

Appeal Decision

Site visit made on 20 February 2025

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 March 2025

Appeal Ref: APP/L5810/D/24/3355757

18 Church Grove, Hampton Wick, Kingston Upon Thames KT1 4AL

- 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 Tim Routledge against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Reference is 24/1443/HOT.
 - The proposal is the retention of low front garden wall; proposed raising in height of 1No. existing pier; and creation of new 3m wide vehicle crossover to provide access to two new parking spaces with associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I use the Council's description of development which is more precise than the application form; I note that the Appellant also uses this on the appeal form.
3. The work has been partially completed; this does not alter the way in which I assess the scheme.

Main Issues

4. The main issues are effect of the proposal on a) the character and appearance of the host property and the locality and b) highway and pedestrian safety.

Reasons

Character and appearance

5. The appeal property is one of a two-storey with half basement level semi-detached pair of early to mid-Victorian Italianate villas of stock brick with stucco dressings which overlook Bushy Park. These villas form part of a larger row of villas which contribute to an impressive streetscene on Church Grove. There was a single car space (adjacent to the north boundary) and a garage within the appeal site and effectively the scheme is to make this into a space which might accommodate two cars side by side. The development description is as above.
 6. The site lies within the Hampton Wick Conservation Area; a designated heritage asset. There is a duty imposed by Section 72(1) of the Planning (Listed
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Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area (CA). The host villa, and properties in the row, are defined as Buildings of Townscape Merit (BTM) (a non-designated heritage asset) whereby protection of high-quality character and heritage are priority. In this context policies LP1, LP3, LP4 and LP45 of the Richmond Local Plan (2018) are relevant. Taken together, and amongst other matters, they reflect S72(1) of the Act, aim to safeguard designated and non-designated heritage assets, seek to secure good quality development and to protect the aesthetic qualities of buildings and a streetscene generally.

7. One of the characteristics of this stretch of Church Grove is that front boundary walls or fences are generally intact, with only a very few with modest driveway openings for only one car. Unity is created and cars do not generally disfigure the run of impressive properties. At the more detailed level even with, as the Appellant points out, a raised ground floor a car intrudes upon a pleasing elevation and a greatly foreshortened wall looks ill-at-ease. The semi-detached pair would not be entirely symmetrical with a more complete wall at the appeal property but they would be significantly closer to being pleasingly matching.
8. The scheme before me would lead to a disruption to the rhythm and an adverse alteration to the scale and degree of enclosure of the street. Additionally, whilst one cannot ensure the majority of a garden will be soft landscaped, hard surfaces for parking are less aesthetically beneficial than garden planting and, as noted above, cars in close proximity to elevations detract from their appearance in the streetscene. A new planting strip could not mitigate the impacts of the scheme. A second car, driveway and a marked boundary alteration to and reduction of a boundary wall (even a non-original one) would detract from the visual, architectural and period qualities of this attractive building, a pleasing sense of enclosure and the positive potential of its front garden in the immediate and wider scene. Regrettably, works which facilitate this should not be endorsed.
9. I would add that I am fully cognisant that the Appellant wishes to provide on-site charging for an electric car and has the need for two-car ownership. However, accommodating two cars, whether electric or otherwise should not automatically trump other planning factors such as character and appearance and the value of heritage assets; these must form part of any sustainable development equation and planning balance. I give greatest weight to the harm to the character and appearance of the locality, whatever the propulsion system of a second car. It is interesting to note that The London Plan 2021 states on the Table 10.3 – Maximum Residential Parking standards for any dwelling on PTAL 3, would be a maximum parking provision of one off-street car parking space per dwelling.
10. Given the foregoing I conclude that the appeal scheme would run contrary to the aims of S72(1) of the Act and conflict with the development plan policies which I cite in paragraph 6 above. Whilst acknowledging that not every eventuality can be covered in the documents, I also conclude that the appeal scheme would be contrary to the design guidance and aesthetic aims contained in the Transport SPD 2020 and the House Extensions and External Alterations SPD 2015. The appeal scheme would not represent good quality design or preserve the character or appearance of the host property or its locality.

Highway and pedestrian safety

11. The parties are in agreement that the scheme includes a parking bay depth at right angles to the highway which is about 40cm short of applicable standards. The Appellant wishes to use it for small electric car, underlines the on-drive charging advantages, and would be willing to see a 'maximum car size' planning condition applied to prevent overhang of the footway. The Council is of the view that standards should apply for safety reasons and that any such car measuring condition would not be practical or reasonably enforceable.
12. I side with the Council on this matter. It seems to me that the requisite depth dimension of a bay applied by this Council is not at all excessive, any permission would run with the property not the Appellant, and I would say that a car dimension limitation would not make for a sound practical condition to be controlled in the real world. Refusal of this proposal would not, of course, always prevent access to on-site electric car charging as a main driveway exists which would offer rotation of the two cars. I do consider that the appeal scheme would run contrary to seeking to ensure appropriate levels of highway and pedestrian safety.
13. Given the above I conclude that the appeal scheme would be contrary to LP Policy LP 45, the Council's Transport SPD and its Crossover Criteria all of which seek to secure parking arrangements which display appropriate inherent standards of safety.

Other matters

14. I confirm that policies in the National Planning Policy Framework (the Framework) have been considered. Key objectives of the Framework are to protect and enhance the qualities of the built environment as well as to safeguard heritage assets; development plan policies which I cite mirror these. The Framework underlines that great weight should be given to a heritage asset's conservation. The appeal proposal which I shall not allow would lead to less than substantial harm to the significance of the designated heritage asset however there are no public benefits which would outweigh this harm. Furthermore, there are no other benefits, including to the Appellant, which to my mind would be of a scale to outweigh the harm to the Conservation Area and the BTM.
15. I say this having regard within the planning balance to the Appellant's range of points. These include the electric vehicle charging issue which I deal with above. I also note the intentions for a degree of new planting with visual and biodiversity implications. I take the point about reducing on-street parking pressure albeit the impact would be minimal. I recognise that the CA has a number of examples of reduced front enclosures and frontage parking but with very few exceptions in this long stretch it is certainly not the norm. Furthermore, what I did see did not suggest to me that they should be a benchmark for good design. In any event I have to assess this case on its own merits. I appreciate that the frontage of this dwelling was not in direct symmetry to its neighbour but to my mind this would further skew matters with an unfortunate visual pairing.
16. I was sorry to hear that the unauthorised works followed a genuine misunderstanding, and expenditure has been undertaken. However, to be fair to

all I have to treat this as if it was an unimplemented proposal and, in any such instance, I would not be allowing the development.

17. I have carefully considered all the points raised by the Appellant. However, these matters do not outweigh the concerns which I have in relation to the main issues identified above.

Overall conclusion

18. For the reasons given above I conclude that the appeal proposal would have an unacceptable adverse effect on the character and appearance of the host property and the locality and on highway and pedestrian safety. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR