



Appeal Decision

Site visit made on 20 February 2024

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 February 2024

Appeal Ref: APP/L5810/W/23/3323047

34 Belmont Road, Twickenham, Richmond upon Thames TW2 5DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Garnet-Lawson against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref 22/3412/FUL, dated 15 November 2022 was refused by notice dated 12 January 2023.
 - The development proposed is described as "proposed loft extension to provide 2 no. additional bedrooms and a bathroom to an existing 1st floor maisonette."
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Decision

1. The appeal is allowed and planning permission is granted for hip to gable and rear dormer roof extensions. Rooflights to front elevation, at 34 Belmont Road, Twickenham, Richmond upon Thames TW2 5DA in accordance with the terms of the application, Ref 22/3412/FUL, dated 15 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 submitted plans: drawing no's 516/D/01; 516/D/02; 516/D/09; 516/D/10; 516/D/11; 516/D/12; 516/D/13; and 516/D/14.
 - (3) With the exception of the external materials stated in condition 4, the development shall be undertaken in accordance with those materials specified on the Application Form, namely; walls to be rendered masonry painted white; main roof to be terracotta plain tiles to match existing property; and the dormer roof to be a single ply roof membrane coloured grey.
 - (4) The external sides of the approved rear dormer extension shall be white UPVC panels/weatherboarding on its sides as specified on page 6 of the Design and Access Statement prepared by Hayward Design dated November 2022.

Preliminary Matters

2. The description of development in the decision above is taken from the Council's notice of decision, also used in the appellant's appeal form, as this most accurately describes the proposed development.

Main Issue

3. The main issue is the effect of the proposed gable roof upon the character and appearance of the host property and the building it is part of, and the area, with particular regard to its scale and design.

Reasons

4. The appeal property is a first floor flat located within a hipped roof two-storey building, which has the appearance of a pair of semi-detached properties. The appeal property is at the end of a cul-de-sac and at the end of a row of other 'semi-detached' properties, which are located at a lower level than other properties on Belmont Road. However, the building the subject of the appeal differs from other properties in the row, as it has render at first floor level and much smaller front projecting hipped roof parts on each of its front corners. Furthermore, the location of the appeal property is off-set from the end of Belmont Road, so it does not directly face the road, instead it faces the rear and side of Belmont House, with its access track and front garden in-between. Belmont Road contains a mixture of hipped, gabled and parapet roofed properties, with some trees along it, there is also a large conifer tree near to the front of the appeal property.
5. The appeal property is not visible from most of Belmont Road, only from a small area at the end of the cul-de-sac. That view includes the tree near to its front side, which partly obscures the appeal property, and severely limits views of the shared roof of the appeal site and the adjoining property together. This, combined with its lower ground levels and discrete location results in it not being highly visible.
6. The introduction of a gabled roof on the appeal property would alter its hipped roof form, however, its proposed appearance would relate well to the host property, maintaining the same roof pitch and having matching tiles. The restricted views of it from the end of Belmont Road would be entirely appropriate in this built context, and views of its gabled end, which would not be visible from Belmont Road, would be even more restricted.
7. The increased size of the proposed roof would not be prominent, and given the existing tree and its off-set location from Belmont Road, it would not unacceptably unbalance the symmetry of the building the appeal property is part of, which is already distinct from the others in the same row at the end of the cul-de-sac. Even if the tree near to the front of the appeal site were to be removed, this would not alter my findings given the location of the appeal site relative to Belmont Road and other properties nearby.
8. The proposal would not increase the footprint of the building or harmfully erode the spaces between buildings. Moreover, its gabled design would not be out of character with the area, given the variety of different roof forms along Belmont Road.
9. The appeal site is very near to the Belmont Road Conservation Area (CA), I acknowledge that paragraph 212 of the Framework states that new development should enhance or better reveal the significance of heritage assets. The Council's undated Belmont Road Conservation Area 29 document describes the significance of the CA, which is said to relate to a small but concentrated area of distinctive villas, that are two and three storeys high with

gaps between buildings. Many of the buildings were said to have a unified appearance including shallow pitched roofs, and a stucco finish. The CA also includes several buildings recognised as having townscape merit. In this case, the appeal site is at a lower level than the CA and sited to one side of the end of the cul-de-sac. Views of the property from within the CA would be very limited, and its gabled end would not be prominent. In view of this, the proposal would not be harmful to the setting of the CA or of views into and out of it.

