
Appeal Decision

Site visit made on 5 October 2020

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th October 2020

Appeal Ref: APP/L5810/D/20/3248534
13 Spring Grove, Hampton TW12 2DP

- 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 Ms C & E Mussell & Cowley against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref DC/FIS/19/3500/HOT, dated 14 November 2019, was refused by notice dated 10 February 2020.
 - The development proposed is part conversion of existing garage and dormer loft extension with front roof lights.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I note from the Officer's report that the Council raise no objection to the proposals to part convert the existing garage. I have therefore limited my assessment to the alterations to the existing roof.

Main Issue

3. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Hampton Village Conservation Area and affect the setting of the Grade II listed Morelands Building at Hampton Water Works.

Reasons

4. The appeal site lies within the Hampton Village Conservation Area (CA), which was originally designated to cover the Hampton village, but has been extended in size over the years. The CA is defined by its position along the side of the River Thames, the Hampton Water Works and Bushy Park. Within the CA there are a mix of building designs, sizes and types. The significance of the Conservation Area is therefore derived from the underlying building pattern, the open and verdant nature of the area and the historic fabric and vernacular details of the buildings which are interspersed within it.
5. Section 72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 identifies the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is reflected by Policies LP1 and LP3 of the London Borough of Richmond upon Thames Local Plan 2018 (Local Plan), which states that development will not be

- permitted where it would harm the character or appearance of a conservation area.
6. The appeal site is a two-storey, end of terrace property. The terrace comprises four dwellings, all displaying uniform design, including a pitch roof. The surrounding area is characterised by a mix of two storey semi-detached and terraced properties.
 7. The proposed rear dormers would increase the overall bulk of the building. Due to this additional bulk, they would appear as incongruous features when viewed in the context of the existing row of terrace properties. They would therefore appear as a bulky, obtrusive and overly dominant form of development that would be visually prominent in the street scene. Furthermore, the presence of the dormers, would interrupt the existing uniform roofscape which exists along the terrace, introducing a form of development that would be out of keeping with adjoining properties.
 8. I note that there is existing landscaping that would serve to screen some views of the proposed development. This, however, appears to be outside of the control of the appellant, and there is no guarantee that this screening will be retained. Notwithstanding this landscaping, any lack of visibility from public areas alone, does not justify the development plan's or the National Planning Policy Framework's (the Framework) requirement to achieve good design.
 9. I acknowledge that through the design, attempts have been made to minimise the overall bulk of the development. However, they are not considered to reduce the overall impact of the scheme, to such a degree, as to overcome the harm that would be caused by the proposals.
 10. I therefore conclude that the proposal would fail to preserve or enhance the character or appearance of the CA and would cause less than substantial harm to its significance as a designated asset. Paragraph 196 of the Framework requires such harm to be weighed against the public benefits of the proposal.
 11. The appellant has not advanced any arguments in relation to the development's public benefits. Submissions have however been made with regards to the benefits that the development would provide to the appellant. I do not seek to bring any of this into question, however, given the national importance to protecting heritage assets, relative to the modest private benefits that would accrue from the appeal development, all of the considerations that weigh in favour of the proposal do not clearly outweigh the identified harm to the heritage asset, to justify the development.
 12. In regard to the setting of the nearby Grade II listed building, I find that, whilst there would be instances where the proposed development would be seen in the same views as the imposing building, given the intervening distance and the presence of the Upper Sudbury Road, the proposed development would not harm the setting of this listed building.
 13. For the above reasons, I therefore conclude that the proposed development would not preserve or enhance the character or appearance of the CA and would result in harm to its significance as a designated heritage asset and, in this respect, is contrary to Policies LP1 and LP3 of the Local Plan and Section 16 of the Framework.

Conclusion

14. For the above reasons, I conclude that the appeal should be dismissed.

Adrian Hunter

INSPECTOR