



Appeal Decision

Site visit made on 28 November 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14.12.2023

Appeal Ref: APP/L5810/D/23/3324223

21 Orleans Road, Twickenham, Richmond upon Thames, TW1 3BJ

- 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 Philip Griffiths against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 22/3455/HOT, dated 18 November 2022, was refused by notice dated 25 April 2023.
 - The development proposed is described as 'refurbishment and extension of single family dwelling'.
-

Decision

1. The appeal is allowed and planning permission is granted for the refurbishment and extension of the single family dwelling at 21 Orleans Road, Twickenham, Richmond upon Thames, TW1 3BJ in accordance with the terms of the application, Ref 22/3455/HOT, dated 18 November 2022, 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: Site location Plan AG282_Rev B; Existing plans: AG282 001-01A, AG282 002-01A, AG282 004-01A, AG282 020-01A, AG282 021-01A, AG282 022-01A, AG282 023-01A, AG282 034-01A, AG282 035-01A, AG282 036-01A, AG282 037-01A, AG282 038-01A; and Proposed plans: AG282 001-02A, AG282 002-02A, AG282 004-02A, AG282 020-02E, AG282 021-02C, AG282 022-02C, AG282 034-02C and AG282 035-02C.
 - 3) The materials and brickwork paint finish to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Prior to the construction of the relevant works below, large scale detailed drawings shall be submitted to the Local Planning Authority and approved in writing to show:
 - a) Details of how the rear boundary wall will be preserved at the junction with the two storey side extension; and
 - b) Details of the proposed fenestration.The relevant works shall be carried out in accordance with the approved details.
 - 5) 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 development hereby permitted shall be used as a balcony or terrace, nor shall any access be formed thereto.

- 6) The development shall be carried out in accordance with the Fire Safety Strategy, dated 18 November 2022, unless otherwise approved in writing by the Local Planning Authority.

Procedural Matters

2. I have taken the description of the proposal from the application form, but note that the scheme includes a two storey side extension, a first floor infill extension, and alterations to the fenestration, as described in the Council's decision letter. I have also taken the site address from the application form, although it comprises the amalgamated properties at 21, 23 and 25 Orleans Road.
3. The scheme was amended during its consideration by the Council. Those amendments included a reduction in the scale of the proposed side extension with the deletion of an additional storey and roof terrace. I have determined the appeal on the basis of those amended drawings.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the area, including whether it would preserve or enhance the character or appearance of the Twickenham Riverside Conservation Area.

Reasons

Character and appearance

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance.
6. The National Planning Policy Framework 2023 ('Framework') sets out that great weight should be given to the conservation of designated heritage assets, such as conservation areas, and that harm to them should require clear and convincing justification. Policy LP 3 of the Richmond upon Thames Local Plan 2018 ('RLP') requires development to conserve and enhance the significance of the borough's designated heritage assets. It therefore reflects the statutory test, and is broadly consistent with the Framework's approach.
7. The Twickenham Riverside Conservation Area ('TRCA') comprises a sweep of land on the Middlesex bank of the River Thames. As set out in the Council's Twickenham Riverside Conservation Area Statement No 8, it encompasses Georgian and early Victorian development based around a medieval village core, and includes a number of grand and important buildings, such as Orleans House, along with narrow streets and alleyways lined with two and three storey buildings, and areas of open space. It lists as a problem the loss of traditional architectural features and materials due to unsympathetic alterations.
8. Orleans Road is a narrow highway, leading down towards the river, parts of which are tightly enclosed by modestly proportioned buildings in a variety of styles. According to the appellant's Heritage and Conservation Statement Revision B (17 April 2023) ('HCA'), the building on the appeal site was likely