10. I therefore conclude that the proposal would respect the character and appearance of the appeal property, the building it is part of, and the area. In doing so, I find the proposed development would comply with Policy LP1 of the Royal Borough of Richmond upon Thames, Local Plan, adopted July 2018, that amongst other things require new development to be of high architectural and urban design quality, respect, contribute and enhance the local environment and character, including the relationship to development patterns, views, local grain and frontages as well as through its scale and form.
11. In addition, there would be a degree of conflict with the Council's House Extensions and External Alterations, Supplementary Planning Document, dated May 2015 (SPD), as it discourages hip to gable changes. However, as I did not find the proposal would unacceptably unbalance the properties, or be harmful to the area, the proposal would be consistent with one of the main objectives of the SPD, that seeks to ensure new development is sensitive to local character, in particular that roof extensions do not dominate the original roof and have a scale consistent with the host property.

Other Matters

12. It is noted that objections have been raised regarding the effect of the proposals upon the living conditions of neighbouring occupiers relating to loss of light, privacy and construction noise and disturbance, including access during construction works. Construction works would mostly be at second floor level, and not immediately above the ground floor flat, or to the side of the adjoining first floor flat. Whilst there may be some noise and disturbance associated with construction works, given the scale of the proposal, such works are likely to be for a relatively short period of time. No. 34 currently has first floor windows to its front, rear, and side elevations. In view of this, the new windows at first and second floor level would not materially affect levels of privacy for neighbouring occupiers. The proposed development would be contained within its existing built form, and its increased mass would be very limited. Consequently, I did not find that the proposal would result in an unacceptable loss of light for neighbouring occupiers. As a result, there would be no unacceptable effects upon the living conditions for neighbouring occupiers.
13. An adjoining occupier has also stated that there are private property rights relating to nuisance that could be affected by the proposal. Be that as it may, those are private rights that do not alter my conclusions on the effects of the proposal upon the living conditions of neighbouring occupiers.
14. The Council raised concern at the use of grey coloured ply on the exterior of the proposed rear dormer extension. The appellant has clarified within their statement that their Design and Access Statement refers to white UPVC panels/weatherboarding for the sides of the dormer extension with grey

coloured ply for its roof. These proposed external materials did not appear to be unacceptable for use on the rear of the property, in terms of their effect upon the character and appearance of the area.

Conditions

15. I have imposed a standard implementation condition, along with a condition listing the approved plans to provide certainty over what has been approved. Conditions regarding external materials are also necessary to protect the appearance of the area and ensure conformity to those materials specified on the Application Form and within the Design and Access Statement. Given the scale of the development, its location and the descriptions provided, it was not necessary to require samples of the external materials. Neither was it necessary to condition new ground surfacing materials, as no such works were proposed.
16. The Council suggested a condition to require adherence with the appellant's Fire Safety Statement, however this would partly relate to land outside of the red lined area on the appellant's site location plan. I have also not been provided with copies of the local development plan policy that would justify a planning condition in this respect. In addition, the building regulations separately address fire safety under Part B, and the Planning Practice Guidance is clear that conditions should not duplicate other regulatory regimes of control. I therefore find the suggested condition not to be necessary or reasonable in this case.
17. In view of the large separation distance between the appeal property and No.1 Campbell Close and the intervening parking area, it was not reasonable or necessary to condition the new first and second floor side windows be obscure glazed and non-opening. In addition, it is noted that the new windows would not serve habitable rooms, and there is already a non-obscure glazed window at first floor level in the side elevation of the appeal property.

Conclusion

18. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

A Hunter

INSPECTOR