
Appeal Decision

Site visit made on 5 December 2018

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2019

Appeal Ref: APP/L5810/W/18/3204544

Parkway House, Sheen Lane, East Sheen, London, SW14 8LS

- 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 A Smith on behalf of Glenstone Property Group against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 17/4063/FUL, dated 15 November 2017, was refused by notice dated 12 January 2018.
 - The development proposed is addition of Third floor mansard roof and Fifth floor mansard roof office space.
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Decision

1. The appeal is allowed and planning permission is granted for the addition of Third floor mansard roof and Fifth floor mansard roof office space at Parkway House, Sheen Lane, East Sheen, London, SW14 8LS in accordance with the terms of the application, Ref 17/4063/FUL, dated 15 November 2017, subject to the conditions in the attached schedule.

Procedural Matters

2. During the course of the appeal, the Council adopted the London Borough of Richmond upon Thames Local Plan (July 2018) (LP). Accordingly, the Council have confirmed that the policies referenced in the refusal reason that were part of the London Borough of Richmond upon Thames, Local Development Framework, Core Strategy (2009) and the London Borough of Richmond upon Thames, Local Development Framework, Development Management Plan (2011), are no longer relevant.
3. It also became apparent during the appeal that the planning application was not advertised in the correctly in relation to the effect of the proposal on the adjacent conservation area and listed war memorial. This was subsequently corrected by the Council and no further representations were received as a result.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area, with particular reference to the setting of the Mortlake Conservation Area (CA) and the setting of the grade II listed war memorial.

Reasons

5. The CA was designated in 2004 and it is a busy mixed commercial and residential environment. The majority of buildings which front onto Sheen Lane date from the 19th century onwards. They are generally of 2 and 3 storeys in height with narrow plot widths. The buildings provide individual interest through diverse facades as well as through a varied roofscape. At the cross roads of Sheen Lane and Upper Richmond Road, where the appeal site is located, the buildings generally step up in scale and many exhibit a mansard style roof.
6. Despite the increased scale of the buildings at this point, Parkway House, which is located immediately adjacent to the CA, is the tallest building in the immediate surroundings. It is a large 5 storey purpose built office building with retail uses at ground floor level and is very prominent in views looking south along Sheen Lane from within the CA itself. The building has a flat roof, on top of which sits a large amount of plant equipment as well as a significant level of telecommunications apparatus. To the rear, the building reduces in height to a 3 storey structure with a flat roof. Due to its prominence, height, form, and scale, the building contrasts with the prevailing character and appearance of the adjacent CA.
7. The proposal would introduce an additional floor to the main bulk of the building, as well as an additional floor to the lower section to the rear. The additional floors would take the form of mansard style roofs which would be clad in a standing seam, copper cladding system. The roof would be nominally set in from the edge of the building and would contain a number of dormer windows.
8. Due to the form of the roof, it would be more sympathetic to the surrounding roofscape than the existing stark flat roof. In this respect, the proposal would have a positive effect on reducing the contrast of the existing structure with the surrounding buildings. The proposal would also introduce some visual screening to the prominent telecommunications apparatus that is located on top of the building. This would significantly improve the views towards the appeal site from within the CA.
9. Section 66(1) of the Act states that in considering whether to grant planning permission for development which affects the setting of a listed building, special regard shall be had to the desirability of preserving its setting. The grade II war memorial is located to the front of Parkway House. However, in long views, the memorial is not readily appreciated because it is seen against the backdrop of a number of larger buildings, including the appeal site. Although the proposal would increase the height of the building, the relationship with the war memorial would not significantly change and I note that the Council concluded similarly.
10. Although the proposal would increase the height of the building, for the reasons identified above, it would be in a manner that would successfully integrate with the surrounding built form. I therefore conclude that the proposal would not harm the character and appearance of the surrounding area. Neither would it harm the setting of the CA, or the setting of the adjacent listed war memorial. Due to the lack of harm, there is no need to weigh the proposal against any public benefits as required by the Framework.

11. Consequently, the proposal would accord with Policies LP1, LP2 and LP3 of the LP and Policies 7.4 and 7.6 of the London Plan (2015). Taken together, these policies require, amongst other things, proposals that are taller than the surrounding townscape to be of high architectural and urban design quality which preserve or enhance the borough's heritage assets, and which have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. These policies are consistent with policies in the Framework in that regard.

Other Matters and Conditions

12. The existing building has many windows at elevated levels which already give rise to a degree of overlooking of neighbouring properties. Although the proposal would introduce an additional storey and associated windows to the main building and to its rear projection, due to the height and number of existing windows, the proposal would not materially alter the privacy levels of neighbouring properties.
13. The proposal would increase the height and mass of the building but proportionately this would be a relatively small increase due to the existing height and mass. Consequently, the additional effect on the levels of daylight and sunlight received by neighbouring properties would be limited. Accordingly, I see no reason to disagree with the Council in relation to these points.
14. I observed on my site visit that there is pressure for on street car parking in the surrounding area but I note that the Council's highway advisors are satisfied with the proposed level of car and cycle parking provision subject to the imposition of a number of conditions. In the interests of highways safety, I have therefore imposed conditions relating to car and cycle parking facilities as well as to require a construction method statement. The construction method statement is also necessary so as to minimise disruption to neighbouring occupants during construction. It is necessary that the statement is agreed prior to the commencement of development due to the nature of its content and the appellant has agreed to this form of wording.
15. The Council's transport planner has also suggested that a condition is imposed in relation to a refuse statement. However, in their evidence, the Council have not suggested that this condition should actually be imposed. Based on the evidence that I have before me, I see no reason why the site would not be able to accommodate the necessary refuse facilities and I note that on the proposed site plan, the refuse stores are not proposed to be amended. I have no evidence to suggest that the existing stores would not be suitable for the proposed development and therefore I consider that the suggested condition would not be necessary.
16. A condition is also suggested by the Council's transport planner in relation to the need for a Section 106 agreement to remove any entitlement to parking permits in council car parks. Again, the Council have not suggested that this condition be imposed and there is no specific evidence to demonstrate why the condition is necessary. This condition is therefore not imposed.
17. Conditions are imposed in relation to the time limit for implementing the development and to list the approved drawing numbers. These conditions are necessary in the interests of precision and clarity and to ensure that the development takes place in accordance with the details approved. Due to the

location of the appeal site next to the CA, a condition is also necessary to ensure that the external materials, including the fenestration, are agreed by the Council.

18. Finally, the proposal is accompanied by detailed evidence in relation to the energy efficiency of the development as required by local plan policy. To ensure that these environmental credentials are achieved, I have imposed a condition requiring the development to achieve a BREEAM rating of excellent.

Conclusion

19. For the reasons identified above, the appeal is allowed.

Martin Chandler

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: A000; A110; A129; A130; A131; A132; A133; A140; A141; A145; A146; A147; A148.
- 3) The external materials of the building (including fenestration) and, where applicable, all areas of hard surfacing, shall not be constructed other than in accordance with material details or samples which have previously been submitted to and approved in writing by the Local Planning Authority.
- 4) No part of the hereby permitted development shall be occupied until the car and cycle parking facilities have been provided in accordance with the approved drawings. Each car and bicycle parking space shall thereafter be retained for bicycle and car parking and for no other purpose.
- 5) No development shall take place, including any works of demolition, until a Construction Management Statement (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Statement shall provide for:
 - a) The size, number, routing and manoeuvring tracking of construction vehicles to and from the site, and holding areas for these on/off site;
 - b) Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear;
 - c) Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - d) Details and location where plant and materials will be loaded and unloaded;
 - e) Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required;
 - f) Details of any necessary suspension of pavement, roadscape, bus stops and/or parking bays;
 - g) Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such;
 - h) Details of any wheel washing facilities;
 - i) Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips);
 - j) Details of measures that will be applied to control the emission of noise, vibration and dust including working hours. This should follow Best

Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites;

- k) Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site);
- l) Details of the phasing programming and timing of works;
- m) Where applicable, the Construction Management Statement should be written in conjunction with the Arboricultural Method Statement, and in accordance with British Standard 5837:2012 'Trees in relation to design, demolition and construction - recommendations', in particular section 5.5, 6.1, 6.2, 6.3 and 7;
- n) A construction programme including a 24 hour emergency contact number