



Appeal Decision

Site visit made on 3 November 2019

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2019

Appeal Ref: APP/L5810/D/19/3235857

47 Mount Ararat Road, Richmond TW10 6PL

- 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 Paul Gill against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref 19/1461/HOT, dated 7 May 2019, was refused by notice dated 5 August 2019.
 - The development proposed is described as form opening in garden wall to pavement on Mount Ararat Road for access by car to park in front garden area with a new dropped kerb. Installation of a new electric gate and blocking off redundant side gate access.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the area and whether the proposed development would preserve or enhance the character or appearance of the St Matthias Conservation Area; and
 - The effect of the development on pedestrian and highway safety.

Reasons

Conservation Area

3. The appeal site is an extended end of terrace two-story house located on a corner with Mount Ararat Road and Onslow Avenue in a residential area close to the centre of Richmond. The area consists of a variety of dwelling styles including early 20th Century Mansion Blocks with distinctive rendered detail.
4. The appeal site is located within the St Matthias Conservation Area (CA), centred on St. Matthias' Church at the top of the hill, the residential area was designated as a CA for its cohesive form of varied architectural styles with a mix of mid and late Victorian building styles and forms from terraced mews to large detached villas that generates a consistently high quality of townscape. Landscaped gardens to many of the properties and individual trees, original walls, railings and hedges make a positive contribution to the overall significance of this part of the CA.

5. A landscaped garden to the front and side of the appeal site turns the corner with Onslow Avenue where vehicular access and a separate pedestrian access is taken from, with another pedestrian access to the front main entrance door located on Mount Ararat Road. The existing vehicular access would be blocked up by extending the boundary wall. A new vehicular access is proposed to be created to the front garden off Mount Ararat Road by removing the pedestrian gate and a portion of boundary wall, and replacing this with a wider access including an electric sliding metal gate and reduced wall height adjacent to this.
6. A number of trees and landscaping would be removed to facilitate the development with an increased amount of hard landscaping, albeit stone chippings is proposed as surface treatment, with some landscape replanting. However, the appeal site retains its original boundary wall, pillars and coping stones with landscaping and limited hard landscaping within the front garden. Collectively, these attributes contribute positively to the aforementioned and distinctive character and appearance of the CA.
7. The appeal site mirrors the house and grounds on the opposite side of Onslow Avenue at No. 45 Mount Ararat Road as a pair, and this symmetry provides a characteristic feature to both corners. By allowing an access to be formed to the front of the appeal site, this symmetry would be significantly harmed and would neither preserve or enhance the character or appearance of the CA.
8. I acknowledge that some boundary walls in the area have been removed and that there are car parking spaces to the front gardens, with electric gates in place. However, I do not know the exact circumstances which led to the formation of such openings and the removal of walls and gardens. I am also aware that there is a substantial number of properties within the area that retain their original front gardens and boundary treatment. However, and in any event, the existence of such openings and car parking spaces does not preserve or enhance the character and appearance of the CA.
9. I have considered the reasons given by the appellant as to why they should be allowed the proposed development. Despite their opinion that the proposal would alleviate on-street parking, I am served with no evidence to substantiate the matter. They state that their dog needs to be safely retained within the front garden and comment they will have a future need to park close to their dwelling to provide access to electric for an electric vehicle. However, no alternative measures have been provided and demonstrated why they have been discounted. Despite all these matters including the letter of support to the proposal, this does not outweigh the harm to the CA that I have identified.
10. The Conservation Area Statement recognises the threat to the CA by the loss of boundary walls to create off-street parking and the creation of hard surfacing to front gardens. The Council's Front Garden and Other Off-street Parking Standards Supplementary Planning Document 2006 also recognises the need to minimise the impact of parking in front gardens which also includes CA's, where the principle is acceptable.
11. Therefore, when the proposal is considered as a whole, it would significantly erode the distinctive and positive features of the CA. Whilst the harm to the CA would be less than substantial, taking into account paragraph 196 of the National Planning Policy Framework (the Framework), there are no identified public benefits which would outweigh such harm.

12. I therefore conclude that the proposal would not accord with policies LP1 and LP3 of the adopted London Borough of Richmond Local Plan 2018 (the Local Plan) which collectively seeks all development to be of high architectural and urban design quality that is compatible with the local character, and the character and heritage of the borough is conserved and maintained, and avoids unjustified harm to the significance of the heritage asset. I also find the proposal accords with the relevant part of Local Plan Policy LP45 that seeks to resist car parking in front gardens where there would be a harmful impact on the character of the area.

Highway and Pedestrian Safety

13. The proposed new combined pedestrian vehicular access would sit side by side to the parking area outside the attached dwelling of No. 49. This property has no boundary walls to the front garden which is entirely given over to off-street parking.
14. Mount Ararat Road is not a through road as there are bollards preventing access to its east side, and therefore vehicles passing and re-passing the site would be, for the majority, residents who live between Mount Ararat Road and Onslow Avenue.
15. Bringing all considerations together, the proposal in this case would not result in an unacceptable conflict with vehicles and pedestrians close to the junction with Onslow Avenue. This is due to the limited amount of passing traffic here; that only one additional joint pedestrian and vehicular access would be created; and that traffic speeds in this residential location are low; with relatively good pedestrian and highway visibility within this area.
16. Therefore, I do not find conflict with the Framework in regard to highway and pedestrian safety, or with this part of Local Plan Policy LP45 insofar as it relates to this main issue.

Conclusion

17. Although I have found no harm to highway and pedestrian safety, this does not outweigh the less than substantial harm I have identified to the character and appearance of the CA. For the reasons outlined above, and taking into account all other matters, I conclude that the appeal should be dismissed.

Alison Scott

INSPECTOR