



Appeal Decision

Site visit made on 12 November 2024

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2024

Appeal Ref: APP/L5810/D/24/3342010

Tideway, Eel Pie Island, Twickenham, Richmond upon Thames TW1 3DY

- 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 Carmel Morrissey against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref is 23/1703/HOT.
 - The development proposed is the erection of the first floor and restructuring of the roof, demolition of the rear conservatory and replacement of the rear ground floor extension, ground floor extension of part east elevation, where the current steps are, ground floor alterations to north, east and west elevations, erection of disabled access ramp and replacement of an existing shed.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of the first floor and restructuring of the roof, demolition of the rear conservatory and replacement of the rear ground floor extension, ground floor extension of part east elevation, where the current steps are, ground floor alterations to north, east and west elevations, erection of disabled access ramp and replacement of an existing shed at Tideway, Eel Pie Island, Twickenham, Richmond upon Thames TW1 3DY in accordance with the terms of the application, Ref 23/1703/HOT, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, bearing in mind that it would be within the Twickenham Riverside Conservation Area (TRCA).

Reasons

3. Tideway is a detached bungalow located on Eel Pie Island, a private island in the River Thames accessed by a footbridge. Despite the general harmony of Tideway and the bungalows either side, they are not uniform in design or appearance. The appeal site is surrounded by a mix of property types and styles, and it is this variety that creates a sense of place and contributes positively to the character and appearance of the southern bank of the island.
4. The appeal site falls within the TRCA. From my observations and the TRCA 8 Statement, the significance of the conservation area, insofar as is relevant to this case, is primarily derived from its rich and varied townscape with an eclectic mix of residential development which describes the island's piecemeal

and organic growth. The appeal property with its 'quirky' rounded projection and turrets contributes positively to the TRCA.

5. The addition of a first floor and restructuring of the roof would increase the scale and massing of the property, however, in views from the towpath along the south bank of the River Thames the proposal would not be uncharacteristic of the surrounding properties which are a mix of single and two storey dwellings. Rather, the increased height would be seen in the context of existing two storey properties and as such, the scale of the proposal would not be prominent or incongruous. Furthermore, given the varied roofscape along the southern bank of the island the proposed roof form would not be jarring and would add to the visual interest of the appearance of the area. The proposal would therefore be in line with the overarching aims of the House Extensions and External Alterations Supplementary Planning Document (2015) and the National Planning Policy Framework (the Framework) which seek carefully designed extensions and high-quality well-designed places.
6. It is for these reasons that the proposed development would not be conspicuous when viewed in context with the nearby building of townscape merit known as The Sycamores. I note the Council raised no concerns in this regard either. While the overriding building form is single storey to the north of the central footpath, the increase in height at the appeal site would not be overtly discernible from views from either the footpath, The Embankment or on the footbridge. As result, no harm would arise to the character and appearance of the townscape of the northern bank of the island.
7. The quirky appearance of the rear elevation would be lost, nevertheless the proposed gable features would be characteristic of the riverside elevations of the surrounding properties. The proposal would add to the variety of properties within the TRCA, maintaining the positive contribution the appeal site makes to the eclectic qualities of the area. It therefore follows that the contribution the appeal site makes to the character and appearance of the TRCA as a whole would be preserved and its significance as a designated heritage asset would not be harmed. Consequently, the proposal would meet the requirements of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the provisions of the Framework to conserve and enhance the historic environment.
8. Overall, the proposal would not be unduly harmful to the character and appearance of the area and would preserve the TRCA and its significance, in accordance with Policies LP1 And LP3 of the Local Plan (2018) (LP). These policies, amongst other things, require development proposals to conserve the high-quality character and heritage of the borough through an understanding of how it relates to its existing context.
9. On the decision notice the Council also refers to Policies 28 and 29 of the publication draft Richmond Local Plan (2023). This plan has not been subject to an examination process to determine its soundness, and I have no clear information in relation to any unresolved objections. As such these emerging policies attract limited weight and have not been determinative in this appeal.

Other Matters

10. Despite the relatively large, glazed area at first floor level, given the orientation of the property and the position of these proposed windows any

views into the gardens of Run Softly and The Sycamores would be oblique, and no unacceptable harm would arise to the neighbouring occupiers living conditions as a consequence. Similarly, while there is a sensitive relationship between the appeal property and Run Softly given the limited separation distance, I have no clear reason to disagree with the conclusions of the Daylight and Sunlight Assessment (2023), which demonstrates that the amount of daylight and sunlight reaching this property would be within the acceptable limits set out within the recognised guidelines. Therefore, overall, the proposal would not harm the reasonable enjoyment of the neighbouring properties or gardens, as required by Policy LP8 of the LP.

Conditions

11. A plans condition is imposed for certainty however it is not necessary to include the fire strategy plans as these are covered in another condition. To protect air quality a condition relating to non-road mobile machinery is imposed and in the interest of protecting the character and appearance of the area a hard and soft landscaping condition is imposed. For the same reason I also impose a materials condition.
12. A condition is imposed to prevent the use of the flat roof as a balcony in the interest of protecting the living conditions of the occupiers of Run Softly and The Sycamores. However, given that the plans show that the proposed roof lights would be 1.7m above finished floor level no harm would arise to the privacy of these neighbouring occupiers and so a condition on this matter is not required. A condition is imposed to require the development is carried out in accordance with the fire safety strategy and plans so that appropriate fire safety measures are in place.
13. I also impose a condition to ensure that the development is carried out in accordance with the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan (2023). Given the scale and extent of the proposal the submitted method statement is sufficiently detailed and so it is not necessary to impose a condition to require the submission of another method statement.
14. There is no substantive evidence that a construction ecological management plan is required, however, to protect and enhance biodiversity I have imposed a condition requiring that the development is carried out in accordance with the Preliminary Ecology Appraisal which includes reference to lighting during the construction phase to protect bats. This condition also covers ecological mitigation measures and so a separate condition is not necessary. I also impose a condition relating to external lighting to protect biodiversity.

Conclusion

15. For the reasons given above, the proposal accords with the development plan, read as a whole. There are no material considerations that indicate that I should take a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be allowed.

F Harrison

INSPECTOR

Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: OS Plan 22-004 PL-001; Area Calculations 22-004 PL-400; Topographical Survey 2460_01 A; Existing and Proposed Site Plans 22-004 PL-002- A; Existing and Proposed Ground Floor Plans 22-004 PL-003-A; Existing and Proposed First Floor Plans 22-005 PL-004-A; Existing and Proposed Roof Plans 22-004 PL-005-A; Existing and Proposed East Elevations – Looking from The Sycamores 22-004 PL-021-A; Existing and Proposed West Elevations Looking from Run Softly 22-004 PL-023-A; Existing and Proposed South Elevations and Sections 22-004 PL-30; Flood Plain: Area Calculations 22-004 PL-500-A; Existing and Proposed Ground Floor Plans: Demolition Plan 22-004 PL-600; Existing Surface Areas – Existing and Proposed North and South Elevations 22-004 PL-601; and Existing Surface Areas – Existing and Proposed East and West Elevations 22-004 PL-602.

After commencement

- 3) No non-road mobile machinery (NRMM) shall be used on site unless it is compliant with Stage IIIB of EU Directive 97/68/E (or any superseding requirements) and shall be on the NRMM registered (or any superseding register). Such NRMM must be run on ultra-low sulphur diesel, which meets the specification within BS EN 590 (or any superseding standard).
- 4) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building, except where other materials have been shown on approved plans Existing and Proposed East Elevations – Looking from The Sycamores 22-004 PL-021-A; Existing and Proposed West Elevations Looking from Run Softly 22-004 PL-023-A and as set out in Section 11 of the Heritage, Design and Access Statement.
- 5) The green roof shown on the approved Existing and Proposed Roof Plans 22-004 PL-005-A shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building.
- 6) The development hereby permitted shall be carried out in accordance with Section 4 and Appendix 4 of the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan, dated 12 January 2023, by PJC Consultancy Ltd.
- 7) The development hereby permitted shall be carried out in accordance with the Fire Safety Strategy by Marguerite Murdock Architects, Fire Strategy Proposed Site Plan 22-004 PL-300 and Fire Strategy Proposed Ground and First Floor Plan 22-004 PL-301.

Prior to occupation

- 8) The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 5 of the Preliminary Ecology Appraisal, dated 2 November 2023, by PJC Consultancy Ltd, including the mitigation measure in relation to lighting outlined in paragraph 5.3.4, and the ecological enhancements set out in paragraph 5.4.1. The enhancements shall be implemented prior to occupation in accordance with a scheme that shall first

have been submitted to and agreed in writing by the local planning authority, and thereafter maintained as such.

- 9) Prior to the occupation of the development hereby permitted, a scheme of hard and soft landscaping works shall be implemented, that will have first been submitted to and agreed in writing by the local planning authority.
- 10) Details of any external lighting shall be submitted to and approved in writing by the local planning authority, which shall be in accordance with CIBSE Guide LG6 and ILP/BCT Bat Guidance Note 8. The lighting shall be installed in accordance with the approved details prior to the occupation of the development and thereafter maintained as such.

*****End of Conditions*****