



Appeal Decision

Site visit made on 25 November 2019

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2019

Appeal Ref: APP/L5810/W/19/3234903
46A Wolsey Road, Hampton Hill TW12 1QW

- 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 David Clifford against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref 19/0311/FUL, dated 30 January 2019, was refused by notice dated 17 July 2019.
 - The development proposed is the demolition of a storage unit & off-street car parking space; construction of two storey, one bedroom dwellinghouse with refuse, recycling & cycle storage, front boundary wall with pedestrian gate and associated hard & soft landscaping; and restoration of raised kerb & pavement to public highway.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - Parking provision, highway and pedestrian safety
 - Affordable housing provision
 - The living conditions of nearby occupiers, with particular regard to outlook
 - The character and appearance of the area.

Reasons

Parking provision, highway and pedestrian safety

3. The appeal site is located on the eastern side of Wolsey Road, towards its southern end, which forms a short cul-de-sac south of School Road Avenue. Wolsey Road is a residential street which contains a mix of 2-storey detached, semi-detached and terraced houses with on-street parking on both sides of the street.
4. The appeal site currently contains a single-storey flat-roofed garage-type storage building, set back from the footway by an area of hardstanding upon which a vehicle could be parked. There is a dropped kerb to the carriageway on Wolsey Road, sufficient to allow a car to access the site. The appellant states that the building is a storage unit rather than a garage and that a single external car parking space would be lost as a result of the proposed development, which is not disputed by the Council.

5. The appellant commissioned consultants to undertake a parking survey to assess the likely impact of the proposal on parking stress in the area. This involved assessing on-street car parking spaces and parked vehicles on two consecutive nights in June 2018, at 00.30. This approach is said to be based on the methodology used in / by the London Borough of Lambeth, although this methodology is not in the evidence before me.
6. I note from the survey methodology used in this case that the vehicle parking spaces are 5m length by 2.5m width. The survey identified that there were 8-10 unoccupied unrestricted spaces on Wolsey Road and a further 4 spaces on the surrounding streets. However, the local Highway Authority requires a parking space to be 5.5m in length, which is acknowledged elsewhere in their report by the consultants. Were the survey to have been undertaken using this dimension, there would undoubtedly be fewer unoccupied spaces.
7. The survey shows that parking stress levels in the area were high, and that there were also incidents of illegal / obstructive parking, which may be indicative of this stress. Furthermore, had the survey been undertaken in accordance with the parking space size standards required by the local Highway Authority, the stress levels would be higher still.
8. Policy LP45 (parking standards) of the Richmond upon Thames Local Plan July 2018 (RUTLP) requires developments such as is proposed to provide a single (off-street) car parking space. 'Car-free' developments may be appropriate in areas with high public transport accessibility, such as areas with a PTAL¹ of 5 or 6. However, the appeal site is in an area with a PTAL of 1b, which is said to be very poor. Consequently, the proposed development would conflict with Policy LP45 and with the supporting text to the policy which states that 'In general it is expected that in PTAL areas of 0-3 the [parking] standards should be met'².
9. The removal of the drop crossing by the appeal site would mean that an on-street parking space could be provided on Wolsey Street to replace the off-street space that would be lost. However, this would not be a dedicated parking space and may not be available to the future occupier of the appeal development.
10. The proposed dwelling would be likely to increase vehicular and parking activity in the area both directly, by the future occupier(s) and indirectly, through visitors and deliveries. In an area that has very poor public transport accessibility and which has a high parking stress level, this would be likely to disrupt traffic movement and increase illegal or obstructive parking.
11. I am not fully familiar with the examples of 'sub-standard' parking referred to in the evidence, and they do not cause me to reach a different conclusion with regard to the harmful impact of this proposal, as set out above.
12. For these reasons the proposed development would not provide adequate parking provision and would be likely to adversely affect highway and pedestrian safety. It would conflict with Policy LP45 of the RUTLP.

¹ Public Transport Accessibility Level

² Paragraph 11.2.3 of the RUTLP

Affordable housing provision

13. It is not disputed by the parties that a contribution towards affordable housing provision is required as part of the proposal, in accordance with Policy LP36 (affordable housing) of the RUTLP. Furthermore, the scale of the contribution and that this could be controlled by way of a section 106 unilateral undertaking³ (UU) are also not disputed.
14. On the evidence before me, including Policy LP36 and the supporting text, and the Affordable Housing Supplementary Planning Document 2014 (AHSPD), I am content that the need for the contribution arises from the development and satisfies the three tests in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010⁴.
15. However, the appellant has confirmed that they will not be submitting a UU as part of this appeal. Consequently, there is no certainty that such a contribution would be made. In such circumstances the proposal would adversely affect affordable housing provision in the area and would conflict with Policy LP36 and with the AHSPD.

The living conditions of nearby occupiers, with particular regard to outlook

16. The rear elevations of Nos 1, 3 and 5 School Road Avenue face towards the northern side elevation of the proposed dwelling, which would be almost 2-storeys in height to the rear of No 1 and part of the rear of No 3. The height of the proposed dwelling would reduce to single storey level towards the rear of the site, where it would have a generally similar impact to the existing building, in terms of outlook and a sense of enclosure.
17. The proposed development would be set back from the rear boundary fence of Nos 1-5, a similar distance to the existing single-storey building, as a result of the *Common Access* passageway. Together with the partial set back at first floor level, the hipped-roof design and the slightly lower eaves on part of the northern elevation, this would reduce the visual impact of the proposal to some extent.
18. The Council's Small and Medium Housing Sites Supplementary Planning Document 2006 (SMHSSPD) provides guidance for new development, including acceptable separation distances between principal windows and otherwise blank walls. The distance between the rear windows of Nos 1 and 3 and the proposed northern side elevation of the appeal development would be some 7-8 metres, significantly less than the 13.5 metres specified in the SMHSSPD.
19. I note the appellant's comments regarding exceptions to the 13.5 metres separation distance. The SMHSSPD notes that 'some of the Borough's more historic places are characterised by intimate pedestrian lanes...of less than...13.5 metres between frontages. Development would not necessarily be precluded here and would need to be considered on a site by site basis.' This guidance does not seem to apply to the circumstances of this appeal, which is not located by a pedestrian lane.

