
Appeal Decision

Site visit made on 19 October 2021 by A J Sutton BA (Hons) DipTP MRTPI

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/L5810/D/21/3273167

3 Gloucester Road, Kew, TW9 3BS.

- 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 Denis O Connor against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 21/0178/HOT, dated 19 January 2021, was refused by notice dated 23 February 2021.
 - The development proposed is erection of a dormer within the rear roof slope and installation of conservation rooflights within the rear and rear-side roofslopes.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). The main parties have had the opportunity to make submissions on this matter, but no substantive comments were made. I have determined the appeal in accordance with the revised Framework.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and whether the character or appearance of the Kew Green Conservation Area would be preserved or enhanced.

Reasons for Recommendation

5. Kew Green is the focus of the Kew Green Conservation Area (CA) which is surrounded by historic groups of buildings. The area also has an abundance of mature street trees and forms a visually cohesive area with a definite village character. Later additions to the CA include residential roads surrounding the Green. These comprise substantial terraced and semi-detached 2 storey Edwardian and Victorian properties which are largely unaltered. Issues identified in these residential roads of the CA include changes in original

features on houses, which are especially noticeable in Gloucester Road where houses are of a consistent design.¹

6. The appeal property is part of a period terrace on Gloucester Road close to the approach to the Green. It is a fine and relatively unaltered example of a stock brick period property, with a decorative gabled front protrusion shared with No 5 and a two-storey outrigger at its rear. It positively contributes to the distinctive architectural character of the area and for this reason is identified, alongside neighbouring properties, as a locally listed building of townscape merit (BTM). This contribution to the significance of the CA derives in part from the unaltered and distinctive period features in the front elevation of the terrace. However, based on what I saw at my site visit, the traditional character and appearance together with the similarity in the rear elevations of Nos 3 and 5 as a linked pair makes a positive contribution to the significance of the CA.
7. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. At paragraph 197, the Framework sets out matters which should be taken into account including sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 199 states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The Framework also indicates that good design and high quality, beautiful places are fundamental to what the planning and development process should achieve, and it identifies good design as a key aspect of sustainable development.
8. The proposed dormer would cover a substantial portion of the rear roof slope of the property. Although set below the ridge of the main roof, the box like addition would protrude slightly above the ridge of the outrigger and would fail to harmonise with this original feature of the dwelling. Moreover, the flat roof would appear incongruous on a property which is positively characterised by a pitched roof. The proposed bulky form, with a horizontal emphasis, would be at odds with the vertical proportions of the dwelling. The proposed sizes of the window would also be unsympathetic to the traditional period cottage architectural aesthetic which is generally characterised by openings of diminishing sizes at successive levels. Consequently, the proposed dormer would dominate the rear roof and would not complement the architectural style of the period property. Using materials to match the existing roof would not overcome this harmful impact.
9. The harmful visual change to the roof would be visible from the rear garden spaces of the appeal property and No 5. Although it would not have a wider visual impact on the rear elevation of the terrace as a whole and would not be visible from public vantage points on Gloucester Road, the proposal would fail to preserve the distinctive form of the BTM for the reasons outlined. In turn it would detrimentally erode the architectural integrity of the property and the traditional character of this part of the terrace and the contribution that it

¹ Ref Kew Green Study Conservation Area No. 2

makes to the significance of the CA. In this respect it would not preserve the character or appearance of the CA, in conflict with the statutory test.

10. The harmful development would only affect a small part of the CA, and the harm to the significance of the CA as a whole would be less than substantial. In accordance with the Framework this harm needs to be weighed against the public benefits of the proposal.
11. The benefit of increased family space would be limited to the existing and future occupants of the dwelling and for this reason would not be a wider public benefit. The reinstatement of crested ridge tiles would make an improvement to the appearance of the BTM but given the scale of that feature in the wider CA, I give that limited weight in favour of the proposal. However, against this small public benefit is the considerable importance and weight that I must attach to the harm that would be caused to the significance of the heritage asset. Therefore, the public benefits do not outweigh the harm that would be caused to this designated heritage asset.
12. I conclude that the proposal would be harmful to the character and appearance of the host property and would fail to preserve or enhance the character or appearance of the Kew Green Conservation Area. It would conflict with policies LP 1, LP 3 and LP 4 of the London Borough of Richmond Upon Thames Local Plan 2018, which collectively require, amongst other matters, development to be of high architectural and urban design quality, and, in respect to heritage assets, seek to preserve, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, and to conserve and, where possible, take opportunities to make a positive contribution to the historic environment of the borough.
13. It would be contrary to the guidance set out in the House Extensions and External Alterations Supplementary Planning Document (SPD) and Buildings of Townscape Merit SPD which advise, amongst other matters, that roof extensions should not dominate the original roof and should ensure sensitivity to the existing character. It would also be contrary to the heritage and design policies of the Framework.

Other Matters

14. The permission for an almost identical dormer at No 7 relates to a property which is not listed as a BTM, and accordingly the policy context for that property is not comparable with the case before me. The decision allowing development at No 13 predates the current Local Plan and is not comparable with this case for this reason. The Council has also explained the error regarding a decision at No 15 and I have not been presented with any reason to doubt this explanation. Whilst having regard to these examples, they do not justify harmful development which would fail to preserve or enhance heritage assets. Therefore, the examples cited have limited weight in this case.

Conclusion and Recommendation

15. There are no material considerations, including the Framework and the benefits of the proposal, that indicate the proposal should be determined other than in accordance with the development plan. I therefore recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and agree with the recommendation. The appeal is therefore dismissed.

Sarah Housden

INSPECTOR