- constructed in the 1800s, with Nos 21 and 23 being a mirrored pair of cottages, which backed onto the boundary wall of Orleans House. It continues that they were probably built to accommodate people serving the large local estates or the houses on Montpelier Row; and that the narrow building at No 25 has a courtyard to the side where structures may have once stood.
9. The proposal would include a two storey side extension in No 25's courtyard. It would be the same height and form as the existing building, and it would be faced in painted brickwork to match. Its set back first floor would provide a significant degree of articulation, and would help it to achieve a subordinate appearance. The proposed hardwood sash windows in the extension and in the original building would reflect the style of the windows at Nos 21 and 23. The scheme would therefore respect the Orleans Road streetscene.
 10. The rear elevation of the building on the appeal site is fairly eclectic and, in some regards, typifies how the properties in this row have evolved and been added to over time. However, given its materials and form, the shower room outrigger at No 21, whose flat, felt roof, and white trim, stick out above the tall rear boundary wall, is an anomalous feature, which detracts from the TRCA.
 11. That outrigger would be replaced by a first floor extension which would continue to the rear of No 23. Compared to the outrigger, the extension's rear face would thus be much wider and, as illustrated by the section at page 13 of the HCA, it would be lower at the boundary but its flat roof would be taller. However, its clay tiled, sloping roof next to the boundary would better reflect the form and materials of the original building, and would largely obscure the proposed flat roofed section beyond.
 12. Given the tall boundary wall, mature trees, and the dense grain of development, the existing eaves and traditional pitched roof to the rear of the site is barely visible, even from the adjacent school grounds. The proposed rear extension would be no taller than the host's retained ridgeline, and for the above reasons, the resultant structure would achieve a cohesive appearance. Additionally, given the 'step-up' to the roofline at No 19 and to the proposed parapet wall at No 25, the scheme would display the varied heights and proportions which are so characteristic of this row.
 13. Consequently, considered as a whole, the proposal would not harm the character and appearance of the host property or the TRCA. It would not conflict with RLP Policy LP 3, nor with the more general requirement in RLP Policy LP 1 for development to be of high architectural and urban design quality and to relate to its context. For similar reasons, it would accord with the stance in the Framework.

Other matters

14. In the context of Orleans Road, where there are many opposing two storey buildings, the amended scheme, which would be a maximum of two storeys high, would not harmfully impact the living conditions at Nos 8 or 8A as a result of overbearance, loss of natural light, or a loss of outlook. The ground floor window to the office/bedroom 3 would face the host's own internal courtyard, and the window above it would serve a bathroom and would be set well back from the road. Given that there is a degree of mutual overlooking from the front faces of many of the houses across this narrow highway, they would not cause a harmful loss of privacy.

15. The amended scheme would be in scale with the existing structure, it would not create an unacceptable sense of enclosure or appear unduly overbearing, and it would not therefore conflict with the thrust of the Council's House Extensions and External Alterations Supplementary Planning Document 2015.

Conditions and Conclusion

16. Turning to the matter of conditions, I have considered those suggested by the Council against the tests in the Framework. As well as the standard time limit, in the interests of certainty, I have imposed a condition requiring that the development be carried out in accordance with the approved plans. In the interests of good design and protecting the character and appearance of the host property and the area, a condition is necessary requiring that the development be carried out in matching materials.
17. To ensure that the significance of the TRCA is preserved, I agree with the Council that large scale drawings of the proposed fenestration and details to show how the original boundary wall will be preserved, are necessary. However, given my third condition requiring matching materials, I do not consider that samples are necessary.
18. Given the extent of the new flat roofed area that would be created, and in the interests of protecting the privacy of nearby occupiers, I agree that a condition is also necessary to prevent its use as a balcony or terrace.
19. Finally, in accordance with London Plan (2021) Policy D12 a condition is necessary, in the interests of ensuring the safety of all building users, requiring that the development be carried out in accordance with the submitted Fire Safety Strategy.
20. The Council has suggested a condition stating that the first floor windows proposed in the southern elevation be fixed shut and obscurely glazed below 1.7 metres above floor level. However, as the outlook from them would be over a garage, with a significant gap to the openings in the side elevation of 27 Orleans Road, that is not necessary in order to protect those occupiers' living conditions.
21. The Council has also suggested a condition requiring that non-road mobile machinery run on ultra-low sulphur diesel as specified in BS EN 590 when reasonable and unless prior written consent has been granted. However, I am not persuaded that such a condition would meet the test of precision, nor that it is relevant to planning given the absence of any reference to a relevant development plan policy. I have not therefore imposed it.
22. For the above reasons, I conclude that the scheme would not harm the character and appearance of the host property or the area, and that the character and appearance of the Twickenham Riverside Conservation Area would be preserved. Consequently, having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR