
Appeal Decision

Site visit made on 24 October 2023

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2023

Appeal Ref: APP/L5810/D/22/3304039

2 The Moorings, Willoughby Road, Twickenham TW1 2QG

- 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 Mrs Julia Gilmour against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 22/1229/HOT, dated 13 April 2022, was refused by notice dated 28 June 2022.
 - The development proposed is a hip to gable roof extension to rear with balcony and proposed rooflights to front and rear roof slope as well as roof ridge. Alterations to fenestration.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In my heading above I have taken the description of development from the appeal form and decision notice as it is more comprehensive than that originally given on the planning application form.
3. The National Planning Policy Framework (the Framework) was updated on 5 September 2023 and after the submission of the appeals. The historic environment policies have remained unchanged within the new version of the Framework, which is a material consideration in planning decisions.

Main Issue

4. The main issue is the effect of the proposals on the character and appearance of the area, having regard to the significance of the Richmond Riverside Conservation Area (CA) and the Grade I listed, Richmond Bridge.

Reasons

5. The appeal site lies within the CA, which covers a section of the River Thames and its banks between Richmond Bridge and Richmond Lock. Its significance is principally derived from the physical, open presence of the river and how it has influenced the evolution of the land use and built form either side. It has also led to development and activity associated with the recreational enjoyment of the river. There is a palpable distinction between the opposing Richmond and Twickenham banks. On the Richmond side, the grand and prominent buildings that face the river comprise a formal urban townscape, whereas the development on the Twickenham side is less notable but is set within verdant

and treed surroundings. The dynamic views and vistas along and from the banks, bridges and from the river itself, are an important component of its significance.

6. These factors are amongst those described in the Central Richmond, Richmond Green and Richmond Riverside Conservation Area Study, approved January 2000 and the Richmond Riverside Conservation Area 4 statement produced by the Council.
7. The Grade I listed Richmond Bridge is a key component of the CA. Dating from 1777 and constructed from Portland stone, its five moulded segmental arches span the river at the south-eastern end of the CA. Its considerable significance derives from a combination of factors. Firstly, its architectural interest, which reflects a restrained classical style that adds elegance and symmetry to the townscape. Furthermore, it provides a valuable, direct tangible connection with the past both in physical and functional terms. The bridge comprises a historical crossing point of the river which previous generations have used and observed their surroundings from. The official list entry describes it as the oldest bridge over the Thames within the boundaries of Greater London.
8. The appeal site is situated on the Twickenham side of the river, north-west of Richmond Bridge. It forms part of the vista that can be seen from the bridge, especially when travelling towards the Twickenham side. As such, it constitutes part of the surroundings within which the bridge is experienced, and therefore its setting as a heritage asset.
9. I have statutory duties¹ to have special regard to the desirability of preserving listed buildings and their settings, and to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
10. 2 The Moorings is a mid-terrace, three storey property built in the 1990s. It is one of six broadly similar dwellings configured in two groups of three units. The mostly matching pair of blocks address the river and are set within spacious grounds which feature mature trees. My observations were that the form and detailing of the group, although not objectionable, were unremarkable. The appellant² confirms that the appeal property is not a highly valued property within the local context.
11. However, the form of the group provides balance and symmetry. Furthermore, the largely matt tiled and hipped roof profile employed in each block assist in making the overall bulk of the built form visually recessive. In turn this gives the large structures a generally inobtrusive presence in the CA and in views from Richmond Bridge which allows the natural features of the trees to take precedence. Hence, the appeal building has a largely neutral impact on the significance of the designated heritage assets described, primarily by not drawing attention to itself and visually deferring to features that contribute positively to the character and appearance of the area. To an extent this is illustrated in image 001 contained in the appellant's Grounds of Appeal.
12. The proposed development is comprised of several elements, including some changes to fenestration, the introduction of rooflights, and a hip to gable roof extension with balcony on the rear elevation (facing the river). It is the latter component that is problematic for the following reasons.

