



Appeal Decision

Site visit made on 4 February 2020

by M Heron BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2020

Appeal Ref: APP/L5810/W/19/3239147

246 Upper Richmond Road West, East Sheen, London SW14 8AG

- 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 Yenminster Ltd against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 19/1437/FUL, dated 3 May 2019, was refused by notice dated 27 August 2019.
 - The development proposed is the erection of a single storey building to provide one self-contained residential unit and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Planning permission has been recently refused¹ at the appeal site for the demolition of the existing outbuildings and external staircase, the erection of an extension comprising of a WC and utility space and the erection of a two storey building to provide two self-contained residential units and associated works. This development was subsequently dismissed at appeal². I have had regard to this in my decision.

Main Issue

3. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the Sheen Lane Mortlake Conservation Area (CA).

Reasons

4. The appeal site accommodates a terraced building positioned on the northern side of Upper Richmond Road West. This consists of a vacant ground floor commercial unit and a residential unit and an office use (which benefits from prior approval to convert to a residential use) on the floors above. This building is situated within the CA. I therefore have a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
5. In considering the significance of the CA, the evidence before me shows that this is primarily derived from Sheen Lane's role as a historic route connecting Mortlake village and Kingston, with Milestone Green forming the centre of the medieval hamlet of East Sheen. Nevertheless, the architectural quality and

¹ Ref. 18/0531/FUL

² Ref. APP/L5810/W/18/3213375

historic layout of buildings on the edge of the CA, such as the Edwardian shopfronts in which No 246 is located, help portray the evolution of commercial activity in this part of the Borough and add to the significance of this designated heritage asset.

6. No 246 is positioned within a long and narrow plot. Its rear yard is accessed via a shared vehicular access that runs east from Sheen Lane. This yard accommodates extensions. However, these are relatively small, low rise and are of limited projection. Consequently, the yard to the rear of the appeal site retains a degree of physical open space. This allows for the appreciation of the historic layout of No 246. The plot is also one of the only remaining good examples showing how historic plots in the immediate area would have originally related to one-another. I therefore find that the appeal site contributes positively to the significance, character and appearance of the CA.
7. This proposal seeks permission to construct a single storey residential dwelling following the removal of outbuildings to the rear of No 246. The height of the proposal would not unacceptably compete with the historic rear elevation of No 246. However, its footprint would be substantial and would occupy a significant proportion of the yard space. Consequently, a dwelling of this size and mass would introduce an unduly large feature to the rear yard of No 246 that would erode its historic layout. This would in turn diminish the understanding of how properties in the historic terrace used to relate to one-another.
8. I accept that the Council has previously stated that the existing outbuildings to the rear of No 246 are not aesthetically pleasing. Nonetheless, taking all of the above into account, I find that the proposal would replace them with an inappropriate feature that would harm the historic character of the host property and further undermine the integrity of the historic terrace to which it belongs. The concerns of the previous Inspector have therefore not been overcome. Although the proposal's harmful impact would not be overly apparent from Sheen Lane and Upper Richmond Road West, it would be identifiable from the access road at the rear of the site. Such harm would not be diminished through the use of appropriate materials and a contemporary design.
9. I note the presence of sizeable extensions at many of the rear yards of nearby properties, including at No 250 Upper Richmond Road West. However, in my view these heighten the importance of retaining the historic legibility of the rear yard at the appeal site. This is therefore not a justification for allowing the further deterioration of the historic character of this part of the CA.
10. For the reasons given, I conclude that the proposal would be harmful to the significance of the CA and neither its character nor appearance would be preserved or enhanced. It would therefore conflict with Policies LP1, LP3 and LP39 of the London Borough of Richmond Upon Thames Local Plan insofar as they seek to ensure that new development is compatible with and reflects local character as well as protects the historic environment from harm.
11. The proposal would utilise previously developed land in an accessible location, as encouraged by the National Planning Policy (the Framework) which seeks to make efficient use of land. However, it would cause harm to a designated heritage asset. This harm would be localised and therefore less than substantial within the meaning of the Framework. Any such harm nevertheless merits

great weight and falls to be weighed in the balance with the public benefits of the development. I will return to this in my overall planning balance.

Other Considerations

12. When viewed in isolation, the scheme would be of a high architectural quality. It would also be acceptable in other respects. For example, it would afford suitable living conditions for future occupants and would not harm living conditions at surrounding properties. However, these are requirements of the Council's development plan and are not reasons to set aside the harm to the historic environment that I have identified.

Planning Balance

13. The Government is seeking to significantly boost the supply of housing. The Framework and the draft London Plan (DLP) state that small and medium housing developments can make a valuable contribution to meeting housing requirements. However, even when viewed in the context of the increased housing target for the Borough shown within the DLP, the proposal would make only a minimal contribution to the Council's housing stock. Similarly, the economic benefits associated with its construction and occupation would also be minimal. In addition, I acknowledge that the scheme would make a contribution towards affordable housing elsewhere in the Borough, for which there is a considerable need. Under these circumstances, I afford moderate weight to the proposal's social and economic public benefits.
14. On the other hand, I have found that the proposal would result in harm to a designated heritage asset. It would therefore fail to fulfil the environmental objective of the Framework insofar as it seeks to ensure that developments contribute towards protecting and enhancing our built and historic environment. This carries significant weight against the scheme.
15. Taking the above factors into consideration, I am not persuaded that a clear and convincing justification for permitting the less than substantial harm to the heritage asset has been demonstrated. Such harm would therefore outweigh any public benefits associated with this scheme. Having regard to paragraph 11(d)(i) of the Framework, there is also a clear reason to dismiss the appeal, even if the Council was unable to demonstrate a five year supply of deliverable housing land.

Conclusion

16. For the reasons given, I conclude that the proposal conflicts with the development plan. There are no other considerations, including the advice of the Framework, that outweigh this conflict. I therefore conclude that the appeal should be dismissed.

M Heron

INSPECTOR