



Appeal Decision

Site visit made on 7 July 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2025

Appeal Ref: APP/L5810/W/25/3360056

23A Hampton Road, Teddington, Richmond Upon Thames TW11 0JN

- 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 and Mrs Simon Kinsman against the decision of the Council of the London Borough of Richmond Upon Thames.
- The application Ref is 24/1099/FUL.
- The development proposed is demolition of existing bungalow and the erection of a three-storey replacement dwelling with basement level.

Decision

1. The appeal is dismissed.

Background and Main Issues

2. The appeal submission includes a Basement Impact Assessment (BIA). This has been reviewed by the Council as Lead Local Flood Authority, who has stated that the BIA is sufficient to overcome the third reason for refusal as set out in the decision notice. A Unilateral Undertaking has also been provided to secure the proposal as a self-build dwelling, which the Council confirms is sufficient to overcome the fourth reason for refusal.
3. A previous scheme for a replacement three-storey dwelling at this site was refused by the Council and then allowed at appeal in December 2024¹ ("the previous appeal scheme"). Whilst the previous appeal scheme is a significant material consideration, I must also have regard to the submitted evidence for the current appeal. I must also bear in mind that the current proposal is of differing design, scale and massing, and also includes a standalone front boundary wall.
4. Whilst the first reason for refusal does not refer to the Grade II Listed Building of Teddington Hall², the officer report raises concerns regarding the effect on the character of the front boundary wall of Teddington Hall. Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 ("The Act") requires me to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
5. For the purposes of the Act, a listed building includes any structure that is within its curtilage which has existed since before 1st July 1948. Based on the submitted evidence and what I saw during my site visit, I have no reason to dispute that the front boundary wall of Teddington Hall does not comprise a curtilage listed building. I have determined the appeal on this basis.

¹ APP/L5810/W/24/3341647

² Historic England List Entry Number: 1253934

6. In light of all the above, the main issues are:

- the effect of the proposed development on the character and appearance of the surrounding area, including:
 - a) the Grade II Listed Building of Teddington Hall and its curtilage listed front boundary wall; and
 - b) No 23 Hampton Road as a Building of Townscape Merit; and
- the effect on living conditions of No 23 Hampton Road, with particular regard to outlook.

Reasons

Character and appearance

7. The appeal site (No 23A) comprises a single storey dwelling with habitable roof space, facing Hampton Road and within the built-up area of Teddington. The surrounding area comprises a mix of residential, commercial and community buildings from different periods and of varying height, massing and design, including two-to-three storey buildings on the opposite side of Hampton Road and beyond the Coleshill Road junction.
 - *Grade II Listed Teddington Hall and its curtilage listed front boundary wall*
8. The proposed front boundary wall would adjoin the side of the curtilage listed front boundary wall of the Grade II Listed Building of Teddington Hall. Teddington Hall is of mid-19th Century origin, and its significance is in part derived from its Tudor gothic style features, including elaborate stucco dressings and quoins, along with its spacious and enclosed setting away from Hampton Road amongst mature trees, which significantly restrict views of this Listed Building from along the road.
9. The curtilage listed wall does not form the principal Listed Building or part thereof. However, I found that it derives its own significance through its prominent setting spanning a long road frontage, which clearly functions as the long-established public-facing boundary and entrance to the grounds of Teddington Hall.
10. This wall's significance is also derived from its ornate gothic style arch pillars protruding above the main wall structure, which has a distinctive red/orange brick hue and bonding pattern, with contrasting pale mortar. The curtilage listed wall therefore clearly has significant value in contributing to the character and special interest of the principal Listed Building of Teddington Hall.
11. The design of the proposed front boundary wall, comprising perforated brick patterning enclosed in sections by plain stone/masonry banding, is deliberately contemporary in appearance. There is currently a low, protruding and non-historic front brick wall attached to this curtilage listed wall, which is of differing colour and forms the front curtilage boundary of No 23A.
12. The height of the proposed front wall would however be significantly greater and would match the height and alignment of the curtilage listed wall. Whilst the scale and design of the proposed wall may reflect that of the proposed replacement dwelling, and intends to mimic the adjacent curtilage listed wall, it would unacceptably compete with and detract from the prominence and historic understanding of this curtilage listed wall. The resultant relationship would harmfully

dilute this wall's special interest, function and significance. The historic and contemporary boundary forms would thus, to my mind, not sit or read well together.

13. The proposed front boundary wall would therefore fail to preserve the setting of this curtilage listed wall that contributes to the special architectural and historic interest of Teddington Hall as a Grade II Listed Building.

