



Appeal Decision

Site visit made on 14 May 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 June 2024

Appeal Ref: APP/L5810/D/23/3330714

105 Albert Road, Richmond, Surrey, TW10 6DJ

- 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 Ms Miki Haines-Sanger against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref is 23/1355/HOT.
 - The development proposed is rear loft extension, alteration of ground floor doors and windows and internal remodelling.
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Decision

1. The appeal is allowed and planning permission is granted for rear loft extension, alteration of ground floor doors and windows and internal remodelling at 105 Albert Road, Richmond, Surrey TW10 6DJ in accordance with the terms of the application, Ref 23/1355/HOT, subject to the following conditions:
 1. The development hereby permitted shall be begun within 3 years from the date of this permission.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: D(2)01 and D(2)02.
 3. All external materials used in the construction of the development hereby approved shall match the type, texture, tone, colour, size and profile of those used on the existing building and shall be retained thereafter.

Preliminary Matters

2. On 19 December 2023, a revised National Planning Policy Framework (the Framework) was published. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I consider that there is no requirement for me to seek further submissions and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issue

3. The main issue is the effect of the proposal upon the host Building of Townscape Merit and whether the proposal would preserve or enhance the character or appearance of the St. Matthias Conservation Area.

Reasons

4. The appeal site comprises an attractive 2-storey semi-detached dwelling which forms part of a road of similar 2-storey terraced and semi-detached dwellings

- which sit behind small front gardens. A footpath runs to the rear of the properties on the west side of Albert Road, from which there are views of the rear elevation of the dwellings on Albert Road.
5. The site is located in the St Matthias Conservation Area (CA) which comprises the residential area centred around St. Matthias' Church. The appeal site forms part of "The Alberts and Houblon Road" character area which is characterised by its tight group of 2-storey terraced houses developed during the mid to late 19th century. The significance of the CA appears to be derived from the quality and consistency of traditional design and its historical connection to St. Matthias' Church.
 6. The attractive and largely unaltered form of the appeal property contributes positively to the character and appearance of the building and the CA. Indeed, the appeal building itself is a Building of Townscape Merit (BTM), along with the other properties in the road, and thus is considered to be a non-designated heritage asset (NDHA).
 7. I am mindful of the statutory duty¹ which requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The Framework indicates that when considering the impact of a proposed development on the significance of the designated heritage asset, great weight should be given to the asset's conservation. The Framework also states that the effect of an application on the significance of a NDHA should be taken into account, and that a balanced judgement will be required having regard to the scale of any harm and the significance of the asset.
 8. The proposed dormer windows would be sited to the right side of the roof slope where they would align with the position of windows on the first floor, and thus would not appear unbalanced. The dormer windows would be consistent with the design of the existing windows and would be smaller than the windows on the floor below. Whilst the dormer windows would not be set up from the eaves line, nonetheless, given their narrow profiles and the set in from the ridge and sides of the roof, they would be proportionate to the scale of the building and would not add undue bulk or dominate the roof slope.
 9. I therefore conclude that, the proposal would not be out of keeping with the character and appearance of the appeal property and would not cause harm to its significance as a BTM and would preserve the character and appearance of the CA and the surrounding area in general. There is therefore no conflict with Policies LP1, LP3 and LP4 of the Richmond Local Plan (2018) which seek to ensure developments are a high quality of design which conserve the character of the area. I also find no conflict with the Supplementary Planning Document House Extensions and External Alterations (2015) or the St Matthias Conservation Area Statement (1994) which, amongst other things, seek to ensure visual continuity is retained and high standards of design applied to developments.

Other Matters

10. Comments regarding the proposed side door are noted. However, there is no particular evidence before me that this would pose a security risk and I note that the Council did not raise any objections to the proposal on this matter. On

¹ Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

the matter of guttering overhanging the alleyway, this would be a private matter between the appellant and the owner of the alleyway, and therefore does not form part of my assessment.

Conditions

11. I have had regard to the conditions suggested by the Council, on which the appellant has had the opportunity to comment. Planning permission is granted subject to the standard 3 year time limit condition for implementation. In addition, it is necessary to specify the approved plans in the interest of certainty. In the interest of the character and appearance of the appeal property and the surrounding area, a condition is necessary to control the external materials of the development.
12. The Council have also suggested a condition relating to a submitted fire safety strategy. 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.
13. The Council have also suggested conditions relating to the type of equipment or vehicles used during onsite construction. Given the modest scale of the proposal, I do not consider that the planning permission should be dependent on such restrictions or requirements, and they are not necessary in planning terms.

Conclusion

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

N Robinson

INSPECTOR