



Appeal Decision

Site visit made on 5 December 2022

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th December 2022

Appeal Ref: APP/L5810/D/22/3303027

42 & 44 Rosemont Road, Richmond, Surrey, TW10 6QL

- 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 Aron & Howard Balas & Obee against the decision of the London Borough of Richmond Upon Thames Council.
 - The application Ref 21/3381/FUL dated 24 September 2021, was refused by notice dated 14 January 2022.
 - The development proposed is formation of vehicular crossover to nos 42 and 44 Rosemont Road, amendments to forecourts and landscaping, removal of brick front boundary wall to no 44 and creation of on-site parking space and electric vehicle charging points.
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Decision

1. The appeal is allowed and planning permission is granted for formation of vehicular crossover to nos 42 and 44 Rosemont Road, amendments to forecourts and landscaping, removal of brick front boundary wall to no 44 and creation of on-site parking space and electric vehicle charging points at 42 & 44, Rosemont Road, Richmond, Surrey, TW10 6QL in accordance with the terms of the application ref: 21/3381/FUL dated 24 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in complete accordance with the following approved plans: PL01 (Location Plan), PL04_02 (Proposed Elevations) and PL03 (Proposed Configuration);
 - 2) The materials used in development hereby permitted, including works of making good, shall match those of the existing unless details are submitted to, and approved in writing by, the Local Authority.

Procedural Matters

2. I have utilised the description as per the original application form as I find the Council's description fails to take account of all the elements which are included within the proposal. It is noted that some elements could potentially be undertaken under/as permitted development, as noted by the Council and as acknowledged within the body of this decision letter, but in this case they are all intrinsically linked as part of the overall proposals so I have included them in full within the proposal description for the avoidance of doubt.
3. The application form notes works to have started in June 2021. At the point of my site visit the boundary wall in question is noted to have already been removed from the appeal site but no other elements of the proposal appear to

have been progressed. In that regard the appeal proposal is submitted on a part retrospective basis.

4. It is noted that the Council contend that the boundary wall to no. 42 has been removed without consent and that the appeal proposal only seeks consent for removal of the wall to no. 44. This is a matter which is outside the scope of this appeal and I have determined the proposal solely upon the plans submitted before me, and as per the development description, as the basis for the proposal.

Main Issue

5. The main issue is the impact of the proposal upon the host Building of Townscape Merit, nearby Buildings of Townscape Merit and the St Matthias Conservation Area.

Reasons

6. The appeal site is a pair of semi-detached dwellings which are located within the St Matthias Conservation Area (CA) and which are identified as Buildings of Townscape Merit (BTM). The front of the properties are currently partly paved, and partly lawn, but at the time of my site visit they were quite overgrown. Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the CA.
7. The Council's report confirms that replacement of the soft landscaping in the front garden areas to both properties with permeable block paving does not require consent and could be undertaken within the scope of permitted development. The installation of EV charging points on the front elevation of the dwellings, providing that the outlet and casings would be less than 0.2m³, could also be installed within the scope of permitted development. Given that Rosemont Road does not constitute a classified road the proposed crossover does not require planning permission either. The only element which requires specific planning permission within the overall proposal before me is the removal of the boundary wall to no. 44 as submitted.
8. I note that the CA statement¹ notes the brick detailing and symmetry of Rosemont Road. It continues to note that many of the dwellings have retained their front gardens and that these are an important feature throughout the CA. Loss of front boundary treatments and front gardens for car parking is noted as a problem and pressure within the CA. Despite this, at the time of my site visit I noted that there are a large number of examples of open frontages with car parking to the front of properties along Rosemont Road. This is also well demonstrated in the aerial image on page 6 of the appellant's statement. Whilst the commentary in the CA statement is noted it is relatively generic, covering the whole CA, and does not take account of the characteristics of individual roads which requires some judgement and assessment to be undertaken on a site by site basis against the overarching objectives of the statement. The character of Rosemont Road has notably changed already.
9. The Council state that the examples of open frontages and car parking in frontages consist of those for which permission has not been sought, or that the granting of these are historic, prior to the adoption of current policy and

¹ St. Matthias Conservation Area 30

guidance. No further detail is before me on these points but the open frontages, and parking on frontages, I find presented as characteristic of the area within this part of the CA and this is the context within which the proposal should be considered without evidence to the contrary.

10. In accordance with paragraph 199 of the National Planning Policy Framework 2021 when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. During my site visit I noted that the streetscene was notably dominated by car parking which restricted general views within the street of many of the individual frontages. The appeal site currently has two on-road parking spaces outside of it which are partly on the pavement due to the width of the road. I find that this meant that views of the appeal site itself were restricted and that the wall, if reinstated, I find would have limited contribution to the appearance of the CA and the BTM.
11. As a result of this I do not find the front boundary treatment to be a particularly important feature to the character and appearance of the BTM and CA nor do I find that its removal would alter the setting of the non-designated heritage assets or the character and appearance of the designated heritage asset. Overall the proposal, to remove the front wall and provide parking on site as shown on the submitted plans, I find would have a neutral impact upon the CA and BTM when considered in isolation and when taking into account the open frontages and parking as proposed, that have become a characteristic of the road. The proposal would have little consequence or harmful impact considering the setting within which it stands in Rosemont Road and would preserve the character and appearance on this basis.
12. As a whole the proposal would also allow the benefit of EV points in an area which has a poor PTAL rating which I find is in favour of the proposal in this case in contributing towards sustainable development and travel.
13. The proposal would be consistent with London Borough of Richmond Upon Thames Local Plan 2018 (LP) Policy LP1 which seeks to maintain high-quality character and heritage and demonstrate understanding of the site and how it relates to its existing site context, including character and appearance. The proposal would also be consistent with LP Policy LP3 which seeks to avoid harm to designated heritage assets and secure appropriate materials and LP Policy LP4 which seeks to resist provision of front garden parking unless it can be demonstrated there would be no harmful impact on the character of the area, including streetscape or setting of the property.

Other Matters

14. The refusal reason references impact upon nearby BTMs, however, no further details of the buildings this refers to have been included within the Council's delegated report. I cannot therefore fully consider this point made.

Conditions

15. The Council has suggested three conditions in the event this appeal is allowed. I have not applied the standard time condition given that the proposal is made on a part-retrospective basis and has commenced due to the demolition of the wall at no. 44 having already been undertaken. A condition requiring the development to be in accordance with the approved plans is required to control

and define the development which is granted consent. A materials condition is required to ensure the proposal matches the existing and that any deviations in materials from existing are approved by the Council to ensure an appropriate finish which is consistent with both the existing building and the appearance of the locality.

Conclusion

16. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Randle

INSPECTOR