

Appeal Decision

Site visit made on 12 May 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 June 2023

Appeal Ref: APP/L5810/D/22/3311260

95 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG

- 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 Ian Bayliss against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 22/2013/HOT, dated 23 June 2022, was refused by notice dated 2 September 2022.
 - The development proposed is the erection of extensions to provide a two-storey side/rear extension, a single storey rear extension, expansion of existing basement including new lightwell, replacement windows, new entrance to front elevation, new front boundary treatment, bin/cycle stores and new patio.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of extensions to provide a two-storey side/rear extension, a single storey rear extension, expansion of existing basement including new lightwell, replacement windows, new entrance to front elevation, new front boundary treatment, bin/cycle stores and new patio at 95 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DG in accordance with the terms of the application Ref 22/2013/HOT dated 23 June 2022, subject to the conditions set out in the attached Schedule.

Preliminary and procedural matters

2. The appeal property is sited within the Hampton Wick Conservation Area (CA). It is also designated as a Building of Townscape Merit (BTM), a locally listed building. The Council's SPD¹ explains that these are buildings that may not possess sufficient interest to warrant statutory listing, but '*are of significance to the history and character of the environment*'. It is a heritage asset in the terms of the Framework², albeit non-designated.
3. The officer report dealt in some detail with several issues and the proposal was assessed with regard to neighbouring amenity, trees, local basement policy, flooding and fire safety. The Council found no objection on any of these counts, and I have no reason to disagree with the Council assessment on these matters.

¹ Buildings of Townscape Merit, Supplementary Planning Document 2015

² Glossary - The National Planning Policy Framework

4. Notwithstanding the original arrangements I carried out my visit on an unaccompanied basis. In this respect the front gate was open, and I could gain access to the rear garden along the side of the house, which was empty when I called. Otherwise, I assessed the proposal from local vantage points, from points along the High Street, the Hampton Wick station forecourt, Vicarage Road and from the pedestrian access to Hesley Cottages to the rear of the appeal site.

Main Issues

5. The main issues are the effects of the proposals on the character and appearance of the host property and whether the proposal would serve to preserve or enhance the character and appearance of the CA.

Reasons

Character and appearance

6. The property is a semi-detached early 19th century dwelling which, according to the Council, appears to have been originally designed with its attached partner (No 93) to be perceived as a single villa. That may have been the case, but the dwelling is now clearly perceived as semi-detached, not least because of the extensive changes carried out to the front elevation of No 93. There, bow windows have been introduced at ground and lower ground levels replacing what I assume to have been matching sashed windows. A projecting plate has also been inserted which accentuates the separation between the ground and first floors.
7. The Council acknowledges that the property is in a rundown, dilapidated condition, and to assist with its restoration permitted a scheme in 2022³ which, although involving alterations and extensions, is considered less harmful than that proposed now. That scheme was approved following negotiations to reduce the scale of the extensions initially sought – the Council feel that the appeal scheme reverts almost to the scheme previously considered unacceptable.
8. The Council's concerns relate principally to the two storey addition proposed at the side and rear, which the Council says will '*greatly affect the important symmetry of the villa pair*'. Concern is also expressed at the proposed raised entrance, and the rear extension on account of its width. Taken as a whole, the Council considers that the proposals if built would appear bulky and dominant, '*diluting what remains of the symmetry of the pair*', thus harming the character and appearance of the BTM and the wider CA.
9. As noted above, the villa's original symmetry at the front has been materially affected by the changes made to the front elevation of No 93. The scheme approved in 2022, if built, would also impinge on what remained of the pair's symmetry. Having so commented, I do not hold the permission issued by the Council in 2022 against it, since to me it represents a genuine attempt to assist in bringing new life to a building badly in need of it. However, it represents what could be built should the appellant choose to, since the permission remains extant.

³ Ref 20/3140/HOT dated 15 February 2022

10. Against this background, I do not see the appellant's proposals in the same light as the Council. The side/rear extension would be set back, with a significantly reduced roof level in comparison with the host property, so that it would appear wholly proportionate and subservient. The main extension would not be seen when approaching from the south. Views from outside the site to the rear would be limited. It would be seen in short-range oblique views when approaching from the north along the main highway, the nearby railway embankment and bridge would otherwise largely mask views of the completed building works. Given the screening afforded by extant buildings the extensions would not be apparent from Vicarage Road.
11. Compared with that already approved, the development proposed in my view would have but a slightly greater impact both on what remains of the integrity of the host property and its surroundings. However, that which would be seen, including the raised entrance, would not cause harm. At worse, in relation to the CA as a whole, it would have a neutral impact so that its character and appearance would be preserved.
12. I therefore conclude that the proposed extensions and alterations would sit acceptably in their restricted visual and spatial contexts without harming the character and appearance of the host property or its surroundings. Accordingly, the proposals accord with those provisions of LP⁴ policies LP1, LP3 and LP4 in that their design demonstrates a thorough understanding of the site, relates well to its existing context, and preserves the character and appearance of the CA, and the significance, character and setting of a non-designated heritage asset.

