



Appeal Decision

Site visit made on 28 November 2023

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2023

Appeal Ref: APP/L5810/D/23/3331723

48 Berwyn Road, Richmond, Richmond Upon Thames, TW10 5BS

- 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 BHPD Limited against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 23/1636/HOT, dated 13 June 2023, was refused by notice dated 3 August 2023.
 - The development proposed is described as 'proposed side and rear extension'.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by BHPD Limited against the Council of the London Borough of Richmond Upon Thames. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area, including on the Sheen Common Drive Conservation Area.

Reasons

4. The appeal property is a two storey, detached dwelling located within Sheen Common Drive Conservation Area (CA) which was designated in 2004 and further extended in 2005.
5. The Sheen Common Drive Conservation Area Statement (CAS) confirms that the core of the CA is formed by an estate of detached two storey houses built on open land in the period 1925-1932 and is a good example of a planned housing estate from the 1920s. It identifies that it is not only the unity of date, architectural style and materials that distinguishes this area from surrounding developments, but also the existence of well-maintained landscaped verges between the footways and Berwyn Road and Sheen Common Drive. The palette of materials used include red plain roof tiles, red / brown bricks, pebble dash, render, tile hanging, casement windows and half timbered first floors. The CAS also notes that problems and pressures within the CA are development pressure which may harm the balance of the landscape setting; loss of

- traditional architectural features and materials due to unsympathetic alterations and the loss of front boundary treatments and front gardens for parking.
6. Whilst the appeal property has a single storey extension to the side and other additions to the rear, it has retained many aspects of its original character and appearance and in my view positively contributes to the significance of the CA.
 7. The Local Plan Supplementary Planning Document House Extensions and External Alterations (2015) (SPD) whilst non-statutory, provides useful design guidance. The guidance states that side extensions should harmonise with the original appearance of the dwelling and should not dominate the existing house. Where extensions are designed to be subservient, the SPD states that the ridge of the extension should be set lower to that on the main house and that it would usually be desirable to set back the extension 1m behind the front elevation. The SPD also advises that two storey side extensions should not be greater than half the width of the original building and should be sited 1 metre from the side boundary to avoid a terracing effect occurring.
 8. The proposed side extension would be well set back from the front elevation of the host dwelling. It would have a hipped roof design which would be slightly lower than that of the host dwelling although not appreciably so and the eaves on the side elevation would be higher than that of the host dwelling. It would also extend out to the side boundary of the side contrary to the advice contained within the SPD and would therefore significantly close the existing gap between the appeal property and 46 Berwyn Road which also displays a number of original features and in this respect positively contributes to the CA.
 9. In my assessment, the gap that currently exists above the ground floor side extension enables views through to the trees and hedging in the rear gardens of the dwellings. More importantly, I find that the gap provides a setting to both No 48 and No 46, allowing the original scale and important architectural features of the dwellings to be appreciated, including their hipped roof form, distinctive eaves, two storey bays and canted windows. The proposed extension, due to its significant width and ridge and eaves height would result in a bulky, unsympathetic addition which would appear cramped in relation to the side boundary of the site. It would fail to be subservient in appearance to the host dwelling and would significantly detract from its architectural authenticity and integrity. This would be harmful to the character and appearance of the host dwelling and the surrounding CA.
 10. I am mindful that many of dwellings along Berwyn Road have been extended to the side at first floor level. Whilst some of these extensions are subservient and sympathetic in their design, others are highly dominant and have similarly eroded the more significant gaps between dwellings. I also understand from the Council's officer report that several notable examples close to the appeal property were approved prior to the area gaining conservation status and also prior to the adoption of the SPD. In any event, I have determined the appeal on its own merits.
 11. I also acknowledge the removal of the first floor rear addition which is a positive aspect of the proposal. However, this does not lessen my above concerns regarding the adverse effects of the proposed side extension.

12. The statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) is of considerable importance and weight. Paragraph 197 of the National Planning Policy Framework 2021 (the Framework) states, amongst other things, that the desirability of new development making a positive contribution to local character and distinctiveness should be taken into account in determining applications. Paragraph 199 of the Framework also advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to their significance. Paragraph 202 requires that, where a proposal would lead to 'less than substantial harm,' the harm should be weighed against the public benefits of the scheme.
13. For the above reasons, I find that the proposal would be harmful to the integrity of the existing dwelling and would be materially harmful to its character and appearance. Accordingly, the proposal would not preserve or enhance the significance of the Sheen Common Drive CA and would result in "less than substantial" harm in the words of the National Planning Policy Framework. No significant public benefits have been put forward to weigh against this harm.
14. Hence, the appeal proposal would fail to satisfy the requirements of the Act and the design and heritage aims of Policies LP1 and LP3 of the Richmond Upon Thames Local Plan (2018); Policy HC1 (C) of the London Plan (2021), and paragraphs 199 and 202 of the Framework. It would also be contrary to the aims and objectives of the SPD and the CAS.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR