



## Appeal Decision

Site visit made on 9 November 2021

by **C J Ford BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 07 March 2022**

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**Appeal Ref: APP/L5810/W/21/3276087**

**29 Barnes High Street, Barnes, London SW13 9LW**

- 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 Mr Guy Chambers against the decision of the Council of the London Borough of Richmond Upon Thames.
  - The application Ref 21/0614/HOT, dated 21 February 2021, was refused by notice dated 27 April 2021.
  - The development proposed is described on the application form as "Joint application for the partial infill to the central valley of the main roof of 29a & 29b and 4 no. conservation roof light windows to the rear roof slope".
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the Barnes Green Conservation Area.

### Reasons

3. As the site is located within the Barnes Green Conservation Area (CA), a designated heritage asset, there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA primarily derives from the identifiable physical character and historic importance of four distinct elements; the Thames, the open space of Barnes Green, the Edwardian residential areas and the local shopping centres of Barnes High Street and Church Road. The appeal site is located in Barnes High Street, which contains a mixture of traditional and modern buildings.
4. As 29 Barnes High Street has been identified by the Council as a Building of Townscape Merit (BTM), it is a non-designated heritage asset. The building's significance is partly derived from its historic interest as one of the earliest surviving buildings in Barnes High Street, probably dating from the 18<sup>th</sup> century with a later front extension, and it would originally have been a single house rather than its current layout as a pair of dwellings.
5. The appellant's evidence indicates that No 29 historically sat within a built up frontage on the south side of Barnes High Street. As such, the primary architectural interest of the property would have been its front elevation. However, the western flank has subsequently been revealed through the later redevelopment of the neighbouring site with Sussex Court, a block of flats

which is set back. Consequently, the appeal building's double pitched roof and associated double gable profile have become prominent in public views as far west as the river, thereby elevating their status as distinctive and important architectural features of the BTM, and which positively contribute to the character and appearance of the CA.

6. The building's history as part of a built up frontage may also be inferred from a combination of the absence of windows in the western elevation, and Sussex Court reading as a later redevelopment. Therefore, the confinement of the windows primarily to the front and rear elevations is another distinctive element of the building's character and appearance. Furthermore, double and even triple pitched roofs and associated gables which face into the street are characteristic features of several of the buildings found to the east of the site.
7. In the proposed scheme, the valley between the double pitched roof would be infilled to a level sitting just below the height of the existing ridge tiles. Although the extension would have pitched sides that would be set in from the respective flank walls by around 1m, and they would be hung with tiles from the existing inner roof pitches, the building's distinctive double pitched roof form would become dominated by an incongruous flat roof mid-section. Also, in views of the prominent western flank, the proposed side dormer would emphasise the discordant change to the roof form, while the dormer window itself would appear as a visually jarring feature in an elevation which is characteristically devoid of windows. Moreover, the largely infilled valley would be an irregular departure from the publicly visible open valleys of the relevant buildings to the east.
8. Through various photographs and computer generated visualisations, with the former demonstrating that the existing roof level is mostly viewed from the west against the backdrop of the roof to the adjoining building, the appellant asserts the proposal would be a modest infill roof extension which would barely be noticeable. However, it would result in substantive detrimental changes to the building's distinctive main roof form and character. Furthermore, given the high level position of the changes and their prominence within the locality, they would be readily perceptible.
9. In light of the above, the proposed development would have a significant adverse impact on the character and appearance of the host BTM, and it would fail to preserve or enhance the character or appearance of the CA.
10. Given the limited scale of the proposal in the context of the CA as a whole, the arising harm to the significance of the CA would be less than substantial. The 2021 National Planning Policy Framework (the Framework), sets out that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. It also sets out that great weight should be given to the conservation of designated heritage assets, irrespective of whether any potential harm is less than substantial.
11. The proposal would add to the internal accommodation of the existing two bedroom dwellings. That may be considered a modest public benefit in terms of securing the long term optimum residential use of the building as part of the CA. Nevertheless, there is no evidence that continued residential use of the building would be unviable or impractical without the proposal. The appellant also states the Council's 2018 Local Plan (LP), recognises a need for three

bedroom dwellings. However, it is unclear whether it directs such family housing to mixed use centres like Barnes High Street, and the contribution towards the housing mix would be limited. The public benefits are therefore afforded little weight.

12. With the above in mind, the public benefits fail to attract sufficient weight to outweigh the harm to the CA, or the harm to the BTM as a non-designated heritage asset. Consequently, the proposal would conflict with Policies LP1, LP3 and LP4 of the LP. Amongst other things, these policies seek to ensure proposals maintain the high quality character and heritage of the borough, and preserve and where possible enhance both the significance and character of non-designated heritage assets, and the character or appearance of CAs. It would also conflict with the Framework's promotion of the conservation of heritage assets, and the Council's 2015 House Extensions and External Alterations Supplementary Planning Document, which sets out that extensions should sympathetically complement the existing building.

### **Other Matters**

13. Concerns have been raised about the consistency of decision making with regard to the earlier approval and subsequent construction of the adjoining development to the east which wraps around the rear of No 29. However, it is apparent from the Council's Barnes Green Study that the development infilled an identified unsightly gap in the street frontage and its mixed uses afforded further public benefits. Moreover, while it largely closed off a public view of the eastern flank of the appeal building, it made no direct adverse changes to the BTM's distinctive roof form. In these respects, it is clearly distinguishable from the appeal scheme.
14. Attention has also been drawn to several approved developments which altered roof forms in the CA, with the scheme at 40 Station Road being of particular relevance both in terms of relating to a BTM and its prominence in the respective primary street scene. At No 40 the entire roof with a double pitch to the rear was replaced with front and rear mansard roof extensions. However, it resulted in the creation of a harmonious roof form, in contrast to the arising discordance in the appeal scheme. It is therefore not directly comparable and the other altered roof forms in the CA do not justify the harm that would arise from the appeal proposal, which has been considered on its own merits and with regard to its particular circumstances.
15. Although it is acknowledged the appellant has sympathetically restored the BTM and improved its appearance, the proposal would not achieve the same ends. Furthermore, while the proposal includes changes from a previously refused scheme<sup>1</sup>, the changes do not render it acceptable. Although there were no objections to the proposal from the local community, the development nevertheless falls to be considered against planning policy and the statutory duty in relation to CAs.
16. The proposal would provide an additional bedroom and en-suite for the occupants of each of the two dwellings, private benefits which are afforded some weight. However, the benefits do not outweigh the great weight that the Framework specifies should be given to the conservation of designated heritage assets, or the harm to the BTM.

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<sup>1</sup> Council Ref: 18/1051/FUL

**Conclusion**

17. The proposal would conflict with the development plan as a whole and there are no material considerations, including relevant parts of the Framework, which indicate that the decision should be made otherwise than in accordance with it. The appeal is therefore dismissed.

*C J Ford*

INSPECTOR