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# Appeal Decision

Site visit made on 27 June 2022

**by Gary Deane BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 July 2022**

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**Appeal Ref: APP/L5810/D/22/3292937**

**84 Montrose Avenue, Twickenham TW2 6HD**

- 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 and Mrs Manoj Tailor against the decision of the Council of the London Borough of Richmond-upon-Thames.
  - The application Ref 21/4091/HOT, dated 29 November 2021, was refused by notice dated 25 January 2022.
  - The development proposed is the erection of a first floor side extension and rear dormer window.
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## Decision

1. The appeal is allowed and planning permission is granted for the erection of a first floor side extension and rear dormer window at 84 Montrose Avenue, Twickenham TW2 6HD in accordance with the terms of the application Ref 21/4091/HOT, dated 29 November 2021, subject to the conditions set out in the schedule to this decision.

## Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

## Reasons

3. The appeal property is a semi-detached dwelling within a mainly residential area, wherein buildings are similar in style and age with many that have retained their original hipped roof. It falls within Character Area 9 as defined in the Council's Supplementary Planning Document (SPD) *Whitton and Heathfield Village Planning Guidance*. This SPD describes this area as composed of inter-war housing and mainly comprising 2-storey semi-detached dwellings of similar design. Close to the site, I saw that some properties have been externally altered and extended and that some include side and roof-level additions. As such, there is some variety to the existing built form in the street scene and the local area to which the site belongs.
4. The proposal is a first-floor side addition set back from the main front wall with an extended hipped roof together with additional upper rear-facing windows and a new dormer extension on the rear roof slope of No 84. The appellants' place some reliance on the planning history of the site and, in their opinion, the ability to bring forward the appeal scheme in its entirety even if planning permission were to be withheld in this case.

5. In November 2021, the Council granted planning permission<sup>1</sup> for a side extension with a hipped roof and upper rear windows at No 84, which I shall refer to hereafter as the 'approved scheme'. The approved scheme is similar to the proposal but without the rear dormer. The Council raises no objection solely to this element of the proposal. From the submitted plans, neither do I.
6. The Council has also recently issued a certificate of lawful development<sup>2</sup> for a hip to gable conversion and a rear dormer extension on the existing roof of No 84. That decision and the accompanying drawing confirm that a rear dormer that is the same as the proposal before me could come forward through the exercise of permitted development (PD) rights<sup>3</sup>. I shall refer to this development hereafter as the 'PD scheme'.
7. If this appeal were to be dismissed, the appellants state that the approved scheme would be constructed as a separate operation after completion of the rear dormer under PD. In that way, the proposal could be introduced in its entirety albeit through 2 sequenced building operations independent of each other. That 2-stage process would not necessarily trigger an increase to the volume of the original roof space over and above the threshold allowed under PD because the rear dormer would be put in place before works started on the approved scheme. If that approach were taken, the plans of the dwelling under the approved scheme and upon which the Council's decision was based at that time would differ to those 'on the ground' given the presence of the rear dormer. Nevertheless, these earlier schemes do represent a realistic fall-back position against which the proposal before me should be assessed.
8. In most situations, the new dormer would be regarded as an overly large and bulky addition to the house particularly taking into account the guidelines for this type of development set out in the Council's SPD, *House Extensions and External Alterations*. It would significantly add to the scale and mass of the building in an elevated position with only a modest set back from the ridge and eaves of the host building. As the properties on either side of the site, which are 82 and 86 Montrose Avenue, and others along the same road largely retain their hipped roofs, the new dormer would set No 84 apart from most nearby dwellings. Furthermore, the larger new dormer window would neither align with nor satisfactorily relate to the size and position of the windows below.
9. However, the dormer and its windows, as proposed, could be put in place as a standalone operation under PD together with the hip to gable alteration. To my mind, the proposal, in its entirety, would be a far more sympathetic response than the PD scheme mainly because the side addition would continue the hipped style of the host roof. The new dormer would also sit more comfortably on a larger rear roof slope than the PD scheme. As a result, the completed dwelling would appear less 'top heavy' when seen from the rear garden of No 84 and the properties on either side.
10. In views from Montrose Avenue, the extended hipped roof, as proposed, would ensure that the rear dormer would be screened from the road. As such, the dormer would have no significant effect on the character and qualities of the local street scene. Several other properties in the surrounding area include

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<sup>1</sup> Ref 21/3071/HOT dated 22 November 2021

<sup>2</sup> Ref 21/2324/PS192 dated 23 August 2021

<sup>3</sup> Under Class B and Class C of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015

side extensions and extended roofs that are visible from the road including those to which the main parties have referred. In that varied built context, the proposal would not appear incompatible nor obtrusive in the public domain.

11. In contrast, the hip to gable arrangement under the PD scheme would truncate the roof such that the side wall of the rear dormer is likely to be visible from the road. With part of the new dormer and a gable end both in view from Montrose Avenue, the PD scheme would visually accentuate the contrasting roof forms of No 84 with those on either side. Unlike the proposal, this arrangement would draw the eye from the street given that it would disrupt the consistent hipped roof profile of No 84 with the properties on each side. For these reasons, the PD scheme would have a worse effect than the proposal on the character and appearance of the host building and the local area.
12. Against that background, I conclude on the main issue that the proposed development would not cause significant harm to the character and appearance of the local area. Accordingly, it does not conflict with Policy LP 1 of the Council's Local Plan or the Council's SPDs, *House Extensions and External Alterations* or the *Whitton and Heathfield Village Planning Guidance*. This policy and guidance seek to ensure that development achieves a high design quality and respects, contributes to and enhances the local environment and character.

### **Conditions**

13. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plan for certainty. To ensure the satisfactory appearance of the development, a condition is imposed to require that the external materials match those of the existing building. A condition is required to ensure that the provisions of the submitted Fire Safety Statement are carried out for the health and safety of future occupiers.

### **Conclusion**

14. For the reasons set out above, I conclude that the appeal should be allowed.

*Gary Deane*

INSPECTOR

### **Schedule of conditions**

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Ref PA-01.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted, including those used in any works of making good, shall match those used in the existing building.
- 4) The development hereby permitted shall be carried out in accordance with the provisions of the Fire Safety Statement, submitted on 30 November 2021, and permanently retained as such thereafter.