- *Building of Townscape Merit - No 23 Hampton Road*

14. To the other side of No 23A is a part two, part three storey building housing nine flats (No 23). The Council identifies No 23 as a Building of Townscape Merit (BTM). The Appendix 7 Glossary to the Council's Local Plan (LP) (adopted 2018) defines BTMs as buildings, groups of buildings or structures of historic or architectural interest, which are locally listed due to their considerable local importance. This also defines BTMs as non-designated heritage assets (NDHAs).
15. From what I saw during my site visit, the significance of No 23 as a BTM is derived from its ornate and distinctive period features, including its three storey front Dutch gable feature with sash windows and decorative window bays and surrounds, along with its other historical front and side gable forms that are also visible from Hampton Road by virtue of No 23's prominent corner plot setting. Its original use as a large period house of some status can therefore still be appreciated, despite its conversion to flats and some modern extensions and alterations.
16. The proposed three storey replacement dwelling would be lower than the main front gable feature of No 23. However, the proposed main front gable feature would have a notably greater height and massing above No 23's nearest two storey front and side elevations. This feature, coupled with the overall proposed upper floor massing, would not result in a subservient relationship with No 23.
17. Although the proposal seeks to follow the broad proportions of No 23, many of the surface areas of the proposed front elevation windows would jar with No 23's narrower window panels that have a more vertical emphasis and which typify its period design. This would further draw the eye towards the proposal as a prominent and competing addition between No 23 and the nearest single storey former gatehouse of Teddington Hall.
18. The upper floor height and massing would be stepped away at various points, and the proposed plans indicate that an appropriate palette of external materials could be achieved. This would not however sufficiently mitigate the adverse visual impact that I have identified. I therefore conclude that the overall proposed appearance, scale and massing would unacceptably compete with and cause harm to the significance of No 23 as a NDHA.
19. I accept that in allowing the previous appeal scheme, the Inspector for that appeal found its proposed height, and separation to No 23 and the nearest gatehouse to its other side, to be subservient. The current appeal proposal is, by comparison, set noticeably further back from Hampton Road and is also, in the main, sited further away from No 23 at upper floor level. The previous Inspector also took no issue with a modern addition to this site of an overtly contemporary architectural style.
20. The current proposal would however have a significantly higher maximum gable height and upper floor bulk than the previous appeal scheme, projecting slightly further forward towards Hampton Road than the upper floor front gable of that

allowed scheme. The current proposal also adds a notably greater amount of height and bulk towards the nearest former gatehouse on the other side of No 23A.

21. I have therefore found that the current proposal has a more dominant visual impact along Hampton Road than the previous appeal scheme. That allowed scheme therefore does not justify allowing the current appeal.
22. It is also put to me that the existing building of No 23A represents an anomaly in the streetscene and is incongruous, with a poor visual aesthetic. I have however found that its low height, simple fenestration and setback from Hampton Road translates to an unassuming feature that is of neutral impact in visual terms. In any event, the principle of its replacement has already been accepted. The existing appearance and condition of No 23A thus does not justify allowing the appeal.

- *Conclusion – character and appearance*

23. For the above reasons, I conclude that the proposal would harm the character and appearance of the surrounding area, including the curtilage listed wall of Teddington Hall and the BTM/NDHA of No 23 Hampton Road.
24. The resultant harmful visual impact amounts to conflict with Policies LP1 and LP4 of the LP. These policies require, among other things, development to respect and enhance the local environment and character, including the relationship to existing townscape as well as scale, height, massing and detailing; and to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit.
25. The proposed front lightwell would not be a significant or disproportionate feature in relation to the dwelling in which it would serve, its front curtilage, or the wider streetscene. It would therefore not harm the character and appearance of the area. The officer report states that this lightwell does not comply with the House Extensions and External Alterations Supplementary Planning Document (SPD) (adopted 2015). However, based on my own reading and interpretation, this SPD relates to various types of house alterations and extensions, and does not refer to replacement dwellings. This SPD is thus not relevant to the appeal proposal.
26. The first reason for refusal cites conflict with LP Policy LP39. However, this governs biodiversity and geodiversity, and is therefore not relevant to this main issue.

