



Appeal Decision

Site visit made on 9 May 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 June 2025

Appeal Ref: APP/L5810/W/24/3355754

Land rear of Garrick House, 161-163 High Street, London TW12 1NG

- 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 Aquinna Homes against the decision of London Borough of Richmond Upon Thames.
 - The application Ref is 24/1453/FUL.
 - The proposed development is redevelopment of 6 No. car parking spaces and adjacent land to provide a single detached 2 storey building comprised of 2 No. 2 bed dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was published in December 2024. The updated Framework does not raise any new matters that are determinative to the outcome of this appeal.
3. I am aware that the Council are at an advanced stage with their new Local Plan, which is currently at examination. In accordance with Paragraph 49 of the Framework I can give some weight to relevant emerging draft policies in this decision where appropriate.

Main Issues

4. The main issues are the effect of the proposed development on (i) parking provision in the area and highway safety, (ii) the provision of affordable housing, and (iii) the living conditions of the neighbouring property No 1 Radcliff Mews.

Reasons

Parking provision and highway safety

5. The appeal site comprises car parking currently associated with the adjacent former office building, Garrick House. Directly to the south of the site is further car parking that would be retained for use by occupants of Garrick House. Opposite the site to the north-west is a public car park. The site is located within close proximity to Hampton Hill high street, which has a range of shops and other facilities including access to bus routes. The appeal site and surrounds are not subject to any parking restrictions. The appellant has provided evidence in the appeal that

demonstrates the site has a PTAL rating of 3, which is an area with moderate levels of accessibility to public transport.

6. The proposed development comprises the erection of two x 2 bed houses on car parking spaces currently associated with Garrick House. No car parking would be provided as the development is proposed to be car free.
7. The adjacent Garrick House was converted to residential through prior approval decision Ref: 16/1935/GPD15¹. Ref: 16/1935/GPD15 includes condition U07607 that requires each of the approved 21 units to have 1 parking space that are to be thereafter used only in association with the individual flat it is allocated to. The reason given for this condition was, amongst other matters, to avoid the generation of on-street parking.
8. The proposed development would result in the permanent loss of 6 of these spaces in direct conflict with condition U07607. Ideally, this would be resolved separately and before the new proposal had been submitted to not create a situation where one permission creates an unresolved conflict with another. Notwithstanding this, and in assessing the impact of the proposal before me, I note that the appellant's case mainly seeks to rely upon the adoption of new parking standards as set out in Policy T6.1 of the London Plan 2021 (TLP) to justify the loss of the 6 existing spaces currently allocated to Garrick House.
9. I accept that Policy T6.1 of TLP is the most up to date development plan policy regarding parking standards; this position is conclusively supported by Planning Practice Guidance. Applying the Policy T6.1 standards to the proposed two new dwellings would require a maximum of 1.5 car parking spaces to be provided. There are no provisions in the development plan or national policy that would support rounding this up to two spaces, which results in a maximum requirement of 1 space for the proposed development.
10. However, I do not agree that the Policy T6.1 parking standards should automatically now be applied retrospectively to the residential units within Garrick House to justify the proposed loss of 6 of its existing parking spaces. The reason being is that the residents of Garrick House are in situ and likely to be using these spaces and, at least in the short term, would need an alternative location to park a vehicle in the surrounding area. With 6 spaces allocated for 6 flats there could be as many as 6 vehicles being immediately displaced into the local highway network were the appeal proposal to go ahead. Whilst a parking stress survey is not a requirement of development plan policy, it is not unreasonable, even without there being any parking controls in the area are present, for some analysis and evidence of local parking conditions to still be provided to determine whether the proposal, and loss of parking spaces, is acceptable in highway terms.
11. This would enable an informed judgement to be made on the likely impact on the highway network and road safety, and in turn whether the Policy T6.1 standards are appropriate to be used for Garrick House. Without it, there is no evidence before me that conclusively confirms that the local area could safely absorb the loss of 6 existing dedicated car parking spaces alongside the demands from the car free appeal proposal. As there is considerable uncertainty over the impact that could arise from the loss of the 6 existing spaces allocated to Garrick House, I am

¹ Prior approval decision to grant Ref: 16/1935/DPD15 dated 4 July 2016 consented under Class O of the Town and Country Planning (General Permitted Development) Order 2015.

not satisfied that the proposal is acceptable in highway terms and would not result in harm to the safe operation of the local highway network.

