



Appeal Decision

Site visit made on 20 January 2026

by Simon Hand MA

an Inspector appointed by the Secretary of State

Decision date: 4th February 2026

Appeal Ref: APP/L5810/C/24/3346816

7 Fanshawe Road, Richmond, Surrey, TW10 7XT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Suzanne Ambrose against an enforcement notice issued by Richmond Upon Thames London Borough Council.
 - The notice was issued on 16 May 2024.
 - The breach of planning control as alleged in the notice is without planning permission and within the last four years the erection of a rear dormer on the Land ("the Dormer").
 - The requirements of the notice are Either: (a) Carry out remedial work to the Dormer so that its finished appearance complies with drawing 2021/7/FRR/104 of Certificate of Lawfulness ref. 21/1499/PS192 dated 25/05/2021, thereby complying with Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Or: (b) Remove the Dormer and restore the Land to its condition prior to the breach of planning control; and (c) Remove all debris, rubbish or other materials accumulated as a result of taking step 5(a) or step 5(b) above.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (c), (f) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the development already carried out, namely the erection of a rear dormer at 7 Fanshawe Road, Richmond, Surrey, TW10 7XT as shown on the plan attached to the notice and subject to the following condition:

- 1) Unless within 2 months of the date of this decision a scheme for a privacy screen of a similar height as to that shown on the approved drawing 2021/17/FRR/104 dated 20/04/2021 but covering all the windows in the dormer or appropriate obscure glazing or a mix of the two, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 2 months of the local planning authority's approval, the use of the loft bedroom shall cease until such time as a scheme is approved and implemented.

If no scheme in accordance with this condition is approved within 6 months of the date of this decision, the use of the loft bedroom shall cease until such time as a scheme approved by the local planning authority is implemented.

Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time

limits specified in this condition will be suspended until that legal challenge has been finally determined.

The Appeal on Ground (c)

2. This ground is that the development already has planning permission. In fact planning permission does exist for a dormer widow on the property but the one erected is materially different from the one granted planning permission. It is clad in zinc rather than hanging tiles, has no opaque glass screen balcony, but most significantly is of a radically different design. It overhangs the lower slope of the roof by the eaves so that the outward face is level with the eaves line. In other words it appears as if a large zinc box was inserted into the roof, rather than a dormer. For those reasons the dormer is materially different and so does require planning permission and the ground (c) appeal fails.

The Appeal on Ground (a)

3. The Council have three concerns with the dormer as built. Firstly they consider it to be visually discordant, secondly it is obtrusive and overbearing to neighbours and thirdly allows overlooking of their gardens. The third problem can be overcome by a condition requiring a privacy screen as was originally envisaged when the dormer was granted planning permission. However, because the bathroom window also extends the full height of the dormer that too will either need to be obscure glazed or covered by the privacy screen.
4. The first two issues are linked. Clearly the dormer as built is unusual. It is set back the required 20cm from the eaves, but then projects forward on a slight cantilever so that the outward face is more or less level with the eaves line. The tiles on the roof in the 20cm below are still visible and as described above it looks like a box has been inserted into the roof. Whether that harms the appearance of the building is another matter. Looking around the area a surprisingly large number of houses have already benefitted from the largest dormers possible using permitted development rights. In particular an entire row of houses on Dukes Road, visible from Fanshawe Road have had dormers installed, forming one long mass of extensions, each slightly different from the others. The overall effect is quite appalling. Indeed it is hard to see how any oversized dormer can do anything other than harm the appearance of the building. They may provide useful extra living space, but a "sensitive alteration to the roof" they are not.
5. The existing dormer is distinctively modern and eye-catching, but not in a bad way. It no more dominates the roof than the approved dormer would have done. I note the rear of the property has also been clad in the same material as the dormer, which therefore uses matching materials to the house rather than the roof, because of course there is very little roof left to match. In my view it is a bold and modern addition that fulfils the ambitions of policy LP1 of the Richmond Local Plan and policy 28 of the draft local plan.
6. It follows that I do not consider it to be obtrusive and overbearing to the neighbours and will quash the notice and grant planning permission for the dormer subject to a privacy screen condition.

Simon Hand

INSPECTOR