
Appeal Decisions

Site visit made on 2 July 2025

by **L J O'Brien BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal A Ref: APP/L5810/W/25/3363368

Land to the rear of 151 - 157 Rectory Grove, Hampton, TW12 1EQ

- 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 Simon Arch against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref is 24/3090/FUL.
 - The development proposed is Proposed detached store.
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Appeal B Ref: 6000186

Land to the rear of 151 - 157 Rectory Grove, Hampton, TW12 1EQ

- 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 Simon Arch against the decision of Richmond Upon Thames London Borough Council.
 - The application Ref is 24/1676/FUL
 - The development proposed is Proposed detached garage.
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Appeal A Decision

1. The appeal is dismissed.

Appeal B Decision

2. The appeal is dismissed.

Preliminary Matters

3. Appeal A and Appeal B relate to alternative proposals within the same wider site. The issues within the appeals are similar and as such I have dealt with them within the same Decision. I have, however, set out two separate formal Decisions and two Main Issues in the interests of clarity.
4. The National Planning Policy Framework (the Framework) was updated in December 2024, during the consideration of these appeals. Insofar as is directly relevant to the appeals, there are no substantive changes and no parties have been prejudiced as a result.

Appeal A Main Issues

5. The main issues in this appeal are:
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties with particular regard to noise and disturbance; and

- the effect of the proposal on highway and pedestrian safety.

Appeal B Main Issue

6. The main issue in this appeal is the effect of the proposal on highway and pedestrian safety.

Reasons

7. The appeal site comprises a strip of land at the end of a small cul-de-sac. The land has a narrow strip of pavement running along one side and a parking space has been marked out at the end. The site is between the rear of Nos 151 – 157 Rectory Grove and the rear of properties on Nursery Gardens. The area is currently free from development and, at the time of my site visit, several vehicles were parked within the cul-de-sac.
8. The proposal in both cases is for the erection of a structure at the bottom of the site, behind Nos 155-157. The Appeal A scheme comprises a detached store. The Appeal B scheme proposes a slightly larger structure which would be used as a detached garage.

Living conditions – Appeal A

9. The proposed store would be sited in close proximity to the rear of properties along Nursery Gardens and Rectory Grove. The properties along Rectory Grove have small back garden areas and the store would, consequently, be very close to back gardens and to habitable rooms at the rear of these properties.
10. The introduction of a fairly large storage building in this area would be likely to lead to an increase in noise and disturbance. Though the area is currently used for parking, a store of the type proposed would be likely to result in additional vehicular movements in the area in order for those using the unit to visit and load/unload. Alongside noise created by vehicle movements, the store would also be likely to result in noise and disturbance created by those using the space; for example raised voices, noise emitting from activity within and in the area outside the store, car doors and other associated noise.
11. Additional noise such as this in close proximity to rear habitable rooms would, in my view, lead to an unacceptable level of noise and disturbance which would cause harm to the living conditions of neighbouring residents.
12. Consequently, I consider that the proposal would have an adverse effect on the living conditions of the occupiers of neighbouring properties with particular regard to noise and disturbance.
13. The proposal would therefore fail to comply with Policy LP1 of the London Borough of Richmond Upon Thames Local Plan, July 2018 (LP) which seeks to ensure that development respects, contributes to and enhances the local environment by considering the suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site. The proposal would also conflict with LP Policy LP8 which states that all development will be required to protect the amenity and living conditions of occupants of new, existing, adjoining and neighbouring properties.

Highway safety Appeal B

14. The appeal site is located at the very end of the cul-de-sac. The site is to the right of the cul-de-sac, almost at a right angle with the entrance to the road which is accessed via a turning towards the end of Rectory Grove.
15. The proposed scheme is for the construction of a garage, large enough to store one vehicle. The introduction of a structure in this location would reduce the space available for vehicles within the area to manoeuvre and would make manoeuvring within the area more difficult than is currently the case. Though vehicles would be highly likely to be able to enter the garage in a forward gear, once inside any vehicle would need to reverse out of the garage towards the corner and would subsequently have to complete a number of manoeuvres within a tight space in order to leave the area in a forward gear. Reversing into the garage would present the same issues when attempting to enter the site.
16. The cul-de-sac does not have any parking restrictions and has historically been used, and is likely to continue to be used, for parking. Though the appellant suggests that the proposed scheme may, in fact, reduce the number of vehicles parked within this area, the lack of any restrictions is such that I am not satisfied that this would indeed be the case. Parked vehicles within the area would make manoeuvring difficult, if not impossible, and, in my view, vehicles would be likely to attempt to reverse out a considerable distance onto Rectory Grove.
17. At the time of my site visit I noted a pedestrian gate allowing access into the rear garden area of a property on Rectory Grove. The evidence before me also indicates that this area is well-used by pedestrians. Though vehicle speeds in the area generally appear to be low, visibility is restricted by surrounding buildings, planting and parked vehicles. Vehicles reversing onto the carriageway in this location would present serious highway safety concerns.
18. I acknowledge that the area is already used for parking and that the appellant has stated that they are unaware of any collisions within the area. However, as I have set out above, the additional structure would erode the available space and the likelihood of vehicles needing to make potentially dangerous manoeuvres onto the road would be far greater.
19. For the reasons set out above, I find that the proposal would have an adverse effect on highway and pedestrian safety in the area. The proposal would, therefore, be contrary to Policy LP1 of the LP in its aim to ensure that due consideration is made regarding the suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.
20. The proposal would also conflict with Policy LP44 of the LP which states that the Council will ensure that new development does not have a severe impact on the operation, safety or accessibility to the local or strategic highway networks. The development would also fail to meet the expectations of The Framework which sets out that when considering development proposals it should be ensured that safe and suitable access to the site can be achieved for all users.

Highway safety Appeal A

21. Unlike the Appeal B scheme, the proposal under Appeal A is for a storage unit and not for a garage to store a motor vehicle. Nevertheless, it is highly likely that those using a storage unit in this area would be likely to require vehicular access to

utilise the unit and for loading and unloading. It would not be feasible to attempt to restrict the use of the store to those accessing it on foot. The proposal would, therefore, be likely to result in additional vehicular movements within the area.

22. As set out in my consideration of the Appeal B Scheme, despite the current use of the site, the introduction of a structure in this location would restrict the amount of obstruction free space within which vehicles are able to manoeuvre to facilitate leaving the area in a forward gear. As such, vehicles within the area would be likely to attempt to reverse out onto the road or to complete other movements which could conceivably be hazardous. Due to the active use of the area and the obstacles and impeded visibility which would likely be caused by parked vehicles I consider that the proposal would have a detrimental impact on highway and pedestrian safety in the area.
23. Consequently, the proposal would conflict with Policy LP1 of the LP which aims to ensure that due consideration is made regarding the suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site. Furthermore, the proposal would fail to comply with Policy LP44 of the LP which states that the Council will ensure that new development does not have a severe impact on the operation, safety or accessibility to the local or strategic highway networks and The Framework which sets out that when considering development proposals it should be ensured that safe and suitable access to the site can be achieved for all users.

Conclusion

24. For the reasons set out above, the proposals are contrary to the development plan. There are no material considerations that indicate that permission should be granted. Therefore, taking all other matters raised into account, the appeals are dismissed.

L J O'Brien

INSPECTOR

