
Appeal Decision

Site visit made on 28 February 2017

by Kevin Gleeson BA MCD MRTPI

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

Decision date: 14 April 2017

Appeal Ref: APP/L5810/W/16/3162819

Land Adjacent to 8 Wellington Gardens, Fulwell, Middlesex TW2 5NY

- 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 Louis Austin against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 15/5182/FUL, dated 8 August 2016, was refused by notice dated 13 October 2016.
 - The development proposed is new 1½ storey, 1 bedroom unit built on plot adjacent to no. 8 (also owned by applicant); double garage currently on site.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the host property and the surrounding area;
 - whether the proposed development would provide acceptable living conditions for future occupiers with regard to the standard of accommodation; and
 - whether appropriate provision is made for affordable housing.

Reasons

Character and Appearance

3. The appeal site is located to the side of 8 Wellington Gardens and comprises an existing garage and driveway. Adjacent is Fulwell Station with a station platform partially to the side of the appeal site. Wellington Gardens provides access to the station has a mixed use character comprising residential, station buildings, a bus garage and other commercial uses. No. 8 Wellington Garden forms one of a pair of two storey semi-detached houses with brickwork at ground floor level and mock-Tudor style render at first floor level.
 4. The proposed development would extend forward of the existing garage. The front elevation of the development facing Wellington Gardens would be single storey with a sloping roof raking back to the two storey element. Roof lights are proposed within the sloping roof. Access to the ground floor flat of the existing property would be provided between it and the proposed development.
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5. In order to accommodate the access route to the ground floor flat the front elevation would be narrower than the rear element, whilst also extending beyond the flank wall of the adjoining station building. By projecting forward of the existing garage into the driveway the development would appear cramped and contrived rather than subservient to the neighbouring dwellings when viewed from Wellington Gardens. Notwithstanding the attempt to replicate the materials found on neighbouring properties I also find that the prominence of the sloping roof and its chamfered effect would give the development an awkward appearance which would be visually intrusive. Moreover, the proximity of the proposed development to the ground floor accommodation would have an adverse visual impact upon occupiers of that property.
6. The design of the existing garage contributes little to the character of the area but its low profile and small scale provides an appropriate transition in form between the railway buildings and the existing residential development. The proposed dwelling would be of a scale and form which would appear unrelated to the existing pattern of residential development locally and would fail to provide an appropriate transition between the neighbouring buildings, sitting uncomfortably between them. The form of development would therefore be out of keeping with other residential forms locally in terms of siting and elevational treatment.
7. I therefore find that the proposed development would conflict with Policy C7 of the London Borough of Richmond upon Thames Core Strategy, 2009 (the Core Strategy) which requires new development to recognise distinctive local character. Similarly, it would conflict with Policy DM DC1 of the London Borough of Richmond upon Thames Development Management Plan, 2011 (DMP) which requires a high quality of architectural and urban design, respectful of local character and Policy DM DC5 which aims to protect adjoining properties from visual intrusion.
8. I regard the proposal as forming backland development by virtue of its location largely to the rear of the house and therefore the proposal would also be contrary to Policy DM HO3 which establishes a presumption against the loss of back gardens due to the need to maintain local character. It would also be contrary to the guidance in the Council's Supplementary Planning Document (SPD) 'Small and Medium Housing Sites' in failing to be of a scale which harmonises with its surroundings. Moreover, it would fail to adhere to the guidance in the Council's SPD on 'Design Quality' which among other matters advises that new development should complement and enhance the character of the local area.

Living Condition for Future Occupiers

9. The Nationally Described Space Standards which the Council applies in relation to housing standards indicates that a one bed two person two storey dwelling should have an internal area of 58sq.m. The overall internal area of the proposed development would be 54sq.m. Consequently I find that the proposed development would not provide acceptable living conditions for future occupiers with respect to the standard of accommodation. It would therefore be contrary to the Policy DM HO4 of the DMP which requires new development to comply with internal space standards and the Nationally Described Space Standards. The internal layout and design would also result in constrained

manoeuvrability notwithstanding the appellant's claim that Lifetime Homes criteria can be met contrary to the guidance in the SPD 'Residential Development Standards'.

Affordable Housing

10. Policies CP15 of the Core Strategy and DM HO6 of the DMP together with the SPD 'Affordable Housing' require contributions to affordable housing from all small sites.
11. The appellant indicated that he was willing to enter into any reasonable agreement relating to contributions for affordable housing arising from the development and the Council confirmed that the contribution could be secured through a Section 106 agreement in the event that permission was given. I have not been provided with a completed Section 106 Agreement. However, as I am dismissing the appeal for other reasons I have not pursued this matter with the main parties.

Other Matters

12. I have had regard to the fact that the neighbouring occupier at 7 Wellington Gardens expressed support for the proposed development, that there were no objections from neighbouring residents and the appellant's case that the site is an ideal location for housing because of its accessibility. I have also taken account of the appeal decision¹ in respect of an earlier scheme for the site and the efforts of the appellant to address the previous reasons for refusal and the dismissal of the subsequent appeal. However, I have assessed the proposals on their own planning merits and reached my conclusion on the basis of the evidence before me.

Conclusion

13. For the reasons set out above, and having taken into account all other matters raised, the appeal is dismissed.

Kevin Gleeson

INSPECTOR

¹ APP/L5810/W/15/3137893