



Appeal Decision

Site visit made on 27 June 2019

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 July 2019

Appeal Ref: APP/L5810/W/19/3222770

212 and 214 Hospital Bridge Road, Twickenham, TW2 6LF

- 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 T Wickramasuriya against the decision of the London Borough of Richmond Upon Thames.
 - The application Ref 18/3058/HOT, dated 29 July 2018, was refused by notice dated 23 November 2018.
 - The development proposed is front garden alterations to create off street parking at 212 and 214 Hospital Bridge Road with shared dropped kerb.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has raised concerns over the Council's handling of pre-application discussions and the application itself. This is a matter that would need to be taken up with the Council and in determining the appeal I have only had regard to the planning merits of the case.
3. The July 2018 National Planning Policy Framework (Framework), referred to in some of the appeal submissions, has now been replaced by the February 2019 version of the Framework. However, the policies that are relevant to this appeal have not changed.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on:
(a) the character and appearance of the area; and (b) highway safety

Character and appearance

5. The appeal site comprises a pair of semi-detached houses, 212 Hospital Bridge Road (No.212) and 214 Hospital Bridge Road (No.214). Similar semi-detached, detached and terraced houses are to be found throughout the area. Adjoining No.212 is a primary school.
6. The front gardens to the appeal properties are currently laid to lawn with various shrubs and mature boundary hedging. Similar boundary hedging and well landscaped gardens exist at 216 and 218 Hospital Bridge Road and, whilst, there is then a gap, this detail continues at 222 Hospital Bridge Road. This part of Hospital Bridge Road is, therefore, generally characterised by well landscaped frontages, which are a positive visual quality of the area. They

provide welcome relief from the large areas of hardstanding found on the frontage to a large number of the properties in the road.

7. The submitted plans show that the majority of the front gardens would be paved to provide for parking and turning space. A small area of lawn would be retained in front of each property, but other than this the plans do not show the retention of any existing hedging or any proposals for new landscaping.
8. Based on the above, the proposal would result in a marked change in the visual appearance of the appeal site. The replacement of the mature hedging and landscaping with paving, over most of the combined frontage, would have a significant impact on the character of this part of the road and on the contribution that these gardens make, with those on the adjoining properties, to the streetscene. The submitted plans show that as well as a large gap for the proposed access, the walls either side would be reduced in height to 0.6 metres, enabling clear views into the proposed parking and turning areas.
9. The appellant has referred to other examples of parking in front gardens along Hospital Bridge Road. However, I have considered the appeal proposal on its individual merits, having regard to the particular circumstances of the case. Even so, I do not know the full planning circumstances of these cases, and I do not regard some of them as good examples to follow. I also note that the Council argue that these examples predate the adoption of its Front Garden and Other Off Street Parking Standards (SPG).
10. The appellant has referred the Whitton and Heathfield Village Planning Guidance (SPD) and its acceptance that the partial loss of existing features is inevitable when providing front garden parking. Even so, the SPD also says that many front gardens and their features, contribute significantly to the character of the area and streetscene, and that their loss has resulted in the deterioration of the street character within this SPD area. For these reasons, the SPD advises that such development should be carefully designed, retain as much as possible of the existing features and retain or replace, in as generous a form as possible, existing landscaping and boundary treatment. The scheme before me fails to do this.
11. The appellant has suggested that the existing hedging and landscaping to the gardens could be removed under permitted development. However, that is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. I can only determine the proposal that is before me, which is for alterations to the front gardens to create off-street parking.
12. The appellant also refers to a previous appeal for parking at No.214, ref. APP/L5810/D/09/2116174, dismissed in January 2010, where the Inspector did not raise any objections to the impact of the development on the character and appearance of the area. However, this reflected the fact that the Council had not objected to the development on these grounds, as confirmed in the Planning Officers Report (reproduced in the appendices to the appellant's Transportation Advisory Note (TAN)), where Officers concluded that the proposed design of the parking was acceptable.
13. The appellant has indicated that, other than the hedging and wall lost to the proposed access, some of the remaining hedging could be retained. However, that is not reflected on the submitted plans. In addition, the plans show that

the wall either side of the access would need to be reduced in height to 0.6 metres to accommodate the required visibility splays, thus the existing hedging in this location could not practically or safely be retained. The appellant also refers to new border planting and the retention of the hedge along the boundary to 216 Hospital Bridge Road (No.216). However, no new landscaping is shown on the plans and neither is the existing hedge shown as being retained. Indeed, the sweep path analysis (drawing No. 1469-015) appears to indicate that this hedge would need to be removed to accommodate the vehicle tracking.

