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## Appeal Decision

Site visit made on 19 December 2022

**by J Moore BA (Hons) BPI MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 16 JANUARY 2023**

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**Appeal Ref: APP/L5810/D/22/3307060**

**87 Meadway, Richmond Upon Thames, Twickenham TW2 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 Siva Sighakolli against the decision of the London Borough of Richmond Upon Thames.
  - The application Ref 22/1035/HOT, dated 29 March 2022, was refused by notice dated 28 June 2022.
  - The development proposed is new front porch and new parking space in the front garden with dropped kerb.
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### Decision

1. The appeal is dismissed insofar as it relates to a new parking space in the front garden with dropped kerb. The appeal is allowed insofar as it relates to a new front porch and planning permission is granted for new front porch at 87 Meadway, Twickenham TW2 6PL in accordance with the terms of the application, Ref 22/1035/HOT, dated 29 March 2022, and the plans submitted with it, insofar as relevant to that part of the development hereby permitted.

### Preliminary Matter

2. The description of development on the planning application form includes words that are not acts of development and therefore I have excluded them in my banner heading above. The planning application form states that the proposed development is completed.

### Main Issues

3. The main issues are the effect of the proposal upon the character and appearance of the area; and highway safety.

### Reasons

#### *Character and appearance*

4. The appeal site is a mid-terraced two storey property, with a modest front garden. In the wider area, frontage boundary treatments generally comprise low walls/fences and gates. Front gardens vary in the scale and level of planting, but the prevailing character includes modest lawns, shrubs, plants and hedging. The pavement includes street trees. The street rhythm is generally consistent and harmonious, and the character and appearance of the streetscene is pleasant.
5. According to the London Borough of Richmond Upon Thames Twickenham Village Planning Guidance Supplementary Planning Document, 2018 (TVPG),

- the appeal site is located within the Lincoln Avenue character area, which identifies a threat from the removal of front garden walls for off road parking. The London Borough of Richmond Upon Thames Transport Supplementary Planning Document, 2020 (SPD) details guidance and standards for parking in front gardens to ensure that proposals respect the streetscene.
6. The plans submitted detail a frontage boundary treatment comprising three pillars positioned to form an open ungated frontage to allow vehicle access and a pedestrian access with gate; a very narrow border along the side boundary from the edge of the front porch; and a small border adjacent to the bay window. This does not comply with the SPD which requires openings to be kept to a minimum with two thirds of the boundary retained (para 4.8) and sufficient room for generous planting (para 4.1) to minimise adverse harm upon the streetscene and to effectively mitigate the impact of any hard surfacing.
  7. At the time of my visit, the hard surfaced area comprised uneven block paving with a concrete strip at the opening. Due to their height, width and depth, the brick pillars dominate the frontage. Planting is barely noticeable. The overall appearance is harsh and undermines the rhythm and harmony of the streetscene and the prevailing character of the area.
  8. The front porch has been constructed in accordance with the submitted plans and is considered acceptable by the Council. I find no reason to disagree. It is clearly severable from the remainder of the proposed development, as it is physically and functionally independent.
  9. Consequently, I conclude that the proposed development, insofar as it excludes the front porch, undermines the character and appearance of the streetscene and the wider area. It conflicts with Policies LP1 and LP45 of the London Borough of Richmond Upon Thames Local Plan, 2018. These policies seek to ensure that development is of a high quality design that respects existing street and development patterns; and, to resist the provision of front garden parking spaces where they harm the local character including the streetscene. It would also conflict with the TVDG and the SPD which seek to ensure that development does not unduly harm the streetscene.

#### *Highway safety*

10. The appeal site is located within a controlled parking zone, whereby parking bays are provided parallel to the kerb, and there is an extensive bay occupying the immediate kerbside to the appeal site. Although not referred to in the Council's Planning Report, Meadway links to the A316 (Chertsey Road) to the north, and the A305 (Staines Road) to the south. Signage depicts that Meadway forms part of London Cycling Route No.32. There is a 20 mph speed limit in place. The road has a range of traffic calming measures, and it is not on a bus route. There is a school safety zone and a public park, both located further south of the appeal site. The time of my extensive visit was off-peak, and Meadway was well trafficked with vehicles and pedestrians.
11. The Council's position is that the provision of front garden parking spaces results in a reduction of communal street parking, which then perpetuates a proliferation of front garden parking as street parking becomes more difficult. The reduction of communal parking therefore leads to impedance of free traffic flow as a matter of principle. The proposed development would result in

exceedance of the SPD requirement for single crossovers to be 2.4m wide (para 5.11) to retain as much kerbside space for communal parking as possible. The appellant has provided no justifiable reason to overcome the Council's position.

