

Appeal Decision

Site visit made on 12 August 2019

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th August 2019

Appeal Ref: APP/L5810/D/19/3232122

68 Kew Road, Richmond TW9 2PQ

- 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 Ms Tanya Lawler against the decision of the London Borough of Richmond Upon Thames Council.
 - The application Ref 19/0904/FUL, dated 14 March 2019, was refused by notice dated 21 May 2019.
 - The development proposed is a retrospective application for alteration to frontal facade.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The property lies within the Kew Foot Road Conservation Area. This building and its neighbours, from 54 to 74 Kew Road, have been identified as buildings of townscape merit. The historic character and uniformity of properties 60 to 74 in particular, make an important and positive contribution to the character and appearance of the conservation area. Although alterations have been made to these buildings, particularly with regard to the introduction of external paintwork, the distinctive detailing above and below the windows and above the doorways, together with the brick courses between ground and first floor levels, contribute significantly to their character and appearance. In most cases, even where the contrasting brickwork has been painted over, these details remain evident.
 4. The proposal is to render the frontage of the property and the works have already been carried out. The rendering has resulted in a uniform finish across the full height and width of the frontage and has not maintained or differentiated between the original differing brickwork areas. The original distinctive detailing has been lost. This approach has resulted in a significant loss with regard to the historic interest of this building and has broken up the unity of the design of the terrace. The loss of the historic detailing represents particularly poor design in this context. The works have failed to have regard
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- for the significance of this terrace or the contribution it makes to the significance of the conservation area. As the works have failed to preserve or enhance the character or appearance of the terrace and the wider conservation area, the development results in conflict with the heritage and design requirements of policies LP1, LP3 and LP4 of the Local Plan 2018.
5. The appellant has identified that the terrace has been altered to an extent. The painted properties have however retained some of the detailing either by retaining the relief between the different areas or by emphasising the contrast by the use of differing colours. Number 76 has been rendered and has modern fenestration to the ground floor. I am unsure when these changes took place but in any event, the property has been finished to complement the distinctive property to the north. It does not represent a good reason for allowing the remainder of the terrace to be altered in a similar manner.
 6. A large number of examples have been provided of other rendered properties within the area. I am unaware of whether these required or obtained planning permission. I am mindful also that many of these examples relate to differing property types but also that a number retain distinctive features within their current appearance. In any event, I have to consider this proposal on its own particular merits and I cannot assume that the Council has been inconsistent in the application of its current policies.
 7. The appellant has set out very clearly the difficulties that have been experienced with regard to water penetration and the resulting mould and internal damage that has resulted. Whilst this is a matter that weighs in favour of some form of remedial measures, I am not satisfied that an approach that results in the loss of the historic external detailing is the only available or least harmful option. This particular approach has failed to afford great weight to the conservation of the significance of this building or the conservation area. The continued use of this building for residential purposes and ensuring that the living conditions are healthy, do represent public benefits but the weight I afford them has to be considered in relation to other potential less harmful options.
 8. The appellant has raised concerns with regard to the potential harm that would result from the removal of this render. Although this is a retrospective application and appeal, I must consider the merits of the works proposed rather than the implications of any remedial measures. If the property cannot be returned to its former state or an alternative approach is considered to be preferable, this is a matter that would first have to be taken up with the Council.
 9. The National Planning Policy Framework (the Framework) is clear that any harm to a heritage asset, such as a conservation area, should be weighed against the public benefits of the proposal. I find the harm to the conservation area to be less than substantial, as described in paragraph 196 of the Framework, but I am not satisfied that the public benefits are sufficient to outweigh this harm. The works therefore conflict with the heritage requirements of the Framework.
 10. With regard to non-designated heritage assets, such as this building of townscape interest, the Framework at paragraph 197 requires that a balanced

judgement be made. In the absence of clear evidence that the works represent the least harmful approach, I also find conflict with this element of the Framework

11. I have considered the matters put forward by the appellant and I accept that some measures were necessary to improve the living conditions within the house. However, these works have not had sufficient regard for the significance of this building or the conservation area. Given that I have found conflict with both the development plan policies and the requirements of the Framework, I dismiss the appeal.

Peter Eggleton

INSPECTOR