



Appeal Decision

Site visit made on 29 September 2020

by E Symmons BSc (Hons) MSc MArborA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13/10/2020

Appeal Ref: APP/L5810/W/20/3248543 105 and 107 White Hart Lane

- 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 and Mrs Greatholder and Mr and Mrs Smith against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 19/3221/HOT, dated 22 October 2019, was refused by notice dated 20 December 2019.
 - The development proposed is a joint rear extension over the existing shared outrigger.
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Decision

1. The appeal is allowed, and planning permission is granted for a joint rear extension over the existing shared outrigger at 105 and 107 White Hart Lane in accordance with the terms of application reference 19/3221/HOT, dated 22 October 2019 subject to conditions set out as follows:
 - 1) The development hereby permitted shall begin not later than three years from the date of this permission.
 - 2) No new external finishes, including works of making good and fenestration, shall be carried out other than in accordance with the materials stated on the approved drawings.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable: 001; 002; 003B; 004B; 005A; 006A; 007A; 008A; 009B; 010A; 011A received on 24/10/19.
 - 4) Notwithstanding details shown on the drawings hereby approved, the areas indicated as 'Blind Brick Windows' shall be formed in white painted timber framed sash windows. No development shall commence until revised window details have been submitted to and approved in writing by the Local Planning Authority.

Main Issues

2. The main issues are the effect of the proposal on Buildings of Townscape Merit (BTMs) and whether the proposal would preserve or enhance the character or appearance of the White Hart Lane Mortlake Conservation Area (CA).

Reasons

3. The two adjacent three-storey appeal properties are set within a short terrace fronting White Hart Lane. The properties are registered as BTMs and are

therefore a non-designated heritage asset. These are defined in the National Planning Practice Guidance as buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets¹.

4. The CA is variable in character with a mixture of fine period properties mingled with more modern buildings. The front elevation of the mid-terrace properties retain many original architectural features including tripartite windows, moulded window surrounds and canted bay windows. The significance of the buildings and terrace within the CA is derived from this frontage and its impact upon the streetscene. The properties at either end of the terrace do not share these features being later additions. Nonetheless, the frontage of the terrace does read as a coherent feature within the streetscene.
5. Although the terrace is discussed within the CA designation and CA Study², details are limited to the front elevation only and from the rear, their more decorative front elevations are not apparent. The rear elevation can be seen from within the back-lane, from the lane junction with Eleanor Grove, in private views and to a lesser extent, from the railway line. The mid-terrace section has had numerous ground and two-storey outriggers added over the years with designs and roof-profiles varying to include flat, mono-pitched and pitched roofs. Consequently, the existing mid-terrace rear elevations have little uniformity. Furthermore, the rear of the terrace is seen as one linear feature including the larger bookend properties which have three storey outrigger elements.
6. The proposed development would add an upper floor bathroom to the appeal properties. The current joint-outrigger is symmetrical in appearance with a tiled, pitched roof and the nature of the proposal would retain this. The appellant has provided detail which demonstrates that the outrigger height would increase by around 2.2 metres when measured from the existing to the proposed ridge height. Although the Council disputes this figure, no evidence has been submitted to support a greater height estimate. The resultant roof ridge would sit below eaves level. This would retain visibility of the upper part of the external chimney detail. It would ensure the extension's subservience to the rear elevation and integration with the terrace in accordance with guidance contained within the Council's House Extensions and External Alterations 2015 Supplementary Planning Guidance (SPD).
7. The extension would result in loss of two existing second-storey rear windows. To break up the potentially blank upper part of the extension, blind brick windows are proposed. These are not a common feature within the terrace and would appear incongruous and would not mitigate the loss of the windows. The appellant has expressed a willingness to alter this detail by insertion of timber sash windows. This would be an acceptable solution which could be secured through a condition.
8. Due to the existing variations present within individual rear elevations, including those of the end properties, the heritage significance of the terrace is principally derived from its front elevation. The proposal, due to its retained subservience to the building, use of traditional materials, scale relative to the

¹ National Planning Practice Guidance, Paragraph: 039 Reference ID: 18a-039-20190723.

² Conservation Area Study – Thorne Passage no. 16, White Hart Lane no. 53 and Model Cottages no. 34. 2007.

terrace as a whole and pitched roof design which reflects its current design, would have a neutral impact upon the BTMs. It would not harm, and therefore preserve, the character and the appearance of the CA. On this basis there is no requirement to consider the public benefits of the scheme.

9. Consequently, it would not conflict with the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the provisions within the National Planning Policy Framework (the Framework) or Policies LP3 and LP4 of London Borough of Richmond upon Thames Local Plan 2018 (Local Plan) which seek to conserve and enhance the historic environment, including designated and non-designated heritage assets. Furthermore, the proposal would not conflict with Policy LP1 of the Local Plan which seeks that development respects, contributes to and enhances the local environment and character.

Other Matters

10. The Council raise the appellant's failure to engage with them to seek pre-application advice. However, although this can be beneficial, there is no requirement for this to be undertaken.
11. I have considered the Council's argument that the appeal proposal would set a precedent for similar developments in the terrace. On its own, the impact of the proposal would not be harmful to the character and appearance of the CA and have a neutral impact upon the BTMs. Due to the particular circumstances of this application I also have no certainty that a similar development would be proposed. Furthermore, each application would still be determined on its individual merits. I am therefore unable to give significant weight to the issue of precedent.

Conditions

12. The conditions set out in the accompanying schedule are based on those suggested by the Council. These conditions have been considered against the tests of the Framework and advice provided by the Planning Practice Guidance on conditions. I have undertaken some minor editing and rationalisation in the interests of precision and clarity. Those included are found to be reasonable and necessary in the circumstances of this case.
13. For certainty, conditions have been included regarding time for implementation and approved plans. A condition regarding the specification of materials and the requirement for replacement of proposed blind brick windows with white painted timber sash windows are included to ensure the development respects the character and appearance of the existing building and CA. The timescale relating to provision of revised rear window details has been altered as no justification has been given to require this within a three month timescale.

Conclusion

14. For the reasons stated above, the appeal is allowed.

E Symmons

INSPECTOR