
Appeal Decision

Site visit made on 16 May 2017

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 13 July 2017

Appeal Ref: APP/L5810/W/16/3165696
19 Queens Ride, Barnes, London SW13 0HX

- 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 Trevor Alexander of 19/20 QR Limited against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref: 16/0870/FUL, dated 4 March 2016, was refused by notice dated 28 November 2016.
 - The development proposed is demolition of the existing 2 storey residential building and single storey garages. Erection of a pair of 3 above ground and basement storey dwelling houses with associated hard and soft landscaping works. Creation of a new crossover and erection of replacement front boundary wall.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - The effect of the development on the character and appearance of the area and on the adjoining Barnes Common Conservation Area;
 - Whether the existing dwelling should be retained.

Reasons

Character and appearance

3. When read together, Policy CP7 of the London Borough of Richmond upon Thames Local Development Framework Core Strategy 2009 (Core Strategy) and Policy DM DC 1 of the London Borough of Richmond upon Thames Local Development Framework Development Management Plan 2011 (DMP) seek to ensure that new development is of a high standard of design that recognises and respects distinctive local character and the nature of the particular road on which it is located. Although they pre-date its publication, these policies are consistent with those in the National Planning Policy Framework (the Framework) which seek to raise the standard of design and improve the character and quality of the areas where new development is proposed.
4. The appeal site is located near the west end of Queens Ride, a busy thoroughfare that skirts the edge of Barnes Common, a large area of woodland and open space, and which is primarily only built up on its south eastern side.

The immediately surrounding area has a mixed architectural character with buildings of a range of ages and styles. The buildings range between two and three stories in height with the notable exception of a seven storey block of flats at the junction of Queens Ride and Upper Richmond Road. Further east are taller contemporary blocks of flats on the east side of Gipsy Lane. The appeal site sits between a group of older, two storey, houses and a mid-Twentieth Century development comprising a number of three storey flats.

5. Whilst there is a diversity of built form and materials, the buildings on this section of Queens Ride have relatively similar solid to void ratios and a more horizontal emphasis in terms of their built form and fenestration. In addition to this a high brick wall runs along the majority of the south east side of the road and continues into Gipsy Lane and adds a further strong horizontal element to the street scene, although a section on the frontage of the appeal site has been partially dismantled as a result of instability.
6. Taken in isolation, the design of the proposed dwellings is not inherently objectionable. However, the policies in the development plan and the Framework are clear that good design also requires that a proposed development responds to, and respects, its context and the local distinctiveness of its surroundings.
7. The use of numerous, full height, narrow openings on the front elevation would give the proposed dwellings a much lower solid to void ratio than the surrounding buildings. The resultant prominent vertical emphasis would be exacerbated by the large roof lights to the roof slope and the set back in the frontage which would split the façade into two distinct sections. This would be inconsistent with the surrounding buildings and would not assist in the successful integration of the new building into its context.
8. Although there are a number of openings in the boundary wall that runs along Queens Ride these are in general quite small in scale, notwithstanding the incongruous gap formed by the access to the adjacent flats at Queens Court. The proposed use of a low wall with railings above would be inconsistent with the strong feature that the wall forms elsewhere on road. Together with the gap at Queens Court it would weaken the visual contribution of the wall to the street scene.
9. Whilst the proposed dwellings would use similar materials to the surrounding buildings and be of a similar height to the flats at Queens Court, these points do not outweigh the inconsistencies with the surrounding built form and local character. Taken as a whole, the proposal would be harmful to the character and appearance of the area and would conflict with the requirements of Core Strategy Policy CP7 and Policy DM DC 1 of the DMP.
10. Policy DM HD 1 of the DMP requires that new development should conserve or enhance the character and appearance of conservation areas. The Barnes Common Conservation Area is comprised largely of the open space area of the common itself with small groups of housing on its periphery. The Barnes Common Conservation Area Study identifies that the Common has retained its overall character as an ancient managed open space and that the buildings facing onto Barnes Common are grouped in small clusters of distinctive style and character.

11. The appeal site and the adjacent three storey flats to the east form a small enclave that has been excluded from the conservation area but which is surrounded by it. Due to this relationship, although it is not within the conservation area boundary, development within this enclave will inevitably have an effect on the character and appearance of the conservation area. The existing house on the appeal site and the adjacent flats are currently a marked contrast to the surrounding buildings within the conservation area.
12. The lower solid to void ratio and prominent vertical emphasis of this design would appear even more anomalous, creating an even greater contrast with the adjacent conservation area.
13. My attention has been drawn to the recent development of Halcyon Court which is within the conservation area near to the appeal site. I do not have full details of that scheme or circumstances that led to it being accepted and, consequently, I cannot be certain that they are analogous to the case that is before me.
14. The Framework requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. As the appeal site is experienced within the context of the surrounding conservation area, the proposed development would cause harm to the character and appearance of conservation area, and thereby its significance as a heritage asset. Nevertheless, due to the scale of the development and the overall size and nature of the conservation area, this harm would be less than substantial. Paragraph 134 of the Framework requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
15. The proposed development would result in the provision of an additional dwelling within the housing stock in the area and provide two dwellings which would be constructed to modern standards of energy and water efficiency in an area that is well located in terms of access to facilities and employment opportunities by way of public transport. However, one additional dwelling would only represent a very modest increase in the housing stock. This, of itself, would not overcome the great weight that is required to be given to the conservation of heritage assets. Consequently the proposal would not comply with the requirements of Policy DM HD 1 of the DMP.
16. Although the site is close to No 21 Queens Ride, a Building of Townscape Merit, the proposed dwellings would not project beyond the frontage of the existing buildings. Despite some loss of views of the building seen when travelling west, the ability to perceive the architectural character of that building and the part it plays in the street scene would not be unduly diminished. The effect would not be so significant as to be harmful. Within this context, I consider that the proposal meets the requirements of Policy DM HD 3.
17. The decision notice refers to Policy DM HD 2 of the DMP. This policy specifically refers to Listed Buildings and Scheduled Ancient Monuments. It is not suggested in the evidence that the proposed development will affect either of these and, consequently, I do not consider that it is relevant to this proposal.

18. The Council has also referred to a number of emerging policies in the Draft London Borough of Richmond upon Thames Local Plan (Publication Version for Consultation). As these policies are within a document issued for consultation and have not yet been subject to an examination, I can only accord very limited weight to them.
19. The proposed development would cause harm to the character and appearance of the area and the adjoining Barnes Common Conservation Area and the appeal must fail on this ground.

Whether the existing building should be retained

20. Policy DM HO 1 of the DMP states that existing housing should be retained, and requires that development proposals should demonstrate that the existing house is incapable of improvement or conversion to provide an equivalent scheme. The supporting text to Policy DM HO 1 sets out that retaining and refurbishing existing buildings will normally be a more sustainable option to redevelopment if the resulting building is fit for purpose. It goes on to say that proposals for redevelopment will be assessed for benefits on the balance of the quality of housing provision, including sustainability, design and amenity considerations and impacts on traffic and parking.
21. Whilst the appellant states that the option of refurbishment and extension of the existing dwelling has been ruled out, as this would retain a minimum amount of the original fabric and require a disproportionate amount of work and resources to meet the current minimum standards, the information to support this assertion is scant and there is no financial evidence to indicate that this is not a viable option. I note the appellant's point that this would not provide two large dwellings, each with four floors of accommodation; nevertheless, the provision of two dwellings would still be an equivalent scheme.
22. Moreover, whilst it is common ground that the proposal would provide suitable living conditions for the future occupiers and would meet the relevant parking requirements and the Council's sustainable construction guidelines, the wording of Policy DM HO 1 is such that all four criteria have to be met. The evidence provided does not fully meet criterion 1 and, in view of the harm to the character and appearance of the area, the proposal would not meet criteria 3.
23. I therefore find that, it has not been demonstrated that the existing dwelling is incapable of retention.

Other matters

24. The Council refer to the proximity of the proposed development to number 21 Queens Ride, where I saw that a recently permitted extension is under construction. Although the gap between the gable wall of the proposed development and number 21 would not be large, the effect of the new dwellings on this property would be minimal. For this reason there would be no conflict with the relevant requirements of Policy DM DC 5 which seeks to ensure that proposed development does not have an adverse effect on the living conditions of neighbouring properties in terms of, among others, loss of privacy, visual intrusion or loss of daylight and sunlight.

Conclusion

25. I have found that the development would cause harm to the character and appearance of the area and the adjoining Barnes Common Conservation Area and that it has not been demonstrated that the existing dwelling is incapable of retention. It would be contrary to the relevant requirements of Core Strategy Policy CP7 and Policies DM DC 1, DM HO 1 and DM HD 1 of the DMP. These are to my mind important matters, such that the proposed development should be considered contrary to the development plan as a whole.
26. I therefore conclude that, for the above reasons and having regard to all other matters raised, the appeal should be dismissed.

John Dowsett

INSPECTOR