



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: 25th June 2024

Appeal Ref: APP/L5810/D/23/3327084

13 Sandpits Road, Petersham, Richmond upon Thames TW10 7DU

- 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 Brenda Hart against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref is 231117HOT.
 - The development proposed is first floor rear outrigger extension together with insertion of 1x roof lights to the front and rear roof.
-

Decision

1. The appeal is dismissed.

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.
3. I note that the Richmond Publication Local Plan has been submitted to the Planning Inspectorate for independent examination. As the plan has not yet been adopted, its policies carry limited weight.

Main Issues

4. The main issues are:
 - the effect of the proposal on the host Building of Townscape Merit and whether the proposal would preserve or enhance the character or appearance of the Petersham Conservation Area; and
 - the effect of the proposal on the living conditions of the occupiers of neighbouring property 15 Sandpits Road with particular regard to outlook.

Reasons

Character and appearance

5. 13 Sandpits Road is a modest 2-storey mid-terrace property which forms part of a row of similar stock brick dwellings with red brick detailing, each of which sit behind small front gardens and occupy modest plots. The site is located in the Petersham Conservation Area (CA) which covers the historic core of Petersham village. The CA predominantly comprises large buildings set behind

front gardens enclosed by brick walls, railings and gates. The use of original or traditional materials and details, the number of well-preserved examples of grand 17th and 18th century houses and the surrounding green space give the area a distinctive spacious and verdant semi-rural character which reflects the historic settlement pattern and, in combination with the quality of architectural design, appears to be a key part of its significance.

6. The appeal property and the immediate surrounding area differ from the established character of the wider CA. Nonetheless, it's attractive and largely unaltered form and its group value with the other buildings within this row make a positive contribution to the character and appearance of the CA. Indeed, the appeal site is designated as a Building of Townscape Merit (BTM) for this reason and thus is considered to be a non-designated heritage asset (NDHA) which contributes to the character and appearance of the CA.
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 plans before me appear to contain discrepancies. The existing plans show a ground floor extension which projects approximately 1.2 metres beyond the first floor extension. The plans indicate that the proposed first floor extension would sit flush with the existing ground floor extension, which the appellant's submission states would not project any further than the extension to the neighbouring property 11 Sandpits Road. However, on the ground the variation between the existing ground and first floor extensions appears to be greater than 1.2 metres and the ground floor extension projects beyond the rear extension to No. 11. Given this, it appears that the submitted plans do not accurately reflect the existing built form on site. Thus, the precise extent of the extension is unclear.
9. Without clarity in the proposed plans, I cannot be sure of how the extension would look when completed. I therefore cannot assess the effect of the proposal on the character and appearance of the host dwelling and the CA with sufficient certainty. Consequently, I cannot conclude the proposal would not harm the character, appearance and significance of the CA and thus cannot assess whether any harm to it would be outweighed by public benefits. I cannot be satisfied that the statutory duty² would be met. Similarly, I am unable to make a balanced judgement with regards to the effect on the host BTM.
10. I therefore conclude that the proposal does not demonstrate compliance with Policies LP1, LP3 and LP4 of the London Borough of Richmond upon Thames Local Plan (2018) (LBRUTLP). These policies seek to ensure developments are a high quality of design which respects and contributes to the local environment and character. Compliance has also not been demonstrated with the House Extensions and External Alterations Supplementary Planning Document (2015)

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

² section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

(SPD) which seeks, amongst other things, to ensure developments are well designed and sympathetically complement the existing property and neighbourhood.

Living conditions

11. No. 15 Sandpits Road contains ground and first floor windows in the rear elevation close to the site boundary. Without clarity in the proposed plans, I cannot be sure of how far the proposed extension would project and thus I cannot be certain of its effect on the living conditions of the occupiers of no. 15 with particular regards to the outlook from these windows.
12. I therefore conclude that the proposal does not demonstrate compliance with those aims of LBRUTLP Policy LP8 which requires that development must protect the living conditions of neighbouring occupants. The proposal also does not demonstrate compliance with the SPD, which has similar aims.

Conclusion

13. For the reasons given above, the appeal is dismissed.

N Robinson

INSPECTOR