



Appeal Decision

Site visit made on 16 May 2023

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 18th July 2023

Appeal Ref: APP/L5810/W/22/3299233

Workshop Rear of 8 High Street, Richmond Upon Thames, Hampton TW12 2SJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr and Mrs Heath against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 19/1663/DD03, dated 11 February 2022, sought approval of details pursuant to condition Nos. BD12, U96223, PK06A, U96220 and U96221 of planning permission Ref 19/1663/FUL, granted on 1 March 2021.
 - The application was refused by notice dated 11 February 2022.
 - The development proposed is the conversion and extension of workshop building Use Class E(g) - light industrial (formerly B1c and B1a lightI) to form a one-storey, 3 bedroom dwelling with accommodation in the roof Use Class C3 residential.
 - The details for which approval is sought are: materials, landscaping, cycle parking, refuse, and contaminated land.
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Decision

1. The appeal is allowed insofar as it relates to conditions PK06A, U96223, U96220 and U96221 attached to planning permission reference 19/1663/FUL, granted on 1 March 2021, in accordance with application 19/1663/DD03, dated 11 February 2022 and the details submitted with it are approved.
2. The appeal is dismissed insofar as it relates to condition BD12 attached to planning permission reference 19/1663/FUL, granted on 1 March 2021, in accordance with application 19/1663/DD03, dated 11 February 2022 and the details submitted with it are refused.

Preliminary Matters

3. The Council found the details submitted in respect of conditions DV18A (refuse) and U96220 and U96221 (contaminated land) to be adequate. The Council's reason for refusal also referred to details submitted pursuant to condition no. U96223 (hard and soft landscaping). The appellant submitted further information on proposed planting during the course of the appeal. The Council had the opportunity to provide comments on this and confirmed that the information provided was acceptable and this element was no longer a point of dispute. Based on the information before me I have no reason to disagree and have discharged these conditions accordingly.

Main Issues

4. The main issue of the appeal is whether the details submitted in relation to the relevant conditions are acceptable having regard to: the character and appearance of the area, including the conservation area and the setting of listed buildings; and the provision of cycle storage.

Reasons

Character and appearance

5. The site is a single storey workshop to the rear of 8 High Street with permission for conversion to a dwelling. It is in the Hampton Village Conservation Area (the CA), significant due to the architectural and historic detailing of the old village centred on Church Street, High Street and Thames Street with many examples of traditional development. This includes numerous listed buildings in the vicinity of the site, including the Grade II Listed Nos. 8, 8A and 10 High Street to the front of the site, the form, style and detailing of which contribute to the understanding of the historic core of the village.
6. The listing descriptions do not mention the workshop, and refer to later additions at ground floor being of no special interest. The workshop is held in separate ownership behind this ribbon of development and separated by a boundary wall. Nevertheless, it is experienced alongside the rear elevations of these buildings and in the context of the Grade II Listed St Mary's Church, some distance to the west but clearly visible from the site. Even acknowledging the presence of more modern surrounding development the particular characteristics of the site are such that it is in a sensitive location. It forms part of the wider setting of numerous listed buildings and is experienced primarily as falling in a section of the CA with an overarching traditional feel.
7. Condition No. BD12 of planning permission 19/1663/FUL states: *'the external surfaces of the building(s) (including fenestration) and, where applicable, all areas of hard surfacing shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority'*. The reason given for this condition is: *'to ensure that the proposed development does not prejudice the appearance of the locality'*.
8. The Council raises no objections to the details submitted for the dormer walls, entrance porch, renders and roof. However, details also show the use of UPVC for windows, doors, gutters, downpipes, soffits and fascias, which were in place at the time of my visit. I noted that such features in the CA are predominantly constructed from more traditional materials. While UPVC is used at certain properties, this appears to be the exception rather than the norm and is not a defining element of the CA. In this regard, the Residential Development Standards SPD states that there is a presumption in conservation areas, where consent is required, against the use of UPVC windows and doors. While this is guidance rather than policy, it remains a material consideration.
9. This use of UPVC at the site appears overtly modern and fails to reflect the predominant nature and detailing of the immediate surrounds. While clear and direct views of the workshop are limited from the street and surrounding properties due to its scale, positioning and entrance gate, in the immediate vicinity of the site there remains an overarching historic feel that this UPVC detailing erodes. Within the site itself it is experienced against a notable

