The Planning Inspectorate

Appeal Decision

Site visit made on 6 June 2019

by Rebecca Thomas MRTPI

an Inspector appointed by the Secretary of State

Decision date 20th September 2019

Appeal Ref: APP/L5810/W/19/3223906

109-111 High Street, Hampton Hill TW12 1NJ

- 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 Arben Dervisholli of Alper's Property Investments against the decision of the London Borough of Richmond upon Thames.
- The application Ref 18/4099/FUL, dated 12 December 2018, was refused by notice dated 22 February 2019.
- The development proposed is Installation of new shop front and division of existing retail unit into two retail units.

Decision

1. The appeal is allowed and planning permission is granted for Installation of new shop front and division of existing retail unit into two retail units at Second 109-111 High Street, Hampton Hill TW12 1NJ in accordance with the terms of the application 18/4099/FUL, dated 12 December 2018 and the plans submitted with it and subject to the following condition:

    1) The development hereby permitted shall be completed in accordance with the following approved plans: 2066.01 rev B.

Procedural Matter

2. It was clear from my site inspection that the works required to divide the retail unit into two have already commenced and appear to be substantially complete. For the avoidance of doubt and notwithstanding that construction work has already commenced, my responsibility is to consider the appeal based on the scheme as it appears on the plans submitted.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the High Street (Hampton Hill) Conservation Area (CA).

Reasons

4. The appeal site comprises two buildings which have retail use at the ground floor and with residential use to the first and second floors. As shown in the appeal documents, the previous arrangement at ground floor was one unit across both buildings. The appeal site is part of a terrace of properties in the CA on the High Street. The statutory duty within Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, which requires that special

attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas, applies.

5. The appeal building fronts the High Street. The area has a character of being a busy local shopping centre and community area with a variety of businesses located here, parking available on-street and bus routes evident. Throughout the immediate area, buildings have been altered, with some retaining the original detailing and characteristics and others being much more modern. This is apparent adjacent and opposite the appeal site where there are modern buildings in between the traditional. The appeal site retains its original characteristics to the first floor including the dividing pilasters at the edges of the appeal site.

6. Policy LP 1 of the London Borough of Richmond upon Thames Local Plan (adopted July 2018) (the Local Plan) requires all development to be of high architectural quality. Section B specifically addresses shopfronts, expecting them to complement the proportions, character, materials and detailing and the surrounding streetscene and the building of which it forms part. Policy LP3 of the Local Plan deals with CAs, expecting development to protect the significance and settings of CAs.

7. The National Planning Policy Framework ('the Framework'), says that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to the conservation of the heritage asset. The Framework states that new development should respond to local character and history, add to the overall quality of the area and be visually attractive as a result of good architecture and landscaping.

8. The appeal proposal would result in the existing single retail unit being split into two units which follow the division of the flats above at number 109 and 111. The doors are placed centrally, making the two units easily identified as separate from each other and as seen from the street would enhance the vertical separation of the properties. This reflects the overall character and original division and appearance of the building and is representative of an enhancement through the loss of the much wider unit previously spanning the ground floor across two units. Therefore, the split of the shopfront to reflect the pattern of the existing building and those nearby would not cause harm to the character and appearance of the CA.

9. The Conservation Area Statement for High Street (Hampton Hill) (CA Statement) identifies the area's special character and also problems and areas for improvements. The CA Statement identifies the loss of the original and quality shopfronts as well as the opportunities to reinstate some of the original features and ensure the use of good quality and proportionate design and quality materials that are sympathetic to the period and style. The use of timber in the shopfront is sympathetic to the building, and as described previously, the split of the shopfront to provide two units reflects the original pattern along the High Street.

10. The Shopfronts Supplementary Planning Document (2010) (SPD) sets out design guidance for shopfront development and detailing, including replacement of poor quality shopfronts with good new design. Whilst the central pilaster of the same design as those elsewhere on the building is not reinstated there is the re-introduction of a central division of the two shopfronts and the loss of the previous extent of glazing represents an

improvement with a solution to provide the central division between the units. Therefore the appeal proposal accords with the guidance set out in the SPD.

11. The Hampton Hill High Street Shop-Front Guidance (1996) (SPG) makes specific design suggestions for the opportunities for improving the appeal site. The split of the site into two units accords with and addresses the identified harm that the single unit had created. Whilst the Council considers that the lack of a new dividing pilaster at this point is a missed opportunity, I do not consider that this is omitted; instead a suitable timber alternative is provided. Thus the proposal would not conflict with the design aims of the SPG overall and would improve the character and appearance of the building.

12. With the above in mind, the characteristics and the appearance of the CA would be preserved and enhanced. Therefore I find that the proposal would be in accordance with the policies of the Local Plan (LP1 and LP3 and the SPD) which seek to conserve the historic environment and where possible enhance shopfronts.

13. I find no conflict with the policies found in the Framework, which seek to secure developments which are sympathetic to local character and history, including the surrounding built environment and landscape setting, whilst not preventing or discouraging appropriate innovation or change.

Other Matters

14. I have had regard to a number of other representations regarding foul drainage, the occupation of the units and disturbance. These are issues which fall outside the consideration of the appeal before me and as such I have considered the development on its own merits.

Conditions

15. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. I have not included the time limit condition as the development has been started. I have specified the approved plans for certainty, however I have not imposed the pre-commencement condition for the approval of materials as the Council has found that the timber framing, doors and riser are acceptable and the development has already commenced and this is sufficiently detailed within the application documents and the plans.

Conclusion

16. For the reasons set out above and subject to the conditions attached, I allow the appeal.

Rebecca Thomas

INSPECTOR