12. The proposal would result in a vehicle being required to undertake a reversing manoeuvre across the pavement when entering or leaving the car parking space, impeding the free flow of traffic. Given my observations that the appeal site is located on a road serving two class 'A' roads, well trafficked, on a London cycle route and that Meadway has a public park and a school safety zone, I also consider that the proposed development would increase the risk of accidents and create a further hazard to pedestrians and other road users.
13. The Council's Planning Report referred to Meadway being a 'C Class classified road', and that the proposed crossover will only be approved if it can be demonstrated that a vehicle can enter and leave the site in forward gear (SPD para 5.5). The appellant argues that Meadway is a non-classified road, and the officer's report is in error, but provides no evidence to support the assertion. In any event, the approval of a crossover is a matter for the highway authority. Even if Meadway is a non-classified road, the harm I have identified would still arise due to the need to employ a reversing manoeuvre.
14. The Council's Planning Report noted a lack of information to a sufficient level of detail to demonstrate the permeability and gradient of the hard surface of the proposed car parking space area. However, it also acknowledged that this matter could be overcome by a minor amendment to the application. In any event, the appellant contends that sufficient information has been provided. I disagree. The drawings do not demonstrate a gradient, nor do they provide assurance of permeability through materials. As such, the proposal fails to demonstrate that surface water would be sustainably drained. Without such assurance, the proposal could result in surface water flooding the footway and/or the road, which poses further risk to highway safety.
15. Consequently, I conclude that the proposed development, insofar as it relates to new car parking space and dropped kerb would unacceptably impact upon highway safety. It would conflict with Policy LP44 and LP21 of the London Borough of Richmond Upon Thames Local Plan, 2018. These policies seek to ensure that development does not severely impact the operation and safety of the highway network; and, to minimise flood risk and deliver sustainable drainage. The proposal fails to comply with the requirements and guidance of the SPD, which seeks to ensure highway safety.

### **Other Matters**

16. The appellant refers me to five examples in support of his appeal. I do not have full details of how those sites came to be built. The main parties agree that three of those examples have planning permission. However, these permissions pre-date the SPD and TVDG, and no evidence has been submitted as to whether they were built when the controlled parking zone was in force. Accordingly, I find no direct comparison between these examples and the proposal before me that weighs in favour of the appeal.
17. The presence of front garden parking spaces and dropped kerbs elsewhere does not justify further proposals that undermine the character and appearance of the area or result in an unacceptable impact upon highway safety. The

further erosion of the character and appearance of the area as a result of the proposal could result in proposals from neighbouring occupiers in the immediate area seeking to do the same, which could further compound the harm that I have identified.

18. The benefit of the proposal in providing an electrical charging point for a vehicle does not outweigh the harm to the character and appearance of the area or the impact on highway safety that I have identified.

### **Conditions**

19. The Council suggested conditions in the event that the appeal was successful. A standard commencement condition is not necessary as the proposed new front porch is completed. A standard plans condition is not necessary as I have referenced the plans insofar as they relate to the proposed new front porch in my formal decision above.
20. A condition requiring the development to be carried out in accordance with the provisions of a Fire Safety Strategy (FSS) was suggested. However, the Council's Planning Report acknowledges the acceptance of a Reasonable Exception Statement, and that a FSS is not required for the scheme. As such, this condition is not necessary, nor is it reasonable.
21. As I am dismissing the appeal insofar as it relates to a new parking space in the front garden with dropped kerb, I do not need to consider conditions that refer to the proposed new parking space or landscaping treatment.

### **Conclusion**

22. For the reasons given above I conclude that the appeal should be allowed in part and dismissed in part. No material considerations have been shown to carry sufficient weight to warrant a decision otherwise.

*J Moore*

INSPECTOR