



Appeal Decision

Site visit made on 10 February 2026

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 March 2026

Appeal Ref: APP/L5810/C/24/3342486

50 Staines Rd, Twickenham TW2 5AH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Rallan Pillay against an enforcement notice issued by Richmond Upon Thames London Borough Council.
- The notice was issued on 26 March 2024.
- The breach of planning control as alleged in the notice is: 'Without planning permission and within the past 4 years, the unauthorised erection on the land of a detached garage.'
- The requirements of the notice are to:
 - (a) remove the unauthorised garage from the land.
 - (b) return the land to its previous condition.
 - (c) remove from the land any materials and debris associated with comply with steps (a) and (b).
- The period for compliance with the requirements is: 6 weeks.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of decision: the appeal is dismissed and the enforcement notice is upheld with a correction in the terms set out below in the Formal Decision

Preliminary Matters

1. Section 176 of the Town and Country Planning Act 1990 (the Act) empowers the Secretary of State to correct defects, errors or misdescriptions in an enforcement notice in appeals under section 174. Although there is little ambiguity in the meaning of the requirements in Section 5(c) of the notice, 'comply' is used rather than 'complying' in reference to the requirements of the notice. No injustice would occur to either party were I to delete the word comply and replace it with the word complying, and I will do so in my formal decision.
2. I understand that an application to erect a larger garage structure at the appeal site was refused¹. That application was described as pending within the Council's planning report for another application², which was refused retrospectively given the garage which exists today was evidently in place at that time. The appeal before me therefore relates to the issuing of the enforcement notice described in the banner heading above and the appellant seeks planning permission retrospectively for the garage in question.
3. The Richmond Local Plan (2018) referred to by the Council in its statement of case has been superseded by the adoption of the new Richmond Local Plan 2024 – 2039 (LP) (adopted October 2025) since the appeal was made. The appellant and the Council have both commented on the new policies. My decision is therefore based on the development plan prevailing at the time of my determination.

¹ 23/0290/FUL - Erection of a ground floor car port with first floor open plan storage space. Proposed solar panels on flat roof with sustainable urban drainage soakaway system and green sedum roof and installation of charging of electric vehicles.

² 23/0434/FUL - Erection of a temporary storage unit at rear for six months.

Main Issues

4. The main issues are the effects of the development on the following:

- The character and appearance of the local area.
- Parking pressure in the local area.
- Living conditions of nearby residents with regards to noise.

Reasons

Character and Appearance

5. The appeal site comprises a parking space located in an enclosed area to the rear of No's 46-50 Staines Road. The rear elevation of the residential building includes a protruding wall which is clad in brown stained timber, while the wider site is bound by a mixture of fencing to the west and north and a stone wall to the east. The development subject to the enforcement notice is a single storey garage constructed in brown metal sheeting with a roller shutter and a roof which slopes from front to back.
6. The metal, corrugated exterior of the garage gives it a somewhat utilitarian and industrial appearance which appears incongruous in the residential setting of the host building. While the colour may be close to that of the rear wall of the staircase of the host building, the material is in stark contrast. Furthermore, the garage is marked with a label which reads 'temporary' to one side, and it was clear from my observations that it is of hasty construction, particularly to the rear where there are gaps between walls and a poorly installed rear gutter pipe.
7. Garage designs may be limited in general, but I must assess the development as it is presented to me. I cannot agree that the structure is a suitable addition to the appeal site, and while it may not be readily visible from vantage points outside of the parking area, that does not mean it is not harmful. It would also be visible to other residents and visitors to the adjacent dwellings.
8. Taken together, the development is harmful to the character and appearance of the local area. This conflicts with policy 28 of the LP which states that development is compatible with the local character, including the relationship to existing townscape, development patterns, views, local urban grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing.

Parking

9. I understand that there is a Controlled Parking Zone (CPZ) along Staines Road in the vicinity of the appeal site due to high parking pressures. As such, the Council is concerned that the use of the garage for storage has led to the loss of a designated parking space for the property which in turn increases the already high pressure locally.
10. I have had regard to the photos submitted by the Council, which it alleges show a structure of the same dimensions and design as the existing garage with only a shutter added. The appellant advises this is the existing garage, and that components which were not yet installed at the time of the photo are what can be seen on the floor, including the shutter door. From my observations on the site

visit, the garage was of significant size and would be able to accommodate a vehicle. The appellant advises they use the garage for parking their vehicle at present. Based on all that I have seen and read, I see no reason to dispute this.

11. Based on the evidence before me, I see no reason why the garage would lead to the loss of a parking space and thereby increase parking pressure nearby. As such, this accords with policy 48 of the LP which requires development to make provision for the accommodation of vehicles to provide for the needs of the development.

Living Conditions

12. The use of the garage for the parking of a vehicle may include the storage of other items, such as tools, but this would not be unusual. As the Council point out, the change of use to storage and industrial would require planning permission. Furthermore, as it has clarified in the submitted appeal statement, the Council does not allege that a material change of use has occurred. The appellant advises this change of use was sought in the previous application which was refused but does not form part of this application.
13. As such, there is nothing before me to indicate that harmful levels of noise and disturbance have or would occur should the application be approved. Therefore, the development would not conflict with policies 46 and 53 of the LP which seek to ensure that there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in noise and disturbance, amongst other things.

Conclusion

14. For the reasons given above, the development does not accord with the development plan and there are no material considerations which indicate that a decision should be made other than in accordance with it. I conclude that the appeal should not succeed. I shall uphold the enforcement notice with a correction and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Formal Decision

15. It is directed that the enforcement notice is corrected by:
- In Section 5(c), the deletion of the word 'comply' and its substitution with the word 'complying'.
16. Subject to the correction, the appeal is dismissed, the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under s177(5) of the Town and Country Planning Act 1990 as amended.

C McDonagh

INSPECTOR