³ Section 106 of the Town and Country Planning Act 1990 (as amended)

⁴ (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.

20. In any event, the scale and massing of the 2-storey part of the proposed development would be significantly greater than the existing building. Together with its position, this would mean the proposal would be overbearing when seen from the rear ground floor rooms and gardens of Nos 1 and 3 School Road Avenue. Consequently, the proposal would reduce the outlook of these occupiers.
21. The appellant refers to what they consider to be a similar situation nearby, between the rear of 44 Wolsey Road and the side of 2 School Road Avenue, where planning permission was granted for a part one and part two storey side extension⁵.
22. I note that the approval pre-dates the current development plan and the SMHSSPD. Each proposal should be considered on its individual merits, which is what I have done in this case. Whilst there are some similarities between the appeal proposal and this example, there are also significant differences, including the scale, massing and position of the first floor extension at 2 School Road Avenue.
23. Reference is also made to 2 Wolsey Road, and whilst this has a broadly similar separation distance to nearby dwellings as the appeal proposal, this is an existing arrangement that is not directly comparable. It does not cause me to reach a different conclusion with regard to the harm I have identified above.
24. For these reasons, the proposed development would adversely affect the living conditions of nearby occupiers, with particular regard to outlook. It would therefore conflict with Policies LP8 (amenity and living conditions) and LP39 (infill, backland and backgarden development) contained in the RUTLP and with guidance contained in the SMHSSPD.

The character and appearance of the area

25. Wolsey Road is a traditional residential street containing 2-storey, brick-built and garden fronted, detached, semi-detached and terraced houses of various designs. To the east of the appeal site is a public park and to the south is a short terrace of cottages, Nos 48-56 Wolsey Road, with No 48 adjoining the appeal site. The appellant states that the terrace is a locally listed building⁶ and it is consequently a non-designated heritage asset; the three larger terraced houses to the north, 1, 3 and 5 School Road Avenue, are not heritage assets.
26. The existing single-storey, modern garage-type building, with an area of hardstanding to its front and not obviously connected to any of the dwellings along Wolsey Road, has a somewhat incongruous appearance, and does not make a positive contribution to the visual character of the area.
27. The proposed development would be a modern 2-storey dwelling on a narrow plot, with two *Common Access* passages on either side. The front elevation would share the front building line of the terrace to the south, with a small walled garden area next to Wolsey Road. The top of the hipped-roof of the appeal building would be a similar height to the roof ridgeline of the terrace to the south and would have a similar depth to the terrace roof, with a similar

⁵ LPA Ref. 04/3031/HOT

⁶ Included on the Council's register of *Buildings of Townscape Merit*

- eaves height to the front. The proposed brick and slate materials would be generally consistent with the palette of materials in the area.
28. However, given the narrow width of the plot, the height of the proposal means it would have a cramped appearance and together with its asymmetrical roof would appear incongruous in views from the front and rear.
29. In more distant views along Wolsey Road, the proposed building would be seen in conjunction with the locally listed terrace to the south, with a similar height and position relative to the highway. However, the northern elevation of No 48 has a gable roof, which is readily visible from Wolsey Road and contributes to the character and appearance of the terrace. The proposed 2-storey development would screen this northern elevation of the terrace much more so than the existing building on the appeal site.
30. The contemporary design of the building, including the single storey rear element; the large doorway; the size, design and position of the windows on the front and rear elevations; and, the first floor setback at the front and side, would be out of keeping with the traditional character and appearance of the street. The proposed white painted weatherboard on the northern side elevation would also be an inharmonious feature and overall, the scale and design of the proposed dwelling would detract from the setting of the locally listed terrace, and to a greater extent than the existing storage unit.
31. I note that the architect has sought to avoid a *pastiche* design and has responded to the challenging context of this infill site and the nearby buildings. However, in my view and for the reasons given above, the proposed dwelling would detract from the streetscene and would harm the setting of the locally listed terrace to the south.
32. The appellant refers to other detached dwellings on Wolsey Road⁷ and I note that the Council has previously refused planning permission for a single storey dwelling on the site⁸. I am not familiar with the design of this single-storey proposal and from my observations on site I am satisfied that the design and siting of the proposed development would be significantly different to the three detached dwellings referred to.
33. Overall, the proposed development would adversely affect the character and appearance of the area and would therefore conflict with policies LP1 (local character and design quality) and LP39 of the RUTLP in this regard and with guidance contained in the SMHSSPD and the Design Quality Supplementary Planning Document 2006.

Other Matters

34. The appellant states that the proposed development 'would represent a valuable addition to the Council's housing stock' and 'would be of sustainable design and construction'. However, this does not outweigh the significant harm that I have identified above and does not cause me to reach a different conclusion with regard to this appeal.

⁷ Nos 2, 13 & 15

⁸ LPA Ref. 16/4500/FUL

Conclusion

35. For these reasons, and taking into account all matters raised, I conclude that the appeal is dismissed.

Andrew Parkin

INSPECTOR