

Appeal Decision

Site visit made on 4 May 2017

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 May 2017

Appeal Ref: APP/L5810/D/17/3170923

83 High Street, Hampton, TW12 2SX

- 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 Mr Jerry Gunn against the decision Richmond Upon Thames London Borough Council.
 - The application Ref 16/4695/HOT, dated 9 December 2016, was refused by notice dated 1 February 2017.
 - The development proposed is the demolition of part of the existing outbuilding and erection of replacement single storey front extension (linking with main cottage) and first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of part of the existing outbuilding and erection of replacement single storey front extension (linking with main cottage) and first floor side extension at 83 High Street, Hampton, TW12 2SX in accordance with the terms of the application, Ref 16/4695/HOT, dated 9 December 2016, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The external surfaces of the buildings (including fenestration) shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (unnumbered), 2015-24: 01, 02, 03, 04, 05, 06, 07, 08RevB, 09RevD, 10RevD, 11RevD & 12RevC

Procedural Matter

2. I use the Council's description of development which is more concise than the application form; I note the Appellant also uses this on the appeal form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property, the locality which is a Conservation Area, and the adjacent Listed Building.
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Reasons

4. The appeal property is a two storey semi-detached cottage of modest scale and attractive appearance in a very small plot tucked away with access only via a footway across other private property and with no street frontage. The disposition of buildings and their arrangement leads to a pleasing scene and a quirky character for this varied residential area. The proposal is as described above.
5. The site lies within the Hampton Village Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Section 66(1) of the same Act sets out the need to have special regard to the desirability of preserving the setting of a listed building. Policy DM HD1 of the Council's Development Management Plan (DMP) reflects S72(1) and adds more detail about further Council actions intended to ensure the safeguarding of these heritage assets. Policy DM HD2 of the DMP is similarly concerned with, amongst other matters, the conservation of Listed Buildings and their settings
6. A scheme comprising the components of the appeal proposal was approved by the Council in November 2016 (ref 15/5306/HOT). The difference now is that the Appellant would wish to have a set-back of the first floor frontage for the side extension of 0.2 metres whereas the approved scheme embodied a set-back of 1 metre at this point. The Council is concerned that this would result in an unsympathetic and dominant form of overdevelopment that fails to appear subordinate to the host property to the detriment of the appearance of the host building, the setting, appearance and character of the Conservation Area and the adjacent Listed Building.
7. For my part I noted that the semi-detached cottages are not presently symmetrical and that the views of the frontage of the property are extremely limited. The extension would clearly be of a different period to the original cottage which would continue to be read in its own right. The extension's roof would be of a diverse form and markedly lower than the main property. The set back of even 0.2 metres would give a shadow line and suitable scope for subtle joining of new and old finishes. The increase in proximity of the planned extension to the Listed Building itself relative to the approved scheme would be minimal as would the direct abutment to the immediate and wider setting of this property. The character and appearance of the Conservation Area would be preserved as change from the fall back would be negligible. The site is already an extremely tight one and I would not class this slight increase in development as being the straw which broke the camels back on the over-development front. Increasing the approved scheme by the very modest amount involved would appreciably increase the usability of the intended first floor bathroom to the advantage of the internal quality of this home.
8. Policy CP7 of the Council's Core Strategy (CS) and Policy DM DC1 of the DMP are relevant. Taken together they call for, amongst other matters, protection of local distinctiveness with high quality design and suitable siting, scale and massing sympathetic to the host building and its wider setting. This is reflected in the objectives of the Council's SPD 'House Extensions and External Alterations' (2015) (SPD) albeit this document cannot be expected to cover every eventuality and at times needs to be treated with a degree of flexibility.

9. Given all of the foregoing I conclude that the proposal would not conflict with the cited development plan policies and purposes of the SPD. It would also not run contrary to the aims of S66 (1) and S72(1) of the Act or Policies DM HD1 and DM HD2 of the DMP.

Conditions

10. The Council reasonably suggests the standard commencement condition along with a condition that works are to be carried out in accordance with listed, approved, plans as this provides certainty. A condition as suggested seeking details of materials and finishes would also be appropriate in the interests of visual amenity; I consider there to be no need for agreement on hard surfacing as this area would be minimal. The call for a condition requiring the use of matching materials is unnecessary given the foregoing condition.

Overall conclusion

11. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property, the locality which is a Conservation Area, and the adjacent Listed Building. Accordingly the appeal is allowed.

D Cramond

INSPECTOR