



Appeal Decision

Site visit made on 7th July 2022

by Megan Thomas Q.C. Barrister-at-Law

an Inspector appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 25TH July 2022

Appeal Ref: APP/L5810/D/22/3292636

8 Garthside, Ham TW10 5JA

- 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 D Cato against the decision of the London Borough of Richmond Upon Thames.
 - The application Ref.21/3567/HOT, dated 12 October 2021, was refused by notice dated 23 November 2021.
 - The development proposed is a single storey extension to the side of the existing garage to provide a new home office.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to the side of the existing garage to provide a new home office at 8 Garthside, Ham TW10 5JA, in accordance with the terms of the application, Ref.21/3567/HOT, dated 12 October 2021, subject to the following 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: Block Plan; OS Map; 2001/01 & 2001/02 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the garage.

Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the area and on the setting of the Ham Common Conservation Area ("Conservation Area").

Reasons

3. The appeal site comprises a detached two storey dwelling with rear single storey extension and it is located in the north-eastern corner of Garthside. The house has vehicular and pedestrian access from Garthside and has a detached

garage with parking area at the front part of the plot, along with a lawned front garden. The other properties in Garthside are of similar appearance and some have detached or attached garages. The Ham and Petersham Neighbourhood Plan (made 2019) describes Garthside as detached brick family houses with an open aspect in front of the houses and private rear gardens. There is a sense of openness to the front of the appeal site given the lawn and parking forecourt area.

4. The proposal is for a single storey flat roofed extension to the existing garage. The proposed extension to the existing garage would measure approximately 5.35m wide and 7.5m in depth. It would be the same width as the existing garage. The proposed development is to build a flat-roofed single storey extension to the flank wall of the garage which would back onto the common boundary with Troll House. Its main door would be opposite the front elevation of the main house. It would have two windows in the south east elevation and a flat roof light.
5. It would be visible in the streetscene but it would be discreet and understated as it would not be unduly high and would be seen against the backdrop of the common boundary with Troll House to the north west. Whilst it would add built development to the front area, the frontage is sufficiently expansive to sustain the appearance of openness.
6. Even when combined with the footprint of the existing garage, it would not appear as a prominent, incongruous or disproportionate addition that would adversely impact on the open character of the front garden or on the character or appearance of the setting of the Conservation Area.
7. The boundary of the Conservation Area is drawn to exclude the built form of the host dwelling and its frontage land. So, whilst part of the red-lined appeal site is within the Conservation Area, the location of the proposed development is not within it. Nevertheless it is within the setting of the Conservation Area and it is important to analyse whether or not the character and appearance of that setting would be preserved. The significance of the Conservation Area is the woodland landscaped environment of the rear garden area and the land beyond to the north east. Garthside frontage is part of the setting but it is very much a suburban contrast and different to the woodland. The low key nature of the proposal would preserve that setting and would not detract from the significance of the Conservation Area.
8. Overall, I conclude that the proposal would not harm the character or appearance of the area or the setting of the Ham Common Conservation Area. It would not be in conflict with policies LP1 or LP3 of the Richmond Local Plan (2018) or the policies of the Ham and Petersham Neighbourhood Plan (made 2019).

Conditions

9. I have considered the imposition of planning conditions in the light of advice in National Planning Practice Guidance. A condition which ties the built development to the approved plans is necessary in the interests of certainty. In order to protect the character and appearance of the host dwelling and its surroundings a condition requiring the extension to match the existing

materials of the garage is necessary. I judge it is preferable to specify that the new building matches the garage rather than the dwelling, even though the dwelling and garage use some similar materials.

Conclusion

10. Having taken into account all representations made, for the reasons given above, I allow the appeal and grant planning permission subject to conditions.

Megan Thomas Q.C.

INSPECTOR