this case I find their position and form, collectively with the other alterations,

would create a dominant roof form which would have a harmful effect on the host property, its immediate surroundings, and the wider area. The hipped form of appeal B would reduce some of the bulk to the rear, however, in my view, the scale and extent of the alterations to the roof would still be prominent and change the character of the property. To that extent the proposals would not preserve or enhance the character or appearance of the CA.

11. The National Planning Policy Framework (the Framework) places great weight on the conservation of heritage assets irrespective of the potential level of harm. The harm to the significance of the CA that would result from the proposed alterations and extensions to the roof of the property would be localised and therefore the effect on the CA as a whole would be less than substantial. It would, nonetheless, represent an erosion of the CA's distinctive character. In circumstances where there is less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the Framework indicates that the harm should be weighed against the public benefits of the proposal.
12. The proposed development would allow for the extension and reconfiguration of the property to meet the present occupier's needs. This is clearly of personal benefit to the appellant, and there are elements of the appeal proposals and/or potential other ways that an extension of the property could be achieved. As such, there is nothing to persuade me that it equates to a public benefit sufficient to outweigh the harm I have identified.
13. Overall, I find that the proposals would conflict with policies LP1 and LP3 of the Local Plan¹ (2018), the SPD and the Sheen Common Drive Conservation Area Statement which together seek to ensure that development respects, contributes to and enhances the local environment and character, and conserves the historic environment.

Living Conditions (Appeal A)

14. The Council's reason for refusal identifies the second-floor rear roof terrace as the element of concern. Whilst currently there is some degree of potential overlooking between properties this is relatively limited and No.9, and its neighbours, have long rear gardens with landscaping along the boundaries. The addition of a second floor would create an elevated outlook from the rear; however, No.7 is positioned some distance forward of No.9 and the rear elevation of No.11 is beyond that of the proposed extension. Moreover, the terrace would be inset, and the design of the roof would restrict the angle of view with the main outlook over the property's garden (as illustrated on the appellant's site plan²). As such, I do not find that the proposal would result in significant overlooking to the detriment of the living conditions of the occupiers of the neighbouring properties.
15. Thus, I find that the proposal would comply with Local Plan policy LP8 and the guidance in the SPD which seek to ensure that development does not result in any substantial loss of privacy to adjoining dwellings and gardens.

¹ London Borough of Richmond Upon Thames Local Plan adopted 3 July 2018

² Site Plan PL W Rev P6

Other Matters

16. The appellant has referred to other properties in Orchard Drive which have been extended. The full details of the alterations to No.7 and No.15 are not before me. Nonetheless it was evident from my site visit that these properties have a different context in terms of the form of the existing property, and the relationship with their neighbours. Furthermore, not all existing alterations to properties within the CA successfully integrate with the character of the area, and I have considered each proposal on its own merits.

Conclusion

17. I have found that the living conditions of the occupiers of the neighbouring properties would not be adversely affected by the proposals (appeal A). However, in both appeals I have found the proposals would be unsympathetic alterations and fail to preserve the character or appearance of the CA.
18. Therefore, both appeals are dismissed.

G Ellis

INSPECTOR