



Appeal Decision

Site visit made on 1 August 2019

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2019

Appeal Ref: APP/L5810/D/19/3231824

6 School Lane, Kingston Upon Thames KT1 4DF

- 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 Richard Flinn against the decision of the London Borough of Richmond Upon Thames Council.
 - The application Ref 19/1157/HOT, dated 3 April 2019, was refused by notice dated 3 June 2019.
 - The development proposed is knock down garage and rebuild larger garage on edge of property line.
-

Decision

1. The appeal is dismissed.

Main Issues

2. I consider that the main issues are:-
 - whether the proposal would preserve or enhance the character or appearance of the Conservation Area and;
 - the effect of the proposal on the living conditions of the occupiers of neighbouring dwellings.

Reasons

Conservation Area

3. The appeal site is within the Hampton Wick Conservation Area. I have therefore had regard to Section 71 (1) of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected in Local Plan¹ Policy LP 3. Policy LP 1 relates to local character and the quality of design. Policy LP 4 refers to non-designated heritage assets including Buildings of Townscape Merit. The Council refer to adjacent buildings being Buildings of Townscape Merit but no document has been submitted with this appeal that specifically refers to which adjacent buildings fall under this description.
4. No 6 School Lane fronts School Lane but it has an existing garage facing School Road. The proposal would demolish the existing garage and build a new garage

¹ London Borough of Richmond Upon Thames Local Plan July 2018, As adopted by Council 3 July 2018.

on a larger footprint and with a first floor. The existing garage is set back from the back of the pavement but the proposed building would be closer to the road. The existing garage has a presence between existing buildings although it has no particular architectural merit and its impact on the street scene is lessened by being single storey.

5. The proposed building would be more prominent in the street scene despite being sited between two buildings. This is due to its proximity to the road, its added height and its design, in terms of its overall appearance including proposed fenestration. I note that as well as older historical buildings there are newer ones in the area although its character is reflected in its designation as a Conservation Area. Despite the mix of buildings I do not consider that the proposed building would preserve or enhance the character or appearance of the Hampton Wick Conservation Area. It would conflict with Local Plan Policy LP 3 and in this respect would be unacceptable.

Living Conditions

6. Local Plan Policy LP 8 requires all development to protect the amenity and living conditions of occupants of new, existing, adjoining and neighbouring properties. It sets out criteria to achieve this. The dwellings in this area are fairly close together and whilst the existing flat roofed single storey garage has minimum impact on the neighbours, the proposed replacement could have a greater impact. The occupants of neighbouring properties could experience a sense of enclosure resulting from the proposal which could harm their living conditions contrary to Policy LP 8.
7. However, whilst the proposal could harm the neighbours living conditions, I am not convinced that this issue alone would be so harmful to warrant refusal. It does however, add to my concerns about the visual impact of the proposal on the area.

Conclusion

8. I consider that the proposal could have a harmful effect on the living conditions of the occupiers of the neighbouring dwellings, which would be contrary to Policy LP 8. My main concern however, is the effect the proposal would have on the Hampton Wick Conservation Area. This would conflict with Policy LP 3. Its design and overall appearance would also not be of the design standard required by policies LP 1 and LP 4.
9. I have considered all other matters raised but none alter my conclusion. I conclude that the proposal could have a harmful effect on the living conditions of the occupiers of neighbouring dwellings and it would fail to preserve or enhance the character or appearance of the Hampton Wick Conservation Area. It would conflict with the policies referred to and therefore the appeal fails.

J D Clark

INSPECTOR