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Your reference

Our reference

T/APP/L5810/A/87/072983/P2

Date

30 JUN 88

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971, SECTIONS 37 AND 36 AND SCHEDULE 9  
 APPEAL BY MR MARTIN CHAMBERS  
 APPLICATION NO: TP/W/JL/CR/87/626

1. As you know I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the failure of the London Borough of Richmond to determine within the prescribed period an application for planning permission for the erection of an extension at the rear of the upper level of the boathouse to form a dwelling over the existing wet dock, the provision of a sewage treatment plant and pumping station, to discharge into the River Thames and the change of use of the boathouse to a dwelling at Broom Boathouse, Broom Park Teddington. I held a local inquiry into the appeal on 24 and 25 February 1988.
2. The appeal site is on the western bank of the River Thames. The site has a frontage to the river of about 21 m and a depth of about 22 m. The boathouse consists of a wet dock opening on to the river, with a single room and balcony above. The wet dock is of brick construction, while the upper part of the boathouse is timber framed, and the roof is of plain clay tiles. The grounds of the boathouse contain 2 substantial trees, a horse chestnut and a lime, which are both subjects of tree preservation orders, together with other planting. The curtilage of the boathouse is marked by a wooden fence about 2 m high.
3. The boathouse is situated in the grounds of the Broom Park housing estate. This estate, constructed in the 1970s, largely consists of 3 storey town houses, together with Cherwall Court, a block of 37 flats.
4. There is no direct vehicular access to the boathouse. The nearest section of public highway is in front of Nos 16-22 Broom Park, a distance of about 60 m. Pedestrian access is by a footway which runs close to the boathouse, but not directly to the gate at its rear. The boathouse is connected to mains electricity, running water and has a telephone line. However, it is not connected to the public sewer.
5. The appellant proposes to extend the boathouse in a matching style to create additional accommodation. The extended boathouse would comprise a studio, kitchen, dining room, washroom and 2 bedrooms. An independent sewage treatment plant would be provided on site, discharging directly into the River Thames. Pedestrian and vehicular access to the site would not be altered.
6. The policy background to the appeal is provided by the Greater London Development Plan and the Richmond upon Thames Local Plan. The appeal site is within an Area of Special Character and Metropolitan Open Land.

7. From my consideration of all the matters raised at the inquiry and my visit to the site I have concluded that the principal issues in this case are:
- a. whether the proposed development would result in the loss of preserved trees;
  - b. whether the proposed development would result in a loss of amenity to residents of the Brook Park Estate;
  - c. whether the proposed development would adversely affect the Area of Special Character or the Metropolitan Open Land.
8. Concern was expressed that if the proposed development was constructed, requests would be made for the removal of the preserved trees, because of problems of overshadowing and slime exudations from the lime tree. However, the trees are to the north and south-west of the boathouse, and should not significantly affect light. Slime exudation would only be to the roof of the boathouse, which may already experience this problem. Moreover, I consider that occupants of the boathouse would probably wish to keep the trees to provide screening.
9. The most serious threat to the preserved trees would be damage from the installation of the proposed sewage treatment plant. However, at the inquiry, the appellant indicated that the position of the treatment plant could be revised from that shown on the application drawing, and was prepared to accept that its position be the subject of a condition. Therefore, I have concluded that the sewage treatment plant need not affect the health of the lime tree, if appropriate care is taken.
10. Residents on Broom Park Estate have expressed concern at the efficiency of the treatment plant. I have noted that Thames Water has no objection in principle to its use, and I consider that this could be the subject of further discussion between the appellant and the local planning authority, if permission were to be granted.
11. Residents on the estate and the Council have expressed concern that the proposal would result in a loss of amenity. These concerns relate to a number of practical matters, ie refuse disposal, noise and disturbance, car parking and visual intrusion, and are therefore considerations of some weight.
12. I understand that the Council would not collect refuse from the extended boathouse, in view of the long carry distance. This matter would clearly need to be resolved, before the occupation of the dwelling. The lack of an agreed method of refuse disposal could result in a loss of amenity for nearby residents.
13. Concern has been expressed that the increased use of the boathouse resulting from its residential occupation would create excessive noise. In view of the distance from the boathouse to the nearest houses, I consider it is unlikely that noise from the boathouse would be a serious problem.
14. The proposed development would result in additional traffic movements, and increased pressure on car parking facilities on the estate. Evidence was produced at the inquiry that parking spaces are often available in the bay adjacent to 16 Broom Close. However, it is likely that visitors to the boathouse will park on the public highway, by 22 Broom Close, for their own convenience. This practice would create difficulties for residents who wish to gain access to their garages.
15. The Council's standard is to normally require 2 parking spaces for new residential development, although parking would not normally be required for a conversion of a house into flats. In view of the significant increase in the size of the

boathouse being proposed, and the material change in the nature of its use, I consider that the provision of 2 parking spaces is a reasonable requirement. The lack of off-street parking is a major deficiency in the scheme.

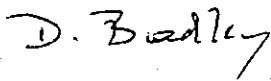
16. The extension of the boathouse is not merely of significance for residents of the Broom Park Estate. The appeal site's inclusion within a designated Area of Special Character illustrates its importance for the many people who enjoy views of the river frontage. At present, the boathouse is a pleasant feature of the landscaped area in which it is situated. Although the extension would be in matching materials, it would radically alter the proportion of the existing building, which is a modest structure. The extended boathouse would be a more dominating feature, clearly visible both from many of the houses and flats on the estate, and from the river itself, and the public gardens on the opposite side of the river. I believe that the proposed alterations would seriously detract from the present open, attractive character of the river frontage.

17. The appeal site is also within Metropolitan Open Land. Residential use is not included in the list of appropriate uses within Metropolitan Open Land in the Greater London Development Plan. Moreover, Policy ENV3 of the Local Plan is to keep Metropolitan Open Land in predominantly open use. The major justification advanced in this case was that the extension would ensure the retention of the boathouse and its continued use. However, no firm evidence was produced that the existing boathouse could not continue to be used for its present purposes. It appeared to be in a reasonable condition at my site visit. The benefit of an additional unit of housing must be balanced against the other consequences of the development.

18. Therefore, I have concluded that the appeal should not be allowed. I have had regard to all the other matters raised at the inquiry, and in representations, including the views of the River Thames Society and Toby Jessel MP. However, they do not outweigh the considerations which have led me to my decision.

19. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal and refuse planning permission.

I am Gentlemen  
Your obedient Servant



DENNIS BRADLEY BSc DipTP MRTPI  
Inspector

APPEARANCES

FOR THE APPELLANT

Mr Christopher Cochrane

He called:

Mr Michael F Woolner BA MRTPI

Mr William Erskine

- of Counsel, instructed by  
Parker, Bullen, 8 Newbury Street,  
Andover, Hampshire, SP10 1DW.

- Town Planning Consultancy.

- Milo and Company.

FOR THE PLANNING AUTHORITY

Mr David J Lamming

He called:

Mr Alan K Halfpenny

Mr Richard B Davidson

- of Counsel, instructed by  
G S Gowan, Solicitor to the  
London Borough of Richmond.

- Planning Officer.

- Arboricultural Officer.

INTERESTED PERSONS

Mr John Parton

Mr D E P Colley

Miss T Bleach

Mr C W Daykin

- River Thames Society.

- Kings River (Flats) Limited.

- Kings River (Gardens) Limited  
and Kings River (Moorings) Limited.

- 23 Cherwell Court.

DOCUMENTS

Document 1 - List of persons present at the inquiry.

" 2 - Notification and Circulation.

" 3 - Letters from local residents.

PLANS

Plan A - Application Drawings.

" B - Plans from Mr Halfpenny's proof.

PHOTOGRAPHS

Photo 1 - Photographs submitted by Mr Halfpenny.