



Appeal Decisions

Site visit made on 4 November 2025

by **V Simpson BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal A Ref: APP/L5810/W/25/3366565

40 Richmond Hill, Richmond, Richmond Upon Thames TW10 6QX

- 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 Huckle against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref is 24/3161/HOT.
 - The development proposed is Extension of frameless glass structure to infill gap between previously approved side infill extension and half-width rear extension. Minor alteration internally to approved rear extension to create full-width reception room, re-configuration of approved new stairs to suit revised internal layout.
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Appeal B Ref: APP/L5810/Y/25/3364998

40 Richmond Hill, Richmond, Richmond Upon Thames TW10 6QX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs Huckle against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 24/3162/LBC.
 - The works proposed are Extension of frameless glass structure to infill gap between previously approved side infill extension and half-width rear extension. Minor alteration internally to approved rear extension to create full-width reception room, re-configuration of approved new stairs to suit revised layout
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeals relate to the same site and the same proposed scheme. Unless stated otherwise, and despite the differences in the planning permission and listed building consent regimes, both appeals are dealt with together. This is to avoid unnecessary repetition.
4. Since the applications subject of these appeals were determined, the Council has adopted the Richmond upon Thames Local Plan 'the best for our borough' 2024 to 2039¹ (the Local Plan). This supersedes the previous London Borough of

¹ London Borough of Richmond Upon Thames – Richmond Upon Thames Local Plan 'The best for our borough' (2024 to 2039) – adopted 7 October 2025

Richmond Upon Thames Local Plan - July 2018. The main parties have had the opportunity to comment on the implications of the adoption of the Local Plan.

5. Development and works have previously been approved on the appeal site² that amongst other things, authorise the construction of 2 rear extensions to the property. Moreover, I understand that these permissions and consents are still extant. However, the detailing and extent of the scheme that is now before me is different from these earlier schemes, and it would not be possible to undertake these previously authorised works and development as well as to enlarge the rear extension as is now proposed by the appellant. In part, this is because these previously approved extensions had enclosed sides. It is also because it is not within the scope of these appeals to vary details of previous consents or permissions.
6. That being the case, I have compared the existing and proposed plans provided in support of these appeals to identify the extent of the proposed works and development. The appeals are therefore determined on the basis that the proposed scheme encompasses; the demolition of the rear glass extension, the external staircase to lower ground floor level, and other external structures attached to the rear and side of the property; the construction of a rear extension to create a full-width reception room; a replacement staircase to the lower ground floor; the enlargement of a ground floor side window; the formation of a window in the side wall of the kitchen; internal alterations to the kitchen; the removal of a WC, and the widening of an opening in the rear wall of the kitchen.
7. During my site visit, I observed that building works were ongoing at the property. The conservatory and an external staircase to the lower ground floor had been removed. A new staircase to the lower ground floor had been constructed, and a rear extension structure had been erected - the location and form of which appeared to be similar to, if not the same as, that shown on the proposed plans. I also observed that a large section of the lower ground floor closet wall that faces number 42 Richmond Hill (no. 42) had been opened up, and that at ground and lower ground floor levels, areas of previously exposed or painted brickwork appeared to have been plastered over. Also at ground-floor level; the kitchen had been stripped out; the WC had been removed and the doorway and partition wall separating this room from the kitchen as well as a structure in the corner of this small room had been removed. Within the no.42 facing side wall of the kitchen, a window-type opening had also been formed in the brickwork, which is significantly wider than that shown on the proposed plans.
8. However, and notwithstanding the discrepancies between the works and development undertaken and the details on the proposed plans, these appeals are dealt with as proposed schemes for the works and development indicated on the submitted plans.
9. The appeal site comprises a single property within the Grade II listed building known as 28-40 Richmond Hill³ (the listed building). It is also within the Richmond Hill Conservation Area (the CA). Consequently, in reaching my decisions, I have exercised my statutory duties under sections 66(1) - for appeal A, 16(2) - for Appeal B, and 72(1) – for both appeals, of the Planning (Listed Buildings and Conservation Areas) Act, 1990 – as amended (the Act).

² Consent/permission refs 23/0723/ful & 23/0724/LBC and 23/3376/HOT & 23/3377/LBC

³ Official List Entry Number: 1239993

Main Issue

10. The main issue is whether the scheme would i) preserve the Grade II Listed Building – 28-40 Richmond Hill or any features of special architectural or historic interest which it possesses; and ii) preserve or enhance the character or appearance of the Richmond Hill Conservation Area.

Reasons

Special Interest / significance

11. Although comprising part of a wider terrace of properties of varying ages, the listed building, which was originally constructed circa 1840 as a row of 3-storey properties with additional lower ground floor and attic levels, has both historic and architectural interest that contributes to its significance. This is partly because it is a well-preserved example of a short terrace of Italianate-style residential properties from this early Victorian period, with elaborate design detailing to the front elevation that is typical of this style.
12. The listed building has been subject to various external alterations and extensions over time, which include the enlargement of many small early closet wings - some of which extend across much or all of the width of the rear of individual properties in the building. Historic piecemeal alterations and extensions to the rear of the host dwelling are also acknowledged. Nevertheless, the early configuration of development to the rear of the building, that is at least partially characterised by a regular series of projecting closet wings, remains clearly legible. This configuration, together with the status differentiation reflected in the building's front and rear elevations, the legibility of the historic architectural features of the rear elevation, the readability of its extant historic plan-form, and its surviving historic fabric, all also make a meaningful contribution to the significance of this building.
13. The Richmond Hill Conservation Area (the CA) includes a short section of the River Thames and open green spaces either side of it, as well as areas of mainly terraced residential properties on a hillside stretching up from the river. The Council's Conservation Area Study for the area⁴, indicates that the Richmond Hill area, is characterised by the very high quality of its 18th century architecture and the distinctive groups of fine later Regency and Victorian housing within it. Moreover, the similar scale and proportions of these houses, and their similar architectural features, fenestration and materials have resulted in a generally cohesive, high-quality townscape, which contribute to the special qualities of this CA. The house on the appeal site shares many of these distinctive characteristics. That being the case, it contributes positively to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