Living conditions

27. To the rear of No 23A, the side boundary with No 23 contains closeboard fencing and some mature shrubbery above, within each side of the fence line. The side gable end of the existing dwelling of No 23 is also adjacent to this boundary.
28. The proposed three storey dwelling would have a significantly greater height, but the tallest second floor element would not project significantly beyond the main rear elevation of No 23. The overall proposed upper floor side elevations would also be set notably set away from the side boundary. Overall, the proposed scale and siting would avoid a harmful overbearing impact on the rear garden space serving the residents of No 23, as an adequate level of outlook for these neighbouring residents would be provided.
29. The proposal would therefore not harmfully impact the living conditions of No 23. In this respect, the scheme complies with Policy LP8 of the LP which requires,

amongst other things, development to protect the amenity and living conditions for occupants of neighbouring properties. The proposal also complies with the Residential Development Standards SPD (adopted 2010) insofar as it would avoid an unacceptable sense of enclosure.

Other Matters

30. The first and second reasons for refusal cite conflict with the Design Quality SPD (adopted 2006) and the Small and Medium Housing Sites (adopted 2006) SPD, along with the Hampton Wick and Teddington Village Planning Guidance (2017). The submitted evidence before me however does not articulate the specific purported conflict with these documents, nor does it set out specifically how the proposal seeks to comply with the relevant advice within these documents.
31. The above guidance documents have therefore not had a bearing on my determination of this appeal. I have instead had regard to the relevant policies within the adopted development plan. I have also had regard to the relevant policies of National Planning Policy Framework (The Framework), as set out below in the Heritage and Planning Balance section.
32. The first and second reasons for refusal also cite conflict with Policies 15, 28, 30 and 46 of the Council's draft Publication Version of their new Local Plan (dated 9 June 2023). The Council has however not set out the current precise status of this draft Local Plan, and the appellants' Appeal Statement has not directed me to any of its specific policies. This draft Local Plan has therefore also had no bearing on my determination of this appeal.

Heritage and Planning Balance

33. I have found that the proposal complies with Policy LP8 of the LP in respect of neighbouring living conditions. The scheme however conflicts with LP Policies LP1 and LP4 in terms of its impact on the NDHA of No 23 and the curtilage listed front wall of the Grade II Listed Building of Teddington Hall.
34. Paragraph 212 of the Framework states that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Framework Paragraph 213 sets out that the significance of such assets can be harmed from development within their setting and that this should have a clear and convincing justification.
35. I have found the harm to the curtilage listed front wall of the Grade II Listed Building of Teddington Hall to be less than substantial when having regard to the Framework, but of considerable importance and weight. Less than substantial harm does not however equate to a less than substantial planning objection.
36. As a prominent historical boundary feature covering a substantial road frontage, this curtilage listed wall contributes significantly to the character and special interest of the principal Grade II Listed Building of Teddington Hall. It is therefore clearly an important asset to the area.
37. Framework Paragraph 216 sets out that the effect on the significance of a non-designated heritage asset should be taken into account in determination. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset. I have found an adverse level of

harm to the historic interest and significance of No 23 as a NDHA. As a conspicuous BTM, it is also an important asset to the area.

38. The above heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. The proposal therefore conflicts with the development plan as a whole.
39. The new dwelling would be energy efficient in a manner and extent that could not be achieved through improvement of the existing dwelling. The principle of replacing the existing dwelling has however already been accepted.
40. That being said, the cumulative on-site energy consumption savings would be considerably greater than that of the previous appeal scheme. Its carbon dioxide emission savings would only be marginally greater than that allowed scheme, but would go considerably beyond the requirements of LP Policy LP 22. The proposal also includes solar panels on the second-floor roof, a source of renewable energy that was not a feature of the previous appeal scheme. These benefits are therefore afforded moderate weight.
41. The proposal would form an efficient use of land to provide a family dwelling, with floorspace that would meet and, in some respects, exceed the requirements of the Nationally Described Space Standard. The dwelling would also be provided with spacious garden areas, including native planting and the installation of bird boxes, along with a sustainable drainage strategy that includes green sedum roofs.
42. I am not however satisfied that the proposal has been designed to minimise the conflict between it and the heritage assets' conservation, as required by Framework paragraph 208. The above benefits are therefore only afforded limited weight.
43. Water usage would be limited to 105 litres per person per day and the new dwelling would also be provided with electric vehicle charging points. These features however reflect the current Building Regulations requirements for new dwellings, and therefore neither way in favour nor against allowing the appeal.
44. The totality of the above benefits would not outweigh the extent of harm upon the significance of the curtilage listed wall of Teddington Hall and the NDHA of No 23 that I have identified.

Conclusion

45. For the above reasons, the proposal conflicts with the development plan as a whole, and the material considerations before me do not indicate that a decision should be made otherwise than in accordance with the development plan. The appeal is therefore dismissed.

R Cahalane

INSPECTOR