14. The appellant has also referred to the visual impact of the boundary fence to the adjacent school, but this does not affect my findings on this issue. I note that there remain a number of trees behind this fence, which assist in softening its appearance. In addition, I again do not have any information on the planning circumstances of this fence.
15. For the above reasons, I find that the proposed development would result in significant harm to the character and appearance of the area contrary to Policy LP1 of the London Borough of Richmond Upon Thames Local Plan (LP). The proposal would also be contrary to the general advice of the SPG and SPD. I note that the appellant has questioned whether the SPG should be accorded any weight, as it is not up to date. Whilst this may be the case for some of the technical highway standards within the SPG, its general planning advice remains, in my view, relevant.

Highway Safety

16. The January 2010 appeal was dismissed as the Inspector found that there was a lack of manoeuvring space for a car to turn around resulting in the likely requirement for vehicles to have to reverse into or out of No.214, which would be dangerous to vulnerable pedestrians and highway safety.
17. Both parties have referred to the SPG advice on the desired size of the area required to enable vehicles to enter, manoeuvre and exit in forward gear, and the appellant has also questioned whether this guidance is up to date. Whilst I have had regard to this SPG, I have attached more weight to the guidance in the Manual for Streets.
18. The submitted swept path analysis shows that vehicles, entering and leaving the appeal site in forward gear, would have to make a number of manoeuvres before they could exit the site. The tracking also indicates that to do this would mean that vehicles, in the case of No.214, would have to manoeuvre hard up against the boundary to No.216. On the plan, this boundary is shown as a red line. Whilst the appellant has indicated that the hedge in this location would be retained, the vehicle tracking indicates that this would not be possible or practical. Whilst it's likely that the hedging would need to be replaced by some other means of enclosure, no details of any boundary treatment with No.216 are shown on the plans.
19. In addition, the swept path analysis does not show the footpaths leading up to the appeal properties, which are shown on other plans as being retained. Assuming the latter, then vehicles could only turn around by crossing these footpaths. This would not result in a safe or satisfactory layout.

20. I am not convinced, on the basis of the above, that there is sufficient space on site to allow vehicles to easily, practically and safely manoeuvre and then exit in forward gear. Furthermore, the tracking appears to show that vehicles would not have to encroach onto their neighbour's land, but it is again unclear whether there would be some form of boundary fence or other demarcation between the two. If no means of enclosure was provided on this boundary, there would be nothing to prevent vehicles being parked right up against or over this common boundary.
21. The proposed layout has not, therefore, overcome the concerns that led to the dismissal of the previous appeal, in that there remains a high probability that drivers would reverse either onto or from the site. As a consequence, and as the previous Inspector found, vehicles reversing over the footpath would represent a danger to the safety of pedestrians and particularly school children.
22. The previous Inspector also found that the presence of vehicles parked on street restricted visibility in front of the appeal site. On my site visit a number of cars and vans were parked within the on-street spaces to the north of the appeal site. As a consequence, for drivers approaching on the main road from the north, the visibility of the appeal site and the pavement in front of this, is severely compromised. It would create the potential for accidents to occur as drivers attention is likely to be focused on the traffic calming measures and even though they should have slowed down as they approached those measures, they would, with the on-street spaces occupied, have limited, if any, visibility of vehicles exiting the appeal site. For the same reasons, the visibility of vehicles exiting the appeal site would also be severely compromised.
23. The appellant refers to the fact that there have been no recorded accidents on this road. That may be so, but as I have found the appeal proposal would give rise to the potential for accidents to occur in the future. Whilst the appellant also refers to other accesses on Hospital Bridge Road, which they argue are comparable, none of the examples I observed have the same constraints to the appeal site, including the proximity of the school and traffic calming measures.
24. The appellant has referred to the low level of traffic on the main road during off peak periods. However, no survey evidence has been provided to support that statement and during the hour I was present on site, just after lunchtime, there was a constant stream of traffic, which included commercial vans, larger HGV's and buses.
25. The appellant has referred to the Manual for Streets, where it says that parking in visibility splays does not appear to create significant problems. The Manual continues by saying that ideally defined parking bays should be provided outside visibility splays, but that in some circumstances, where speeds are low, some encroachment may be acceptable. As I have found, the combination of the circumstances and constraints of the appeal site would, in my view, lead to a layout that would not be acceptable in highway safety terms and where there would be the potential for accidents to occur.
26. The appellant also argues that the proposed access would not, as the Council allege, be situated within the zig zag lines leading up to the pedestrian crossing. Whilst this is so, it would be within the traffic calming measures and I also note that it would involve the use of the hatched area that precedes the zig zags, which the appellant's TAN suggests are meant to be kept clear, albeit they indicate that this is only advisory.

27. Accordingly, I find that the proposal would be contrary to Policy LP45 of the LP, which amongst other requirements, seeks to resist front garden parking where this would result in harm to road and pedestrian safety. This policy is consistent with paragraph 108 b) of the Framework, which requires applications for development to incorporate safe and suitable access for all users.

Conclusions

28. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR