The Planning Inspectorate

Appeal Decision

Site visit made on 27 August 2019

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2019

Appeal Ref: APP/L5810/W/18/3217999
23 Station Parade, Kew, Richmond TW9 3PS

- 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 Sunil Bhasin against the decision of the Council of the London Borough of Richmond-upon-Thames.
- The application Ref 17/3891/FUL, dated 30 October 2017, was refused by notice dated 30 August 2018.
- The development proposed is an extension to create new two bedroom flat on second floor.

Decision

1. The appeal is dismissed.

Procedural Matter

2. I note that the Council's decision notice makes reference within an informative to there being a discrepancy between the submitted elevation plans and section drawings. For the avoidance of doubt, I have made my decision on the basis of the elevation plans.

Main Issues

3. The main issues raised in this case are

    i) The effect of the proposal on the character and appearance of the area and building, with particular regard to the sites location within the Kew Gardens Conservation Area and to the host and adjacent Buildings of Townscape Merit (BTMs) and;

    ii) Whether the proposal makes adequate contribution towards the provision of affordable housing.

Reasons

Character and appearance

4. The site lies within the Kew Gardens Conservation Area. I observed that the significance of this designated heritage asset lies in part due to its traditionally detailed terraces of properties positioned along roads, set behind street trees. Many buildings exhibit a significant amount of architectural detailing which positively contributes to the appearance of the streets. There is a distinct

hierarchy of buildings within the area, with pronounced, corner buildings being lower than the remainder of the terraces.

5. The appeal site lies at a prominent location within the street having roads on both sides. The building currently has a subtlety to its roof form, with the majority of the roof itself secreted behind the parapet detailing. This is a defining feature of the existing building and ensures it has a low two-storey form. Whilst part of the roof plane is visible from the north-east, this is set below the eaves of the neighbouring property and contributes to the hierarchy of buildings within the area and highlights the appeal building as being subservient to the remainder of the terrace.

6. The appeal scheme seeks to introduce an additional storey atop the existing building in the form of a "modern box". From views in the area of the nearby railway station, this addition would be visible above the existing parapet and would, in my view, appear as an incongruous modern intervention, jarring against the ornate and detailed parapet. It would increase the bulk of the building at roof level and diminish the attractiveness of the building as a Building of Townscape Merit. I noted that there were street trees surrounding the site which would to some degree limit the visibility of the roof addition, however the scheme would remain visible from numerous vantage points in the area and as such this does little to overcome my concerns.

7. From the north-east, the side elevation wall of the property would be extended upwards, screening the roof form of the proposal. This extended wall would terminate at a height level with the eaves of the adjacent property, with the roof of the proposal located behind. In views of this elevation, the extended wall would appear as an overly prominent feature that significantly increases the bulk of the elevation.

8. In reaching the height of the eaves of the adjacent property, it would significantly diminish the subservience of the appeal building, which positively contributes to the hierarchy of the surrounding buildings. In doing so it would also diminish the assertiveness of the remainder of the terrace which are Buildings of Townscape Merit (1-13 Station Parade), in the hierarchy of buildings. Whilst the scheme would to some degree rationalise what has been contended to be an "ad-hoc" elevation, I find that this is not sufficient reason to compensate for the shortcomings of this element of the scheme that I have outlined.

9. Given the separation between the site and 2-9 Station Approach, I do not consider that the scheme would have any appreciable effect on these specific BTMs, however this does not dissuade me from my findings above.

10. I note the contention that modern design can successfully be accommodated within traditional contexts and I do not dispute this in principle. Nonetheless for the reasons above I find that the appeal scheme would not successfully integrate with the existing building or its surroundings. I also appreciate that there is some variety in the form of existing properties within the vicinity of the site however as the appellant highlights, such variation is associated with the late Victorian and Edwardian periods; as such I do not consider this sufficient justification for allowing the appeal.

11. My attention has been drawn to a nearby property which, it is contended, also has had an additional roof element added, albeit that the appellant accepts that

this is of a more traditional design than the appeal proposal. However, the Council highlight that there is no planning history for this example and as such it is unclear whether the element of this building which is referred to is original or a later addition. Notwithstanding this, given my findings above I do not consider this represents a reason for allowing a harmful proposal.

12. Thus, the scheme would fail to preserve the character and appearance of the Kew Gardens Conservation Area and would have an adverse effect on the host building and nearby BTMs. Accordingly, the scheme would conflict with Policies LP1, LP3 and LP4 of the London Borough of Richmond Upon Thames Local Plan (the Local Plan). Together, and amongst other things, these policies seek to ensure that development respects, contributes to and enhances the local environment, that the historic environment is conserved, and the setting of non-designated heritage assets is preserved. The scheme would also conflict with the design aims of the National Planning Policy Framework (the Framework) and the guidance of the Supplementary Planning Documents: Design Quality (2006) and Residential Development Standards (2010).

13. In failing to preserve the character and appearance of the conservation area, I find that the scheme would result in less than substantial harm to a designated heritage asset. As required by paragraph 196 of the Framework, I have had regard to any public benefits of the proposed development. However, any such benefit is not sufficient to outweigh the harm that I have identified.

Affordable housing

14. Policy LP36 of the Local Plan seeks that a contribution towards the provision of affordable housing be sought on all housing sites, unless economic viability considerations indicate otherwise. However, paragraph 63 of the National Planning Policy Framework outlines that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas.

15. The Council highlight local evidence of affordable housing need is substantial and that high levels of need are evidenced in a recent Strategic Housing Market Assessment. It is also stated that the Council is reliant on contributions from small sites in order to meet affordable housing policy objectives. These matters weigh significantly in favour of seeking a contribution towards affordable housing. The appellant has not disputed these matters.

16. Having regard to this information therefore, I consider that the specific circumstances within this borough together with the policy of the development plan are sufficient, in this case, to outweigh the guidance of the Framework. This is consistent with the approach taken by Inspectors in the appeal decisions referenced by the Council.

17. The amount of a financial sum has been agreed between the appellant and the Council and a completed Unilateral Undertaking has been submitted securing this. Thus, the scheme should make a contribution towards affordable housing and the appropriate contribution has been secured. Therefore, the proposal makes adequate contribution towards the provision of affordable housing and would accord with Policy LP36 of the Local Plan.

Other Matters

18. I acknowledge that the scheme would make a contribution towards housing supply within the Borough, however given that the scheme would deliver only a single unit, this matter is insufficient to outweigh the harm I identify.

Conclusion

19. Whilst I acknowledge that the scheme would make a contribution towards affordable housing within the Borough, this does not outweigh the harm that I have identified in respect of character and appearance, including that of the Conservation Area.

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

Martin Allen

INSPECTOR