



Appeal Decision

Site visit made on 28 June 2022

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 August 2022

Appeal Ref: APP/L5810/W/21/3281509

Barons Court, Broom Road, Teddington, Middlesex TW11 9NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
- The appeal is made by Mr Patrick Byrne against the decision of Richmond Upon Thames London Borough Council.
- The application Ref 20/3146/PIP, dated 30 October 2020, was refused by notice dated 24 May 2021.
- The development proposed is described as: the property consists of 8 existing dwellinghouses in a purpose built, detached block of flats and the proposed development includes an additional 5 to 9 dwellinghouses by way of either an overall replacement development or by works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on Barons Court building together with any or all-
(a) engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses; (b) works reasonably necessary to service the new dwellinghouses; (c) works for the construction of appropriate and safe access and egress to the new and existing dwellinghouses (including means of escape from fire via, additional external doors or external staircases); (d) works for the storage, of waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second (technical details consent) stage, is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of units as part of the application. In this instance, permission has been sought for a minimum of five, and a maximum of nine dwellings. A proposed location and site plan has been submitted. There are no details of the design or appearance of the proposal, other than what is

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

described in the description of development, because the application only relates to the principle of the proposed development.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to the amount of development, its location, and the proposed land use.

Reasons

6. Barons Court, is a large two storey building containing self-contained flats, that forms the end property in a line of residential apartment blocks. The appeal building is articulated by a large hipped roof that extends across its wide front elevation. It is set back from Broom Road with intervening garden land occupying the space between the front elevation and the highway.
7. The addition of up to two further floors would double the number of storeys on the building and substantially increase its mass and height. There are no details at this stage whether those additional storeys would have a roof constructed above them, although this possibility cannot be discounted. In this event the building's overall bulk would be accentuated significantly and become visually prominent when viewed from the street.
8. The apartment blocks to the south-east of the appeal site comprise Riverside Close, Medway Court and Hurley House. Those buildings incorporate simple block profiles and flat or shallow pitched roofs. Their frontages are narrower where they address the street, in contrast to the wider Barons Court. Moreover, some are broken up by set-backs which reduce their perceived massing when viewed from Broom Road.
9. The addition of two further storeys extending across the appeal building's wider and less fragmented front elevation together with the prospect of a new roof above, would appear strident and discordant in the context of the street and appreciably at odds with the simplified forms and low-profile roofs of the adjacent apartment blocks. As a consequence, the amount of development proposed would harm the character and appearance of this part of Broom Road.
10. It is acknowledged that the neighbouring apartment blocks extend up to four storeys. Yet the equivalent number of storeys on the appeal building, in addition to the prospect of a roof above, would have an altogether different appearance and scale where it faces the road given the extent of the existing footprint that could be built upon. It would likely appear more voluminous and therefore inconsistent in the street.
11. The Lensbury Hotel, a substantial five storey hotel and sports complex within extensive grounds, is located on the opposite side of the road. It is well set back from Broom Road and does not appear within the sequence of residential properties adjacent to the appeal site. Accordingly, it has a different character and locational context to the appeal scheme, and there are few similarities with the scale of the appeal proposal. On this basis, I have given that building limited weight as a comparison.
12. The land to the north, west and south-west of the appeal site is Metropolitan Open Land (MOL). Where it adjoins the appeal site, the MOL encompasses a large car park and tennis court complex, characterised by hard surfaces, parked vehicles, lighting columns and lengths of tall fencing. Those features compromise somewhat the openness of the MOL at this location.

13. There are less developed parts of MOL further to the south and north, that include extensive playing fields. The appeal building would maintain a significant distance from those areas as well as being seen against the backdrop of the large Lensbury Hotel and intervening buildings, such that it would be unlikely to erode the sense of openness of the MOL.
14. The appeal site is in a predominately residential area. The addition of further residential units would therefore be consistent with the prevailing use in the locality. Moreover, it would represent a good location that is accessible to local shops, facilities, and public transport connections. Therefore, the proposal would be suitable in land use terms.
15. I have found that the proposal, insofar as it relates to its intended land use would be acceptable. However, the appeal site is unsuitable for the proposed residential development with regards to the amount of development and location. The proposal would therefore be contrary to Policy LP1 of the London Borough of Richmond Upon Thames Local Plan (July 2018) (Local Plan) insofar as it requires development to be compatible with local character including its relationship to existing townscape, development patterns, scale, massing, proportions, and frontages. It would also fail to comply with the Design Quality - Supplementary Planning Document (2006) where it requires proposals to be sympathetic to local character.
16. I have not referred to Policy LP13 of the Local Plan in my conclusions as I have found that the proposal would not indirectly harm the character and openness of the adjacent MOL.

Other Matters

17. The proposal would introduce between five and nine new dwellings at the site. There would be moderate local housing supply benefits associated with this increase as well as economic benefits in terms of greater spending during the construction stage and subsequent occupation of the units.
18. Yet, I have found the appeal site unsuitable for residential development for the reasons given above and it logically follows that housing to the extent proposed at this location would be contrary to sustainability objectives. The moderate benefits identified would not therefore outweigh the significant harm I have referred to.
19. I note the appellant's concerns in respect of the lack of communication and advice given by the Council during the application stage. However, those are not matters to be determined by this appeal.
20. A letter of support has been submitted indicating the proposal would be beneficial as the appeal building is run down and in need of investment. Whilst that might be the case, there could be more acceptable ways of improving the building while being consistent with the character of its location and incorporating a more appropriate amount of development.

Conclusion

21. For the reasons set out above, I dismiss the appeal.

RE Jones

INSPECTOR