¹ Sections 66 & 72, Planning (Listed Buildings and Conservation Areas) Act 1990

² Page 1, Appellant's Grounds of Appeal

13. Firstly, it would alter the profile of the roof plane by projecting further forward and attaining a height that would be broadly equal to the highest part of the existing roof. As a result, the roof form would have a greater bulk. Its central position and elevated level within the terraced block would give the proposed roof feature an assertive presence. The effect would be exacerbated by the introduction of expansive glazing into the triangular apex, which would be especially noticeable when the roof space was internally lit.
14. In addition, the provision of a balcony with associated guardrail would add visual clutter and increase activity. Two further rooflights would also be introduced high up on the remaining area of the rear roof plane.
15. In combination these factors would markedly alter the appearance of the roof at the appeal property by adding considerable bulk, complexity and activity. Consequently, it would be unduly prominent within the terraced block and more obvious within the wider area. The alterations would take place at a conspicuous elevated point of the building that faces towards the river and would contrast unfavourably with the other terraced block to the north-west.
16. In coming to my views, I have had regard to the Council's House Extensions and External Alterations, Supplementary Planning Document, May 2015 (SPD). Section 8 gives advice on roof extensions and states that an extension that results in the conversion of an existing hip roof to a gabled roof is not desirable and will not be encouraged. Although the SPD does not have policy status, it is material and reinforces my findings on the merits of this aspect of the proposal.
17. Hence, the roof extension would result in unwelcome and unsympathetic visual effects that would be discernible from parts of the CA along the banks of the river, as well as in some views from Richmond Bridge. I acknowledge that the impacts would be of a relatively minor scale within this wider context. Nevertheless, they would erode the quality of the townscape by giving unwarranted emphasis to built form that would detract attention from the verdant surroundings, especially at times of the year when there is reduced foliage.
18. Furthermore, policy HC1(C) of the London Plan, March 2021 stipulates that the cumulative impacts of incremental change from development on heritage assets and their settings should be actively managed, so to avoid harm.
19. Consequently, the proposals would have an unsympathetic effect which would fail to preserve the special interest of the setting of the Grade I listed bridge, which in turn would fail to preserve or enhance the character or appearance of the CA as a whole. Conflict would therefore arise with sections 66(1) and section 72(1) of the Act.
20. In terms of the Framework, the proposals would result in less than substantial harm to the significance of the CA and, owing to the adverse impact on its setting, the significance of Richmond Bridge. Paragraph 202 of the Framework states that in these circumstances, the harm should be weighed against the public benefits of the proposal.
21. Paragraph 199 of the Framework states that when considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Policy LP3 of the London Borough of Richmond Upon Thames Local Plan, July 2018 (LP) confirms this

- approach. Furthermore, the Framework explains that that the more important the asset, the greater the weight should be. Richmond Bridge is designated with the highest grade of listing, denoting its exceptional heritage interest.
22. Undoubtedly the creation of a balcony and additional accommodation in the roof space would be beneficial to the occupants of the appeal property. However, that would primarily be a private benefit. Based on the evidence before me, I am not persuaded that there are public benefits that would outweigh the harm. Consequently, the proposals would conflict with national policy that seeks to protect the historic environment.
23. My attention is drawn to roof extensions at nos. 1³ and 6 The Moorings. However, those development concern side elevations rather than the one that directly addresses the river. Furthermore, my observations were that both were smaller in scale compared to the appeal proposal and neither feature a balcony. In addition, the illustrative photographs⁴ show that the extension at no.1 has a ridge lower than the highest part of the roof. Given these differences, I do not consider that either example is directly comparable to the scheme before me. I also observed existing rooflights in the vicinity. However, these did not generally alter the existing roof plane and so are not as obvious or as bulky as the appeal proposals. Therefore, these examples have a limited bearing on my determination.
24. Reference is made to gable roof forms not being unusual in the context of the appeal building. Be that as it may, this would not address nor overcome the harm I have identified arising from the proposed development.
25. Mention is also made of a 'Certificate of Lawful Use (Proposed)'⁵. However, the relevance of this is not clearly explained and limited details are provided, which inhibits a comparison with the appeal proposals. In any event, unlike the process for a certificate of lawfulness, I am subject to the statutory duties already outlined and am required to determine the proposal in accordance with the development plan, unless material considerations indicate otherwise.
26. Amongst other things, policies HC1 of the London Plan and policy LP3 of the LP, require development proposals to conserve or enhance the significance of heritage assets. Policy LP1 of the LP requires development to be of high architectural and urban design quality. In making that assessment, it lists relevant factors that include the compatibility of the development with local character, the effect on views and the relationship to existing townscape, public realm and heritage assets.
27. In addition, policy LP18 of the LP emphasises how river corridors contribute towards the special and distinctive character of the borough. Amongst other matters, it seeks to protect the natural, historic and built environment of the Thames River corridor. For the reasons outlined, the proposed alterations to the rear roof slope would fail to meet these policy requirements of the development plan.
28. There is no dispute between the parties that other aspects of the proposals to introduce rooflights on the front roof slope and roof crown, as well as other changes to fenestration within the front and rear elevations, would be

³ Planning reference 13/2576/HOT

⁴ Images 005 & 006, Appellant's Grounds of Appeal

⁵ Reference 22/1110/PS192 dated 3 May 2022

acceptable. These alterations would be less obvious and would not add bulk nor noticeably alter the roof profile. As such, I am satisfied that they would have a neutral impact on the character and appearance of the area and designated heritage assets.

29. I have considered whether a split decision would be appropriate in these circumstances. However, it is not clearly the case that the various elements proposed could be discretely severed, especially at third floor level. Consequently, I have not done so.
30. Accordingly, I find that overall, the proposals would be detrimental to the character and appearance of the area and would result in unjustified harm to designated heritage assets. Therefore, the proposals would conflict with policy HC1 of the London Plan and policies LP1, LP3 and LP18 of the LP.

Other matters

31. The appellant points out that no objection was made in relation to the effect on the living conditions of nearby residents either by the Council or by neighbours. Be that as it may, an absence of harm in this respect would be expected by other local and national planning policies. As such, it is a neutral factor rather than a benefit of the proposals. Hence, this is not a matter that would lead me to find otherwise overall.

Conclusion

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

Helen O'Connor

Inspector