Conditions

13. In the interests of visual amenity, I shall impose a condition in respect of external materials, although it will vary from that suggested by the Council.
14. It is necessary, in the interests of certainty that the development shall be carried out in accordance with the approved plans.
15. To ensure compliance with policy D12 of the London Plan I shall impose the Council's suggested condition relating to Fire Safety.
16. I note the Council's suggested conditions on trees and their root protection areas. However, the appellants produced an Arboricultural Impact Assessment at application stage, and the condition I shall impose in the interest of visual amenity, shall be directed to its recommendations.
17. The Council's suggested landscaping condition appears to me to relate to a more major development than proposed. A landscaping scheme is however required in the interests of amenity and shall therefore be imposed.
18. So as to safeguard against flooding; ground instability and in the interests of fire safety protection, the Council's suggested conditions relating to these matters are imposed.
19. Given the location of the site on a main highway, its restricted nature and closeness to other property the Council's suggested condition on construction

⁴ Richmond Local Plan 2018

management is imposed, albeit in a slightly modified form, to ensure that the construction phase is carried out with as little disruption as possible.

20. So as to protect neighbouring privacy the Council's suggestions as to obscure glazing of some windows and the use of flat roof areas are imposed, in a modified form.

Other matters

21. I have taken account of all other matters raised in the representations including the references to the planning history, to the London Plan and the Framework, but none outweighs those considerations which led me to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1). The development hereby permitted shall begin not later than three years from the date of this decision.
- 2). The development hereby permitted shall be completed in accordance with the following approved plans: 078-001 P1, 078-010 P1, 078-011 P1, 078-012 P1, 078-013 P1, 078-020 P1, 078-021 P1, 078-022 P1, 078-030 P1, 078-100 P5, 078-101 P5, 078-102 P5, 078-103 P5, 078-200 P5, 078-201 P5, 078-202 P4, 078-300 P5, EAS-074 TCP & EAS-074 TPP.
- 3). The external surfaces of the development hereby permitted (including windows and doors) shall not be constructed other than in materials details of which shall be submitted to and approved in writing by the Local Planning Authority.
- 4). The development must be carried out in accordance with the provisions of the PLANNING FIRE SAFETY STATEMENT - Prepared by Unfold Architecture & Design Ltd - Dated 31 May 2021 and retained as such thereafter.
- 5). The development hereby permitted shall not be carried out other than in accordance with the submitted Flood Risk Assessment & Drainage Strategy, prepared by RAB Consultants, dated 16 June 2022.
- 6). The development hereby permitted shall not be carried out other than in accordance with the submitted Desk Study & Basement Impact Assessment Report, prepared by GEA, dated 27 May 2022.
- 7). The proposed first floor window in the northwest elevation of the building hereby approved shall not be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.7 metres above internal floor level.
- 8). Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-

enacting that Order) no part of the roof of the extensions hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto.

- 9). The development hereby permitted shall not be carried out other than in accordance with the recommendations contained in the Arboricultural Impact Assessment prepared by EnviroArb solutions Ltd, dated 1 December 2020.
- 10). No development shall take place, including any works of demolition, until a Construction Management Scheme (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Scheme shall provide for:
- i. The size, number, routing and manoeuvring tracking of construction vehicles to and from the site and holding areas for these off site;
 - ii. Site layout plan showing manoeuvring tracks for any vehicles accessing the site to allow these to turn and exit in forward gear;
 - iii. Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - iv. Details and location where plant and materials will be loaded and unloaded;
 - v. Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required;
 - vi. Details of any necessary suspension of pavement, roadscape, bus stops and/or parking bays;
 - vii. Details where security hoardings will be installed, and the maintenance of such;
 - viii. Details of any wheel washing facilities;
 - ix. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips);
 - x. Details of measures that will be applied to control the emission of noise, vibration and dust including working hours.
 - xi. Details of any highway licences and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site);
 - xii. Details of the construction phasing programming and timing of works, including proposed working hours;
 - xiii. The Construction Management Statement should be written in conjunction with the recommendations of the approved Arboricultural Impact Assessment referred to at condition 9 above.
 - xiv. A 24 hour emergency contact number.
- 11). No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and

hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

12). All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.