

Appeal Decision

Site visit made on 15 December 2016

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 January 2017

Appeal Ref: APP/L5810/D/16/3159818

7 Orchard Rise, Richmond, TW10 5BX

- 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 and Mrs Mark Kimber against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 16/2571/HOT, dated 28 June 2016, was refused by notice dated 17 August 2016.
 - The development proposed is the formation of a second entrance to the drive.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effects of the proposed second entrance on:
 - The character and appearance of the Sheen Common Drive Conservation Area, and
 - Highway safety on Orchard Rise.

Reasons

3. No 7 Orchard Rise is a large detached house situated on the western side of the road. It has a wide frontage and, in common with other houses on this side of the road, it is set obliquely to the line of the front boundary and has a large, somewhat triangular front garden. The house has a detached garage on its northern side with a crossover and driveway to the front. Orchard Rise forms part of the Sheen Common Drive Conservation Area (CA).
4. The proposed development would involve the construction of a second entrance towards the southern end of the plot. This would entail the creation of a new crossover and opening in the dwarf front wall, and the laying of a semi-circular gravel drive around the front garden, linking the two vehicular entrances.

Character and appearance

5. The CA Statement states that Orchard Rise has red-brick paved verges with associated tree planting, and that the houses in the area are well maintained with attractively planted front gardens. Amongst the problems and pressures
-

facing the CA, concern is expressed regarding loss of front boundary treatments and front gardens for car parking, whilst opportunities for enhancement include the retention and enhancement of front boundary treatments and the discouragement of any increase in the hard surfacing of front gardens.

6. The proposed development would involve the loss of a significant amount of soft landscaping in the front garden, and the construction of a wide gravel drive around the front of the house with additional parking areas. The appellants contend that as the house has 8 bedrooms, it is necessary to have more space for off-street parking and manoeuvring to avoid the risk of additional on-street parking in the vicinity. However, I have no evidence before me of any significant on-street parking pressures along Orchard Rise, and the proposal would add to the problems facing the CA with regard to development in front gardens, as outlined in the CA Statement. In order for vehicles to park and manoeuvre past each other in the front garden area, the amount of gravel surface would be considerable, and this would raise the potential for the front of the house to be largely obscured by parked cars. This would be harmful to the character and appearance of the CA.
7. The proposal would also involve the loss of a small section of front boundary wall. This would be regrettable, although given the significant length of the wall at the front of the property, it would not be a sufficiently harmful loss to warrant dismissal of this appeal in its own right. Nevertheless, it adds to the concerns about the full effects of the proposal on the character of the CA, as set in the CA Statement.
8. In conclusion on this issue, I have had regard to the fact that the appeal site lies within the Sheen Common Drive Conservation Area (CA). In this specific case, I consider that the proposed development would have a harmful effect on the host property, its immediate surroundings and the wider area, and to that extent would not preserve or enhance the character or appearance of the CA.

Highway safety

9. The appellants contend that the existing crossover and driveway is situated close to a bend in the road, and that the provision of a second entrance with the potential for vehicles to enter and leave the property in a forward direction, would represent an improvement in highway safety. However, I have no details of any incidents along Orchard Rise that would indicate a dangerous scenario. It is a relatively short road and the existence of two bends would be likely to keep traffic speeds down, particularly in the vicinity of the appeal site. No 7 is situated some 20 metres from the bend and is on the outside of the bend, such that approaching traffic from the north and vehicles leaving the property have good inter-visibility.
10. The Council notes that sight lines from the proposed crossover would be marginally inadequate, and that a tree planted within the verge, near to the proposed crossover, could be harmful to visibility for vehicles leaving the property. I accept that there are marginal deficiencies here, but it would appear that these could be dealt with by way of condition, and that the tree is not likely to become of a sufficient size to be a significant hazard to visibility. There are a number of such trees along the verge and most would appear to be in similar positions with regard to proximity to vehicle crossovers.

11. The appellants note the existence of other properties in the area that have two crossovers, including No 1. However, these are rare examples, not typical of the area and, in the case of No 1, I have no details of when any permission was given for the crossovers. Moreover, in this example, the crossovers are close to the inside of a bend where, arguably, more dangerous situations could occur.
12. In conclusion on this issue, I find that the proposal would be unlikely to be significantly harmful to highway safety, but that it would also be unlikely to have any significant benefits to highway safety.

Other Matters

13. The Council contends that the proposal could be harmful to the long-term health and welfare of a birch tree, positioned a little to the south of the new entrance. I have no details of the exact species of tree, its likely ultimate size and diameter, or its expected life span. However, it would appear that it is unlikely to become a particularly sizeable element in the street scene. Moreover, there are a number of such trees along the verge and many of these are positioned in close proximity to vehicular crossovers. The existence of these trees is an important feature in the character of the area, but from the limited evidence before me, I have no reason to believe that the proposed crossover would be significantly detrimental to the health of any trees outside of the property.

Conclusion

14. The Council's Supplementary Planning Document on Front Garden and Other Off-street Parking Standards (SPD) indicates, amongst other things, that a second crossover to a property will only be allowed in exceptional circumstances. The considerations put forward by the appellants do not constitute such exceptional circumstances. Whilst the proposal would not be likely to result in any significant harm to highway safety, neither would it be of any significant benefit to highway safety. It would however, be harmful to the character and appearance of the CA, as outlined above.
15. On the basis of this, I find that the proposal would conflict with Policies DM HD1 and DM TP9 of the Council's Development Management Plan (DMP), and with guidance in the SPD, all of which require developments to be compatible with and respect local character, including conserving the character and appearance of conservation areas, and discouraging front garden parking where this would adversely affect the setting of a property. I do not consider that the proposal would significantly conflict with Policies DM TP6 and DM TP8 of the DMP, which relate generally to parking and issues of highway and pedestrian safety, but this lack of harm does not outweigh the harm to the CA that would be caused by the proposal.

J D Westbrook

INSPECTOR