12. Furthermore, the considerable volume of objections to the proposal suggests that there may well be an impact on local highway conditions by the loss of the 6 spaces for Garrick House. Whilst objections cannot be considered as definitive evidence, they do support my view that more work is needed on highway impact before planning permission can be granted for the proposed development. It is not within my remit to require this during this appeal, and I can only make my decision based on what is in front of me, which for the reasons stated does not persuade me that the proposal is acceptable in parking and highway terms.
13. I acknowledge the appellant identifies two spaces could be provided for in the adjacent blue land. Given that the site is only in a moderately accessible location, it would clearly be beneficial for these 2 spaces to be provided to reduce the potential increase in parking stress in the area from the proposed development including loss of 6 existing spaces. However, without a mechanism before me to consider how these 2 spaces would be delivered, I can only give this possibility very limited weight in this decision.
14. I have also had regard to the appeal decision for the nearby site Ref: APP/L5810/W/22/3311880. However, it is not directly comparable to the appeal scheme as it was assessing the impact of only one additional dwelling on a car park that was not connected to any surrounding uses. The appeal proposal in this case is materially different in terms of potential impact. Therefore, the conclusions reached in appeal Ref: APP/L5810/W/22/3311880 only have very limited weight in this decision in relation to parking impact and do not provide sufficient justification for the appeal proposal.
15. I do agree, however, that it would not be justified to require the appellant to enter into a planning obligation, or for me to impose a condition, to exclude future occupants from obtaining parking permits should the council introduce a Controlled Parking Zone in the future. The reason being is that any such agreement or condition could only apply to the proposed development for 2 dwellings that in isolation would not be likely to have an adverse impact on parking stress to warrant such a permanent restriction. I also note the Council have not provided any conclusive reasoning for this request and based on the facts before me it is unjustified and unnecessary.
16. To conclude, it has not been adequately demonstrated that the appeal is acceptable in terms of its impact on parking provision and the safe operation of the local highway network. Accordingly, the proposal is contrary to Policies 44 and 45 of the Richmond Local Plan 2018 (RLP) and emerging Policies 47 and 48 of the Council's Draft Publication Version: Local Plan (DLP), which promote safe, sustainable and accessible transport choices, seek to protect against development having a severe impact on the operation, safety and accessibility of road networks and minimise the impact of car-based travel on the operation of the road network and local environment. The proposal also does not accord with the guidance in the Council's Transport Supplementary Planning Document (SPD) and requirements in Paragraph 116 of the Framework for development to not have an unacceptable impact on highway safety.

Affordable Housing

17. The appellant has agreed to make a contribution of £50,417 to the delivery of affordable housing, which accords with the Council's formula for commuted sums. I am satisfied that this contribution would enable the proposal to accord with Policies 36 and 45 of the RLP and guidance within the Council's Affordable Housing SPD.
18. However, there is not a completed legal agreement before me that secures this contribution, which is needed to be in place before planning permission is granted. I acknowledge that the appellant offered to complete and provide this during the appeal process. However, as I have found the appeal to be unacceptable for other reasons I do not need to consider this further in this decision.

Living conditions

19. There would be a distance of around 12.6 metres between the front elevation of the proposed development, and the side elevation of No 1 Radcliff Mews. As observed on my site inspection, No 1 Radcliff Mews is a dual aspect property with habitable rooms on its front and side elevations. As has been demonstrated in the information before me, there is a distance of around 13.06 metres between the front elevation of No 1 Radcliff Mews and the house directly opposite, No 3 Radcliff Mews. This is a distance between habitable windows that is not materially different to the relationship that would arise with the appeal proposal.
20. The Council's Residential Development Standards Supplementary Planning Document advises that distances between habitable rooms of different units that directly face each other will be dependent on existing character and built form of the area. As identified, there would not be a material difference in distances between that proposed in this appeal and what already exists in the immediate character and built form of the area. Moreover, the appeal site is separated from No 1 Redcliff Mews by the access road to the public car park that would provide for a physical break with other activity in between the properties that would help disrupt direct views between the properties.
21. For these reasons, I find that the appeal proposal would not result in material harm to the living conditions to No 1 Radcliff Mews and is in accordance with Policy LP8 of the RLP and Policy 46 of the ELP in terms of amenity considerations.

Other matters

22. Various objections have raised concerns over loss of light, reduction of shared space, design, construction, loss of habitats and vegetation, refuse and inaccuracies in the submitted plans. However, I am satisfied that the information before me demonstrate that these matters have been addressed in the submission and do not require me to review them further in this decision. However, finding no harm on these other matters does not justify the harm I have identified in relation to parking issues.
23. Concerns have also been raised regarding heritage and impact on the High Street Hampton Hill Conservation Area (CA), within which the site is located. From the limited information before me, the special significance of the CA derives from its quality of period architecture and spatial development since the 19th Century. The site has a very limited contribution given it is a hard surfaced car park located away from the central core of the CA along the High Street. The proposal has been well-

designed in terms of its architecture to take account of key local design features and to an appropriate scale. As such, I conclude that the proposal would not result in any harm to special significance of the CA or its character and appearance.

Planning Balance and Conclusion

24. It has not been demonstrated the proposed loss of existing parking spaces is justified. As such and based on the information before me, I cannot conclude that the proposal is acceptable in highway terms and would not result in an unacceptable adverse impact on the local highway network and safety through increasing parking stress. Without a completed legal agreement, the proposal also does not make appropriate provision for affordable housing.
25. I recognise and apply significant weight to the benefits of providing two new homes in an area with moderate accessibility to services and which would not harm living conditions for existing and future occupants. However, based on the facts before me these are not sufficient to outweigh the harm identified. I, therefore, dismiss the appeal.

N Perrins

INSPECTOR