



Appeal Decision

Site visit made on 16 July 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 08 August 2024

Appeal Ref: APP/L5810/D/24/3344091

64 Grove Avenue, Twickenham TW1 4HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Clothier against the decision of the Council of the London Borough of Richmond upon Thames.
 - The application Ref. is 23/2415/HOT.
 - The development proposed is erection of timber cycle/ bin store.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As seen at my site visit and as set out in the representations, there is an existing cycle / bin store in place at the appeal site. However, the proposal before me relates to a proposed cycle store of different dimensions to the one existing, and my decision is based on the proposed scheme and plans, as determined by the Council.

Main Issues

3. The main issues in this appeal are:
 - a) The effect of the proposal on the character and appearance of the existing property and on the street scene, and
 - b) The effect of the proposal on pedestrian and highway safety.

Reasons

Issue a) Character and Appearance

4. The appeal property is an end of terrace residential dwelling on the west side of Grove Avenue and at its southern end. To the immediate south is an alleyway serving the rear of properties forming part of the terrace fronting Heath Road. Given the shape of the site, the appeal site has an irregularly shaped front garden which includes for an off-street parking space.
5. As shown on the submitted plans, the proposed cycle store would extend some 2.8m back from the front edge of the site, measuring 1.625 m in width at the front of the site, narrowing to some 1.065m at its rear. It would be sited along the southern boundary of the site and the area to the rear between the cycle

store and the front of the property would be an open bin storage area. The proposed store would be some 2.295 m in height with a fence completing the remaining length of the front garden at a lower height.

6. As seen on my site visit, covered cycle and / or bin stores are present in a number of front gardens along both sides of Grove Avenue and are now a feature of the street scene. However, the ones that I saw were predominantly of modest dimensions, particularly in terms of their height. Front boundary treatments are also generally modest in scale and height.
7. By contrast the dimensions of the proposed cycle store and in particular its proposed height would result in a very large, solid and bulky structure that would be very dominant at the front of the property and in the street scene, including when approaching from the north or the south along Grove Avenue. It would in my view, particularly given its height, be over prominent in relation to the scale and proportions of the existing property as well as visually intrusive in the street scene.
8. Given the variety of materials found along the street for front boundary treatments and cycle and bin stores, I do not consider that the proposed materials would, on their own, be a reason for refusal; the harm I have found relates to the proposed dimensions of the store and its resultant overall bulk and massing, and in particular its proposed height. Furthermore, were no other matters of concern and planning permission were to be granted, conditions could be attached to address the details of the materials and colour palette.
9. The alleyway to the south of the property serves the terrace fronting Heath Road and there are commercial uses along Grove Avenue to the south of the appeal property. The appellant contends that the proposed cycle store would be beneficial in helping to block views of the refuse bins along this alleyway. However, the extent to which such views would be blocked would only be applicable for a short length when approaching from the north and furthermore, I did not find these views to be visually harmful to the street scene. This argument does not provide weight in support of the proposal.
10. I therefore conclude that the proposed cycle store would harm the character and appearance of the existing property as well as the street scene. This would conflict with Policy LP1 of the Local Plan, the Supplementary Planning Document: House Extensions and External Alterations as well as the National Planning Policy Framework (Framework) and in particular Section 12, all of which amongst other matters, seek a high quality of design which respects the local context.
11. The Council, in its decision notice has also referred to Policy 28 of the Richmond Publication Local Plan (Regulation 19 version). However, it would appear from the information provided by the Council that there may be unresolved representations to this draft policy, and this necessarily limits the weight that can be given to it.

Issue b) Pedestrian and Highway Safety

12. Given the dimensions of the proposed structure, including its height, its position and solid form adjacent the footway, the proposal would obscure visibility splays in a southerly direction for vehicles exiting the site. It would also create a hazard for pedestrians walking in both directions along Grove

Avenue including those walking towards Heath Road, as it would block views of any vehicles manoeuvring in the alleyway to the immediate south of the proposed structure.

13. I therefore conclude that the proposals would be harmful to pedestrian and highway safety. This would conflict with Policy LP45 of the Local Plan, and the Transport Supplementary Planning Document as well as the Framework and in particular Section 9, all of which amongst other matters seek for safe access for all users.
14. The Council, in its decision notice has also referred to Policy 48 of the of the Richmond Publication Local Plan (Regulation 19 version). However, it would appear from the information provided by the Council that there may be unresolved representations to this draft policy, and this necessarily limits the weight that can be given to it.
15. The appellant has referred to the previous fence which ran along the southern boundary of the appeal site. However, that fence is no longer there, and I have limited details regarding its history. It is not clear to me whether a new fence of the dimensions proposed would require planning permission, but that is not a matter before me. This does not therefore persuade me to a different conclusion, given the harm I have found.

Other Considerations

16. The appellant's objectives to accommodate and maintain a modern, sustainable family lifestyle and to promote cycling whenever possible are to be supported and are encouraged under national and local policies. However, and in so far as they relate to the provision of a cycle store, I am not persuaded that these objectives could not be satisfied in an alternative way, given the harm I have found under both of my main issues.
17. I have noted the concerns that the appellant has raised regarding the pre-application process he undertook, but my decision is based solely on the planning merits of the proposal before me. Any concerns that the appellant has with the pre-application process and advice received should be directed to the Council.
18. Local residents have not raised concerns regarding the proposal and a number have supported but this is not on its own sufficient to outweigh the harm I have concluded particularly as the proposal would endure for future residents.
19. The appellant has drawn my attention to a number of other examples of out-buildings and structures at end of terrace properties. Each proposal must be considered on its individual merits, but in so far as the information has been made available to me, I have taken them into account. However, I do not consider that they are directly comparable with the proposal before me and they do not lead me to a different conclusion.
20. I appreciate that there would be limited space at the rear for a cycle store but the harm I have found does not relate to the principle of a cycle store in the front garden, but to the specific proposal before me.

Conclusion

21. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR