



Appeal Decision

Site visit made on 15 September 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 October 2020

Appeal Ref: APP/L5810/W/20/3250987

2 Tapestry Court, 99 Mortlake High Street, London SW14 8HJ

- 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 J Pitfield against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 19/3700/FUL, dated 6 December 2019, was refused by notice dated 5 February 2020.
 - The development proposed is the "installation of one Juliet balcony to the north elevation at first floor level".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Both the Council and the appellant agree that the development subject to this appeal has already taken place and confirm the same in the application form and subsequent submissions. From my site visit, it was clear that the development carried out is the same as that which was applied for.
3. There was some inconsistency in the appeal documents as to the name of the appellant, however, following correspondence between the various parties, I am satisfied that the appellant is as named in the banner heading above, and the appeal has been properly made.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host building and the area.

Reasons

5. The appeal site, a former public house on the bank of the River Thames, now converted into flats is designated by the Council as a Building of Townscape Merit (BTM), a non-designated heritage asset for the purposes of the National Planning Policy Framework (the Framework). The site lies within the Mortlake Conservation Area (CA) which the Mortlake Conservation Area 33 Statement and the Mortlake, Mortlake Green & Queen's Road Conservation Area Study (the CAAs) describe as having an intimate relationship with the Thames. The CAAs also describe the way in which the industrial heritage of the river and this area are reflected in the built heritage. The CAAs highlight Tapestry Court as an important local landmark, and a key building of architectural quality. They identify the loss of traditional features and materials due to unsympathetic alterations as being key threats to the special interest of the CA.

6. The appeal site makes a positive contribution to the significance of the CA as a heritage asset. The building reflects the historic uses and activity of the area and the relationship of Mortlake with the river, and features attractive brickwork detailing, and a pleasant symmetry to the riverside elevation. Alterations have been made to the building, notably the installation of Juliet balconies on the lower floor and, apparently, the historic removal of a balcony which ran around the building at the same level as the appeal development. However, these alterations have not affected the character, appearance or significance of the building as a BTM, or its contribution to the significance of the CA as a heritage asset.
7. The appeal development, described as a Juliet balcony, has been installed on the left of the riverside elevation at first-floor level in front of one of the two windows with lowered cills. These enlarged windows were used to access the long-removed earlier balcony. The appeal development is made up of blades with a polished, mirror finish, projecting from the elevation, allowing the balcony doors to open outwards over it. The angled profile of the individual sections is intended to limit the visibility of the balcony.
8. As a result of its appearance and location on the river-facing elevation of the building, the balcony gives the appeal site an unbalanced and uncharacteristic asymmetry. I note that there are other balconies on the appeal site, but do not consider that they lend support to the appeal development. The ground floor balconies have a less prominent finish, and their form maintains the symmetry of the elevation. The other elevations with balconies and railings do not have the same symmetry and rhythm as that subject to the appeal. I also acknowledge the other balconies and railings along the river-frontage, but again, do not consider that these offer an irresistible precedent which makes the appeal development acceptable. In general, the other railings and balconies along the river-front appear to be relatively modern balconies on relatively modern buildings or have the appearance of traditional balconies on older buildings. I am not persuaded by the examples cited or those I saw on my site visit that the appeal development is in the same vein or shares such similarities with them to be made acceptable.
9. I note that the existing mature tree on the riverbank does partly screen the appeal development from direct views across the river, as well as in longer views along the river from the opposite bank and the nearby bridges. However, the appeal site is a prominent building on the riverbank, and the impression of it in these views is of a balanced, symmetrical building. The appeal development harms this impression, and this harm is presently only limited by a tree, the long-term presence of which cannot be assured, even acknowledging the protection it receives from its CA location. The tree does not alter the visibility of the building, or the appreciation of its character and symmetry which can be clearly seen from the well-used riverside path which approaches and passes partly underneath the appeal development.
10. I acknowledge that during the history of the building, there was a larger, more prominent balcony on the building at first floor level, which was accessed through the first-floor doors, one of which now serves the appeal development. However, that balcony had a very different character and appearance to that of the appeal development before me, not least in the retention of the symmetry of the riverside elevation, and the use of complementary, traditional materials.

11. I also do not consider that the 2012 permission for a Juliet balcony or its effect is so similar to that before me that my conclusions would be altered. That proposal, with inward opening doors and a balustrade fitted flush to the elevation was materially different to, and had clearly different effects on, the character and appearance of the building and the area. I do not find that the appeal development is consistent with the previous approval nor do I consider that its design or appearance evokes the historic appearance of the building.
12. I conclude that as a result of its materials, asymmetry and prominence, the proposal harms the character and appearance of the host building, which, as a BTM is a non-designated heritage asset. In weighing the effect of the proposal on the significance of the BTM, I find that the harm caused is unacceptable owing to the prominence of the building and the role it plays in the wider significance of the CA.
13. I also therefore conclude that the proposal fails to preserve the character or appearance of the CA and causes less than substantial harm to its significance as a designated asset. In the absence of any public benefits to outweigh this harm it is in conflict with Policies LP1, LP3, LP4 and LP18 of the London Borough of Richmond Local Plan 2018, as well as the London Borough of Richmond Upon Thames Local Plan Supplementary Planning Documents on House Extensions and External Alterations, Buildings of Townscape Merit and the Mortlake Village. These policies and guidance seek, amongst other things, to ensure that development contributes to and enhances local environment and character, respects local grain and townscape, preserves or enhances designated and non-designated heritage assets and protects the historic and built environment of the River Thames character. The proposal also conflicts with guidance in the Framework which aims to conserve and enhance the historic environment.

Other Matters

14. With regard to the tests in the Framework, I acknowledge that previous work to restore and convert the building has had a positive effect both on the building itself and what is now the CA. However, any public benefits of those positive effects cannot be weighed against subsequent changes, as the test in paragraph 196 of the Framework specifically relates to public benefits arising from the proposal itself.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed, as the appeal development is harmful to the character and appearance of both the host building and the area.

S Dean

INSPECTOR