



Appeal Decision

Site visit made on 15 April 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd May 2024

Appeal Ref: APP/L5810/D/23/3335957

23 Ferry Road, Twickenham, Richmond Upon Thames TW1 3DW

- 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 G Hurley against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 23/2703/HOT dated 4 October 2023, was refused by notice dated 30 November 2023.
 - The development proposed is described as dormer to rear roof slope. Rooflights to front and rear roof slope.
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Decision

1. The appeal is allowed and planning permission is granted for dormer to rear roof slope. Rooflights to front and rear roof slope at 23 Ferry Road, Twickenham, Richmond Upon Thames TW1 3DW in accordance with the terms of the application, Ref 23/2703/HOT dated 4 October 2023, and the plans submitted with it, subject to the conditions set out below.

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan and proposed block plan; and Drawing No: PP/44/23/02.

(3) For the avoidance of doubt the hereby approved dormer shall be clad in lead. The remaining materials to be used in the construction of the external surfaces of the hereby approved development shall match those used in the existing building.

Procedural Matter

2. Since the determination of the application the National Planning Policy Framework has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issue

3. The main issue in this appeal is the effect of the proposed rear dormer on the character and appearance of the host property and the Twickenham Riverside Conservation Area.
4. The Council did not raise concern with the proposed front rooflights, from the information before me I do not disagree.

Reasons

5. The site is within a residential area within the Twickenham Riverside Conservation Area. In accordance with the statutory duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990; I am required to have special regard to the effect of the proposed development on the character or appearance of the area.
6. Paragraph 205 of the Framework states that great weight should be given to the conservation of a designated heritage asset when considering the impact of a proposal on such an asset. This is irrespective of the level of harm.
7. The Council confirm that the significance of the Twickenham Riverside Conservation Area is set out in the Conservation Area Appraisal and can be summarised as follows: *"[it] is intrinsically linked to its relationship with the Thames and the evolution of the quayside village into a bustling and prosperous town centre. At its core, historic remnants of the former village remain obvious, including...dense, traditional laneways branching from busy main roads. There also remain pockets of small-scale domestic dwellings, such as simple workers' cottages reflective of the contrasting character between the village centre and the grander developments along the river's edge...the character of much of the area is defined by this diversity and a richness of building typologies."*
8. The appeal site is a mid-19th century end-terrace cottage. The appeal site is situated on a narrow street of terraced modest cottages and small outbuildings which sit at the rear of the grander 18th century houses on Sion Road. The cottages form an attractive collective of properties.
9. The appeal site, is an extended end terraced property, set within a group of large detached dwellings. The varying styles of properties play a role in defining the historic character of the area which is part of the Conservation Area's significance as a heritage asset. The appeal site is designated as a Building of Townscape Merit.
10. Paragraph 209 of the Framework confirms that the effect of a development on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
11. The Council state in the Planning Officer's Report that the significance of the appeal site is defined by its architectural style and surviving original features, group value with the wider terrace, historic interest as a surviving small-scale domestic dwelling in the area, and contribution to the streetscape and character of Ferry Road.

12. The proposed dormer would be positioned away from the sides of the roof and slightly above the eaves line, and would not project above the ridge of the roof. As such, the proposed development would align with the guidance set out in the Local Plan, Supplementary Planning Document, House Extensions and External Alterations (2015).
13. I observed during my site visit that dormer additions are not uncommon on this terrace. I also noted that the existing dormers were of a similar scale and position on the properties.
14. The proposed rear dormer would add mass to the existing property, which has been extended historically, further works are being carried out at the site at the time of the site visit.
15. The proposed dormer is modest in scale and has been sensitively designed and well-proportioned to the roof, providing a balanced form of development. The proposed rear skylight whilst large would be relatively unobtrusive in the streetscene. The design would not be out of keeping with the existing property and would not be incongruous to the surrounding area.
16. The proposed dormer would be visible from neighbouring properties and to a degree from the surrounding area however it would not be dominant, nor unsympathetic to the appeal property.
17. I find that the proposed development would not detract from significance of the Conservation Area nor the non-designated heritage asset. I conclude that the proposed development would preserve the character and appearance of host property and the Twickenham Riverside Conservation Area.
18. There is no conflict with Policies LP1, LP3, LP4 and LP8 of the London Borough of Richmond Upon Thames Local Plan (2018) and Policies 28, 29 and 30 of the Richmond Local Plan, 'The best for our borough', Publication Consultation Version (2023) (the Publication Local Plan) which seek to ensure developments are a high quality of design which preserve heritage assets. The Publication Local Plan has not been adopted and policies could be subject to further modification, however the policies attract some weight.
19. There is no conflict with the Framework which seeks to ensure developments are of good design appropriate and sympathetic to their surroundings and that the historic environment is protected.

Other Matters

20. Third party representations were received objecting to the proposed development and included amongst other things concerns relating to loss of privacy. The Council did not raise concern regarding the effect of the proposed development on the living conditions of neighbouring properties. From the information before me and my observations on my site visit, which included viewing the property from a neighbouring property I concur with the Council.

Conclusion and Conditions

21. For the above reasons I conclude that this appeal should be allowed.
22. I have imposed a standard condition relating to the commencement of development and a condition specifying the relevant plans as this provides

certainty. In order to safeguard the character and appearance of the area I have imposed a condition concerning materials.

23. The Council have suggested a condition relating to a submitted fire safety strategy. Policy D12(A) of the London Plan 2021 seeks to ensure that all development proposals achieve the highest standards of fire safety which includes the development of a robust strategy for evacuation. Notwithstanding this I note that the fire safety strategy does not alter existing emergency vehicle access, includes passive/active fire safety measures/material in compliance with Building Regulations and includes a plan detailing basic means of escape and assembly points. I have not been provided with substantive evidence to persuade me that a condition relating to the fire safety strategy for this householder development, is necessary in this instance when the matter of fire safety compliance is covered by Part B of the Building Regulations which is referenced in the strategy itself.
24. The Council have also suggested that a condition relating to the type of machinery used during onsite construction. I do not consider that the planning permission should be dependent on such restrictions and so it is not necessary in planning terms.

C Pipe

INSPECTOR