The Planning Inspectorate

Appeal Decision

Site visit made on 22 February 2017

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 10th March 2017

Appeal Ref: APP/L5810/D/3165842
80 Cambridge Road, Teddington, Middlesex TW11 8DN

- 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 Raymond Burbidge against the decision of the Council of the London Borough of Richmond-upon-Thames.
- The application Ref 16/2760/HOT, dated 11 July 2016, was refused by notice dated 22 November 2016.
- The development proposed is erection of new garage with new vehicular access.

Decision

1. The appeal is dismissed.

Procedural Matter

2. I have adopted the description of development used in the appeal form and decision notice as providing a more full description of the appeal proposal than that given in the original application.

Main Issues

3. The main issues are:
   (a) The effect on the character and appearance and setting of the appeal property as a Building of Townscape Merit and on the character and appearance of the Grove Conservation Area; and
   (b) The effect on the safety of pedestrians and other users of the public highway on Cambridge Road.

Reasons

Character and appearance

4. The appeal property is one of a number of houses within Cambridge Road, The Grove and Grove Terrace constructed in the early 1920s by the Royal Dutch Shell Company to provide modern housing for the company's employees. The 'Shell houses' are laid out in groups of two, three or four properties and have a largely uniform style and appearance. All of these houses are designated as Buildings of Townscape Merit (BTM), giving them the status of non-designated heritage assets for the purposes of applying the policies in section 12 of the National Planning Policy Framework (Framework).

These properties, together with the other houses in Grove Gardens and the open space known as Grove Gardens, comprise the Grove Conservation Area.

5. The officer report refers to the 'Shell houses' being set in individual plots with a continuous front garden landscape to the street, edged by original posts and chains. However, the Conservation Area Character Appraisal and Management Plan, dated 2006, refers to this being an important characteristic only in respect of the properties on Grove Terrace and The Grove. My observations on my site visit support that assessment. In those parts of the conservation area the open plan form of the front gardens and well-preserved post and chain demarcation to the front and side boundaries are undoubtedly key features that make a major contribution to the pleasing appearance and distinctive character of the area. Even in these streets, however, driveways and parking spaces have been created in front of a number of the houses by removing a length of chain between the posts.

6. The front gardens to the Cambridge Road houses are separated by similar boundary posts and chains but these appear less intact and less well preserved than those in the neighbouring streets. More importantly, these features are largely hidden from view by front boundary fences of varying height and style. As a result, there is very little appreciation from any public vantage point of the original open plan form of those gardens. Driveways have been constructed to serve at least 5 of the Shell houses on Cambridge Road although, in some cases, the post and chain boundaries have been retained to the side of the driveway.

7. Having regard to that context I am not persuaded that the construction of a new access and drive to the appeal property would be incongruous or out of place in the conservation area. The creation of the driveway could be achieved without removing the posts and chain to the side boundary and the appellant's proposal to use a grasscrete finish rather than paving would reduce the visual impact of that element of the proposal. Only a small part of the front garden would be lost for the construction of the driveway and that loss would not cause significant harm to the character and appearance or setting of the BTM or to the character and appearance of the conservation area.

8. The proposed garage would be constructed in materials to match the host property but, due to its height and siting, would be visible from outside of the site. At 3.96 metres at its roof ridge the building would be quite prominent in view and, although set back from the front elevation of the house, would be of a scale that would compete with rather than complement the host building. The garage would largely fill the existing gap between the appeal property and the 4-dwelling terrace comprising Nos 72-78 Cambridge Road. The gap between the two terraces of houses is slightly narrower at the front than at the rear of the houses because of the angled alignment of Nos 80-84 and is reduced in width because No 78 has a 2 storey wing on its side elevation.

9. My observations on my site visit were that the gaps between the terraces are of considerable importance in providing a clear physical and visual break between each of the four blocks of Shell houses fronting Cambridge Road. These breaks serve to create a rhythm within the street scene and to emphasise that, although of generally uniform appearance, each terrace has

its own distinctive characteristics in terms of the number of dwellings and detailed design. The siting of a detached garage as proposed would interrupt the existing rhythm of the street scene and substantially erode the visual break between the two terraces. In my judgement that element of the proposal would result in significant harm to the setting of Numbers 80 and 78 and would thereby diminish their value as BTM. It would also cause material harm to the character and appearance of the conservation area. I assess that harm as being less than substantial having regard to the policies in the Framework.

10. The appellant contends that space to the side of the house was left to build a garage but has produced no evidence that this was the architect's intention. Other nearby properties have garages but those located in the gaps between Nos 70 & 72 and Nos 62 & 64 are set back behind the rear elevation of the houses and have been paired together on that same building line. As a result, those buildings have not eroded the visual gap between the terraces to the extent that the appeal proposal would do. They are also much less prominent when viewed from the street. I accept that the garage to No 58 stands closer to the front boundary of the plot. However, that property marks the end of the run of the Shell houses and adjoins a detached house of a different style which has not been designated as a BTM.

11. In light of the above considerations I find that the proposal would conflict with Policy HD 3 of the London Borough of Richmond-Upon-Thames Development Management Plan (DPM) (2011) which requires that development proposals should protect and enhance the setting of a BTM. It would also conflict with DPM Policies HD 1, which states that new development should conserve and enhance the character and appearance of conservation areas, and DC 1, which requires that development should be of a high architectural and urban design standard that respects local character.

Highway safety

12. The appellant's revised plan suggests that the standard visibility splay could be achieved with the revised access position indicated on that plan. Whilst the proposal would not provide adequate space for the turning of a vehicle within the site this is not unusual and I saw on my site visit that the majority of private drives on Cambridge Road are similar in this respect. As noted by the appellant the option of reversing into the drive would enable a driver to exit in forward gear so as to maximise visibility.

13. The creation of the driveway would create a gap in an otherwise continuous run of on-street parking on the north side of the road and this would signal to other drivers the location of a driveway as they approach the site. The driver of any vehicle reversing out of the site would need to exercise the necessary caution when manoeuvring between parked vehicles and I do not see that this would involve any greater risk to other road users than the use of other driveways in the street. At about 1.3m high the front boundary fence would afford pedestrians on the pavement a clear view of the driveway and of any vehicle emerging from it. The risk to their safety would, therefore, be minimal. Accordingly, I find no material harm to the safety of pedestrians or other users of the public highway and no conflict with the development plan in this regard.

14. I note the Council's concerns as to the size of the proposed garage. However, as there would be ample space to park a car in front of the garage, I do not consider that any significant safety risks would flow from its design not being fully consistent with the Council's guidance.

Conclusions

15. Paragraph 134 of the Framework states that, where a proposal would result in less than substantial harm to the significance of a designated heritage asset (such as a conservation area), that harm should be weighed against the public benefits of the proposal. Although the provision of a garage would be of benefit to the appellant that would be a wholly private benefit. There are no public benefits that would outweigh the harm to the character and appearance of the conservation area. The proposal is, therefore, in conflict with paragraph 134 of the Framework.

16. In light of the duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, that special regard should be had to the desirability of preserving the character or appearance of a conservation area, considerable importance and weight must be given to that harm. Paragraph 135 of the Framework requires that the effect on the setting of the BTM (as non-designated heritage assets) should also be taken into account.

17. No material considerations have been identified that would outweigh the harm that that would be caused by the proposal or the resultant development plan conflict. I therefore conclude that the appeal should be dismissed.

Paul Singleton

INSPECTOR