
Appeal Decisions

Site visits made on 25 February and 5 March 2025

by Matthew Nunn BA BPI LLB LLM BCL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 April 2025

Appeal A: APP/L5810/W/24/3352286

59 Petersham Road, Richmond, TW10 6UT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Earle and O'Donnell against the decision of the Council of the London Borough of Richmond.
 - The application Ref: 24/1063/HOT, dated 24 April 2024, was refused by notice dated 1 July 2024.
 - The development proposed is described as 'demolition of 2 storey rear extension with balcony platform and steps; proposed part single and part 2 storey glazed rear extension with external steps; proposed internal alterations including to facilitate access to extension; alterations to rear boundary walls'.
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Appeal B: APP/L5810/Y/24/3352292

59 Petersham Road, Richmond, TW10 6UT

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Earle and O'Donnell against the decision of the Council of the London Borough of Richmond.
 - The application Ref: 24/1064/LBC, dated 24 April 2024, was refused by notice dated 1 July 2024.
 - The development proposed is described as 'demolition of 2 storey rear extension with balcony platform and steps; proposed part single and part 2 storey glazed rear extension with external steps; proposed internal alterations including to facilitate access to extension; alterations to rear boundary walls'.
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Decisions

1. Appeal A is dismissed. Appeal B is dismissed.

Procedural Matters

2. I have visited the appeal site on two occasions. Unfortunately, internal access to the property was not available on my first visit, but I undertook an external inspection from public areas including the river towpath to the rear. I was able to gain internal access to the property, as well as to the rear garden, on my second visit.

Main Issues

3. The main issues are: (1) whether the proposals would preserve a Grade II listed building, 59 Petersham Road, and any special features of architectural or

historic interest it possesses; and (2) whether the character or appearance of the Richmond Hill Conservation Area would be preserved or enhanced.

Reasons

4. The appeal property is a Grade II listed building fronting on to Petersham Road, with the rear of the property facing the River Thames. The fairly brief listing description is as follows: 'circa 1720; two storeys, basement and attic; three windows wide; stuccoed parapeted front (stucco a later addition); Roman Doric doorcase with triglyph frieze; slated roof with 2 pedimented dormers. The listing dates from 1950.
5. The appeal property forms a row with other Grade II listed buildings, of varying designs, mainly comprising stock brick elevations. Because the property is built on a steep slope between the road and the riverside, it appears significantly taller from the rear, presenting as a four storeyed house with an attic, whereas from the front it appears as two storeys above a basement, with a pair of dormer windows within the roof. In contrast to the rendered frontage, the rear elevation is finished in brick, with a metal and timber canopied balcony with railings at upper ground floor level. The rear garden of the property is accessed via steps from a door within a more recent small flat-roofed rendered rear addition.
6. The special interest and significance of the listed building derives primarily from being a high-quality example of an early Georgian town house. Its external appearance and architectural composition remain largely intact and unaltered. Significance is derived from the high survival of original fabric, both internally and externally, providing insight into the construction methods of the period, prior to their standardisation later in the century. As the Council notes, the survival of fabric also provides insight into the domestic aspirations of the occupiers of the period and how they lived. Internally, although some changes have occurred, many historic features exist including timber panelling and fireplaces, and the original layout appears legible across the floors.
7. The absence of alteration to the rear elevation allows its historic appearance to be appreciated, and the hierarchy of floors to be discerned in the window arrangement with smaller, more modest windows to the lower status floors and larger windows to higher status floors. Significance is also derived from the prominent role of the building both from the street and also from the Thames towpath, as well as its group value with other Grade II listed properties in the immediate vicinity, and the contribution to the character and appearance of the Richmond Hill Conservation Area, within which the property is located.
8. The Conservation Area Appraisal notes that Richmond Hill comprises a varied architectural landscape, including almshouses, shop units, hotels, grand terraces and substantial residences, and that the age and quality of the architecture provides 'tangible links to its layers of history, adding greatly to its significance'. It is a distinctive and well defined area containing a variety of building types and a mix of uses. Along Petersham Road, fine groups of terraces and individual houses from the 18th and 19th centuries face the River Thames, with gap views to the river from the road. The significance of the Conservation Area derives from the architectural merit of the buildings, and the legibility of the buildings as cohesive groups, and the attractive riverside setting. The appeal building, underpinning and reflecting the area's distinctive

townscape, makes a valuable contribution to the character and appearance of the Conservation Area as a whole.

9. The proposal is for the construction of a 'glazed' two storey rear extension of a deliberately contemporary design. At garden level, it would be full width, with steps down one side, although at lower ground floor level, it would be of lesser depth and less than half the width of the host dwelling. Essentially, it would present as two individual glazed boxes, one on top of the other, the larger one at garden level, and a smaller one at lower ground floor level. The upper box of the extension would sit directly underneath the balcony. The existing small flat roofed extension with steps would be removed. The Council has no objection to its removal noting it is 'modern and of poor quality construction'.
10. In my judgment, the glazed extension would be a large and dominant addition, completely altering the appearance of the rear elevation. The stark, box-like structures, together with the extent of the glazing would be entirely at odds with the historic rear elevation, obscuring a significant portion of it. Although the Appellants state that the rear façade would still be fully visible, this is unlikely given the reflective quality of glazing. Furthermore, the relationship of the extension with the balcony immediately above would be awkward. At present, the balcony is quite a dominant feature, and emphasises the higher status of this floor. Although not attached, the extension would, because of its close proximity, appear to almost abut the underside of the balcony, overwhelming it and destroying the hierarchy of floors of this elevation.
11. In support of the scheme, the Appellants state that to the rear, the property is largely obscured by trees and a high rear garden wall, and that consequently any extension would not be prominent. However, from my site visits, I saw the rear elevation is clearly visible from public vantage points including the adjacent Thames Path¹, a popular walking route, as well as the river itself, and the footpath on the opposite side of the river. This extension would appear incongruous both in relation to the listed building, the adjacent listed buildings and the Conservation Area. I do not share the Appellants' opinion that the rear of the property 'contributes less to the area than the front'². As noted, the property is unusual in that both its front and rear elevations are clearly visible from public vantage points, with the rear contributing to the attractive setting of the river. Both elevations are equally important and sensitive to new development.
12. Overall, I find that this proposal would result in harm to the listed building and loss of significance. I consider that the listed building and its intrinsic qualities, including the existing design and form of the rear elevation, contributes to the character and appearance of the Conservation Area. It follows, therefore, that the harm I have identified to the listed building means that the character and appearance of the Conservation Area would not be preserved.

Planning Balance

13. The National Planning Policy Framework ('the Framework') advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation³. The

¹ See also photograph page 30, Statement of Case, which clearly shows the rear elevation of the property

² Statement of Case, Paragraph 5.13

³ Paragraph 212 of the Framework

Framework further advises that significance can be harmed or lost through the alteration or destruction of those assets and that any such harm should have a clear and convincing justification⁴. In this case, I find the harm to be less than substantial, but nevertheless of considerable importance and weight. Where a proposal would lead to less than substantial harm to the significance of designated heritage assets, the Framework advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use⁵.

14. In this case, the Appellants have not advanced any specific 'public benefits' in favour of the proposals. This is on the basis that this requirement of the Framework is not engaged because it is said the proposal would not harm the significance of the building. I appreciate the scheme has been modified following previous refusals of planning permission and listed building consent by the Council. The Appellants mention improvements to drainage if the scheme were to proceed. I acknowledge the desire to provide additional modern living accommodation to suit the Appellants' personal requirements, but these works would primarily be for their private benefit. The building's current use as a single dwelling means that these works would not hold any benefits in securing the building's optimum viable use. In my view, harm would arise because of the size and design of the addition, and the adverse effect on the historic appearance of the rear elevation. Overall, I do not consider that these matters constitute the necessary public benefits that would outweigh the identified harm.
15. The Appellant has referred to various examples of extensions and alterations, including at The Bingham Hotel, 55 Petersham Road, and 36 Richmond Hill. I am not familiar with the details, background or circumstances of those cases, and so am unable to make a direct comparison. None appear to replicate the exact design or locational circumstances of the scheme before me which I have assessed on its merits.
16. The Council has raised concerns regarding the adequacy of details in relation to certain internal works, as well as the construction method for the floor slab. I have found the proposal unacceptable for other reasons, but these matters would need to be satisfactorily resolved in the event any scheme were to proceed.
17. The relevant legislation requires that, in exercising planning powers in relation to listed buildings, special regard shall be had to the desirability of preserving the building or its setting, or any features of special architectural or historic interest it possesses⁶. In exercising planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area⁷. Overall, I find that the scheme would fail to preserve the special architectural or historic interest of this Grade II listed building and would fail to preserve the character and appearance of the Conservation Area in accordance with the relevant legislation.
18. The scheme would conflict with Policy LP1 (Local Character and Design Quality) of the Richmond Upon Thames Local Plan (2018) which seeks to maintain, and

⁴ Paragraph 213 of the Framework

⁵ Paragraph 215 of the Framework

⁶ S16(2) and S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990

⁷ S72(1) Planning (Listed Buildings and Conservation Areas) Act 1990

where possible, enhance the high quality character and heritage of the borough; and Policy LP3 (Designated Heritage Assets) which requires development to conserve and enhance the significance of the borough's designated heritage assets, including requiring the use of appropriate materials and techniques.

19. For the reasons above, I conclude that both appeals should be dismissed.

Matthew Nunn

INSPECTOR