- primarily traditional backdrop with the towering views of St Mary's Church and the particular proximity of listed buildings on High Street, in the context of which the use of this material throughout the property appears incongruous.
10. Reference has been made to UPVC on surrounding buildings. In particular the windows permitted at certain properties in 10-18 Thames Street along both the front and rear elevation. However, given the distance between the site and this visible rear elevation, it remains that the appeal property is read primarily in the context of its immediately adjacent listed buildings such that the presence of these windows does little to justify or relate to those at the proposal. In addition, while 10-18 Thames Street is also in the vicinity of listed buildings, its replicating of sash windows serves to soften the appearance of UPVC in the historic setting in a way that the windows of the proposal do not.
 11. Similarly, while certain surrounding properties including Nos. 6-10 High Street and the Bell Public House have a mixture of materials including wood, aluminium and UPVC visible from the site, these are largely subtle and sensitive additions that do not overwhelm the traditional and historic feel of the buildings. In contrast, the combined amount of UPVC at the appeal property lends an overarching modern appearance and feel to the building that fails to successfully assimilate in, or relate to, the surrounds.
 12. The installation of UPVC as proposed would therefore be inappropriate within the site's historic context, would fail to preserve the character or appearance of the CA, and would give rise to harm to the setting of nearby listed buildings. Consequently, the proposal would lead to less than substantial harm to the significance of designated heritage assets which is not outweighed by public benefits stemming from the scheme.
 13. For the reasons given, the details submitted on external materials pursuant to condition no. BD12 would conflict with Policies LP1, LP3 and LP39 of the London Borough of Richmond upon Thames Local Plan 2018 (the Local Plan); the Design Quality SPD February 2006; the Hampton Village Planning Guidance SPD March 2017; the House Extensions and External Alterations SPD May 2015; the Residential Development Standards SPD March 2010; and the Small and Medium Housing Sites SPD February 2006 insofar as they seek to ensure good design that maintains and reflects the existing character, detail and heritage of the area and conserves the historic environment.

Cycle Parking

14. Condition No. PK06A of planning permission 19/1663/FUL states: '*No building/dwelling/part of the development shall be occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof*'. The reason given for this condition is: '*to accord with this Council's policy to discourage the use of the car wherever possible*'.
15. It is agreed between the main parties that the proposal would provide 2 cycle parking spaces, which would meet the relevant required level. Submitted plans show the position of this parking at the site, and the cover letter outlines details of the cycle rack and canopy to be installed. While the Council states that no details on a cycle shed have been provided, it does not appear that this is what the appellant is proposing. Rather, the cycle parking will comprise the

stands and canopy only, sufficient details of which have been provided. Given the limited scale of the cycle parking area and its discreet placement, these stands and canopy would cause no visual harm to the surrounds, including the CA and the setting of nearby listed buildings.

16. I observed the cycle parking area on my visit and note that refuse storage is to be provided alongside the cycle parking in this location. Details of this have been approved by the Council. On that basis, and taking into account the details and positioning of the cycle parking provided with the submission, there is nothing before me or observed on my visit to demonstrate that access to the cycle parking, or the manoeuvrability of bicycles to and from these stands, would be impeded by the adjacent refuse storage.
17. For the reasons given, the details submitted pursuant to condition no. PK06A would not conflict with Policy LP44 of the Local Plan and the Transport SPD June 2020 insofar as they seek to ensure development that promotes safe, sustainable and accessible transport solutions, including provision of opportunities for cycling.

Other Matters

18. The appellant has provided three appeal decisions¹ relating to the approval of similar external materials at other sites located in conservation areas outside the borough. However, I have limited detail on the precise nature of those sites and their surrounds, and the comparability to the appeal site. Each scheme is decided on its own site specific merits and reference to development elsewhere carries little weight.

Conclusion

19. For the reasons given above and having regard to all matters raised, I conclude that the appeal is allowed insofar as it relates to conditions PK06A, U96223, U96220 and U96221 and is dismissed insofar as it relates to condition BD12 attached to planning permission reference 19/1663/FUL

C Rafferty

INSPECTOR

¹ APP/W0734/W/20/3255427; APP/C3620/D/3216929; APP/Q1445/A/12/2183217