



Appeal Decision

Site visit made on 24 October 2019

by Tobias Gethin BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2019

Appeal Ref: APP/L5810/W/19/3234212

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 19/0902/FUL, dated 14 March 2019, was refused by notice dated 8 July 2019.
 - The development proposed is extension to create new two bedroom flat on second floor.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the course of the appeal, the appellant submitted a legal agreement in the form of a completed Unilateral Undertaking. Amongst other aspects, it provides a financial contribution towards off-site affordable housing in-line with the figure identified by the Council. The Council's appeal statement sets out that they would accept that a signed legal agreement overcomes the affordable housing reason for refusal in the Decision Notice. From the evidence before me, I am satisfied that the appeal proposal would make an adequate contribution towards the provision of affordable housing need within the Council's area. It would therefore not conflict with Policy LP36 of the London Borough of Richmond Upon Thames Local Plan (LP), which requires, amongst other aspects, a financial contribution towards the Affordable Housing Fund. On this basis, I do not need to consider the matter further.
3. The Council's appeal statement refers to planning permission being refused on the grounds of, amongst other reasons, the living standards of future occupiers. However, the Council's Decision Notice does not include a refusal reason related to this matter and I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the building and surrounding area, with particular regard to the site's location within the Kew Gardens Conservation Area (CA) and to the host and adjacent Buildings of Townscape Merit (BTMs).

Reasons

5. Located on a corner plot with roads on both sides and opposite Kew Gardens Station, the appeal site is situated in a prominent position within the streetscene. The roof of the existing building has a subtle form, with the

majority situated behind parapet detailing, particularly so when viewed from Station Parade and from the south-east. This is a defining feature of the building and ensures it has a low two-storey form, in contrast to the general three-storey scale in the locality. Rather than appearing visually weak, the flat roof structure is experienced as an original feature and, combined with the parapet, reflects its surroundings. Part of the roof to the rear is visible, particularly from Station Approach. However, it is set below the eaves of the neighbouring property and its relatively shallow pitch reflects that of adjoining buildings along the row. This 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 site is situated within the Kew Gardens CA. As identified in a previous appeal decision relating to the site (Ref APP/L5810/W/18/3217999), the significance of the designated heritage asset stems from, in part, its traditionally detailed terraced properties positioned along roads and set behind street trees. Many buildings in the surrounding area also exhibit a significant amount of architectural detailing which positively contributes to the appearance of the locality and CA. The Kew Gardens Conservation Area Statement sets out that, amongst other aspects, Station Approach and Parade form a distinctive and cohesive group of buildings. There is also a distinct hierarchy of built form within the area, with pronounced corner buildings generally being lower than the remainder of the terraces. In recognition of this, various buildings in the locality are non-designated heritage assets, with the Council's Officer Report identifying 2-9 Station Approach and 1-13 and 17-23 Station Parade as BTMs.
7. Creating an additional storey, the proposed development would be similar to the scheme the subject of the above appeal decision. However, the evidence before me indicates that that scheme involved a modern box extension whereas this development proposes a more traditional design. The design and appearance of the roof extension's south and south-east elevations would therefore read as broadly reflecting the surroundings, including in relation to the mansard roof at 2 Station Parade for example, whether or not it is original or a later addition. However, the development would increase the bulk of the building at roof level and detract from existing architectural features. The extended brick wall parapet on the north-east elevation, meeting the eaves of the adjoining property, would in particular also appear as a significant and harmful addition.
8. I recognise that the north-east part of the building appears as a rear and relatively varied ad-hoc elevation, and there is also a mixture of roof forms and designs along this part of the adjoining terrace. Be that as it may, the extended brick wall, which would be clearly visible from the public realm, would appear as a prominent, incongruous and bulky addition. Combined with the loss of the existing pitched roof, it would therefore detract from the character and appearance of the appeal building and the surrounding area, including the BTMs of the adjoining row, and erode the building's subservience and consequently the building hierarchy in the locality.
9. In coming to this view, I have taken account of the reduced visibility of the south and south-east elevations of the roof extension due to its proposed set-back behind the existing parapet and gable wall, the general screening provided by street trees, and that the increased height would be similar to other three-storey buildings in the locality and would provide some symmetry

with 2-8 Station Parade. Concerns relating to details of external materials and an achievable level of on-site renewable energy generation could be resolved by condition. It has also been put to me that the development and the alignment of its fenestration would create a more homogeneous appearance on the north-east elevation. However, these matters do not lead me to a different conclusion nor justify the harm I have identified. There is also little substantive evidence before me which indicates that the appeal proposal would recreate a previously existing third-storey mansard roof at the site.

10. For the above reasons, I conclude that the proposed development would fail to preserve the character and appearance of the Kew Gardens CA and would have an adverse effect on the host building and nearby BTMs. I therefore find that it conflicts with LP Policies LP1, LP3 and LP4. Amongst other aspects, 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 be inconsistent with the provisions of the National Planning Policy Framework (Framework) in relation to achieving good design and conserving and enhancing the historic environment. It would also be inconsistent with the guidance of the Supplementary Planning Documents: Design Quality (2006) and Residential Development Standards (2010), which collectively seek to guide and promote high quality design.
11. In failing to preserve the character and appearance of the Kew Gardens CA, I find that the appeal proposal would, in the words of the Framework, result in less than substantial harm to a designated heritage asset. In such circumstances, the less than substantial harm should be weighed against the public benefits. The development would provide some public benefits including adding to the housing stock in the area, which is in short supply, adding to the area's housing mix and contributing towards off-site affordable housing. However, based on the scale of the development, the extent of these benefits would be modest and do not therefore outweigh the great weight given to the conservation of designated heritage assets.

Conclusion

12. The appeal proposal would provide an additional flat and contribute towards affordable housing within the borough. Be that as it may, these matters do not outweigh the harm I have identified nor provide justification for development that conflicts with the development plan.
13. For the above reasons, the appeal is dismissed.

Tobias Gethin

INSPECTOR