Effects of the works and development

14. The use of expansive areas of 'frameless' glazing would allow the historic configuration of the rear elevation to be discerned to a degree. However, the proposed extension would project across the full width of the rear of the host dwelling, and it would effectively wrap around and enclose the earlier brick-built closet wing structure at ground floor level. Furthermore, and unlike the extant permissions for rear extensions to the appeal site, which echo the historic solid

⁴ The London Borough of Richmond Upon Thames – Richmond Hill Conservation Area Study

and void pattern of closet wings to open courtyards, the proposed development and works would harmfully erode the legibility of the composition of the rear elevation at ground floor level.

15. In addition, the provision of a single open plan living space across the full width of the appeal site, would read as a dominant addition to the rear of the property. The proposed scheme would also result in the loss of historic brickwork, the removal of the historic external staircase to the lower ground floor, and the introduction of new and enlarged openings in the walls of the rear closet wing. Whether or not these works and development would be to original parts of the dwelling, cumulatively they would result in the harmful loss and/or alteration to parts of the building that contribute towards its overall significance.
16. For these reasons, the proposals would cause harm to the significance of the listed building.
17. The proposals would be undertaken to the rear of the house, where boundary walls and other surrounding buildings mean it would not be visually prominent from outside the appeal site. Nevertheless, the harmful effects identified to the listed building would also result in some residual harm to the character and appearance of the CA as a whole.

Heritage balance and conclusions

18. The relatively modest scale of the scheme, which relates to a single house within the wider listed building and CA, means that the harm that would be caused to each of these designated heritage assets would be to the lower end of less than substantial. Nevertheless, these findings of harm carry considerable importance and weight.
19. In accordance with paragraph 212 of the National Planning Policy Framework (the Framework), great weight is given to the conservation of both of these designated heritage assets. Moreover, paragraph 215 of the Framework indicates that where, a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
20. Economic benefits would arise during the implementation of the scheme. Moreover, I have no doubt that the enlarged and altered dwelling would result in improvements to its accessibility as well as affording the appellants and future occupiers with improved living conditions, which would help to ensure its ongoing occupation and maintenance. Nevertheless, if the scheme subject of these appeals were not implemented, I do not anticipate the cessation of use of the property, or that it would fail to be suitably maintained. Nor am I persuaded that the only way of securing the public benefit associated with improving the property's damp resistance would be via the development and works proposed. Therefore, and due to the modest scale of the proposals, the identified public benefits would be small and would each attract very little weight. Moreover, when taken together, these public benefits would not outweigh the harm that would be caused to the significance of the listed building and to the CA.
21. For the reasons given, the proposal would not preserve the Grade II Listed Building – 28-40 Richmond Hill or any features of special architectural or historic

interest which it possesses; and it would not preserve or enhance the character or appearance of the Richmond Hill Conservation Area. Consequently, it would fail to satisfy the requirements of the Act and the provisions in the Framework which seek to conserve and enhance the historic environment. It would also conflict with policy HC11 of the London Plan⁵ and policies 28 and 29 of the Local Plan. Collectively and amongst other things, these require schemes to be of a high quality of design that responds positively to the local character, and to conserve and, where appropriate, make a positive contribution to the historic environment of the borough.

Other Matters

22. I do not doubt that there is a greater than theoretical possibility that the previously identified extant permissions and consents could be implemented. However, the rear extension subject of these appeals would have a larger footprint and scale than the 2 authorised rear extensions taken together. As such, and given the previously identified harm that the current proposals would cause to the listed building and to the CA, this scheme would be significantly more harmful than the fall-back. That being the case, the fall-back does not lead me away from my previous findings.
23. My attention has been drawn to a glazed rear extension constructed to the rear of a property in the Kentish Town Conservation Area. However, that extension has a different form and design detailing from the proposals before me, and being in another part of London, it has a differing site and planning policy context. Consequently, that extension is not readily compatible with the scheme subject of these appeals.
24. At an end of the terrace that the dwelling on the appeal site forms part of, is the Grade II* listed building The Old Vicarage School⁶. The special qualities of this building include its historic and architectural interest as a circa 1680's house which has been re-modelled and extended over time and changed to a school. It is also from the wider built backdrop of its urban setting. Given the low height and modest scale of the scheme, together with the presence of intervening buildings, the setting of the Old Vicarage School would be preserved, and its significance would not be harmed by the proposed development and works.

Conclusion

25. The development subject of appeal A would conflict with the development plan as a whole, and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. I therefore conclude that this appeal should be dismissed.
26. Moreover, and for the reasons previously given, I also conclude that appeal B should be dismissed.

V Simpson

INSPECTOR

⁵ Mayor of London – The London Plan – The Spatial Development Strategy for Greater London – March 2021

⁶ Official List Entry Number 1249946