



Appeal Decision

Site visit made on 15 January 2007

by **E C Grace** DipTP FRTPI FBEng PPIAAS

an Inspector appointed by the Secretary of State for
Communities and Local Government

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Date: 26 January 2007

Appeal Ref: APP/L5810//A/06/2026128

Rear of 33 Walpole Road, Teddington, TW11 8PJ

- 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 Teddington Developments Ltd against the decision of the Council of the London Borough of Richmond-upon-Thames.
- The application Ref 06/2019/FUL, dated 21/6/06, was refused by notice dated 21/8/06.
- The development proposed is the demolition of existing building and the erection of a two storey two bedroom dwelling with associated amenity space in front.

Summary of Decision: The appeal is dismissed.

Procedural Matters

1. The structure to be demolished occupies a backland position surrounded by residential properties. It is a late 19th century stable with first floor store which the appellant maintains has been used for a variety of manufacturing workshop uses since the Second World War. However, it is evident that such uses ceased some time ago and an application for a Certificate of Lawful Use for workshop and yard was refused by the Council in 2004. At the time of my visit the building was in a very dilapidated state with structural cracking and collapsed roof and appeared to be in use for low grade domestic storage.

Main Issues

2. From what I have read and seen, I consider the main issues in this case to be whether the proposed house would provide a satisfactory standard of residential amenities for its future occupants or result in harm to the living conditions of occupiers in surrounding dwellings.

Planning Policy

3. Reference is made to Policies BLT11 & 16 and HSG11 & 12 of the Richmond-upon-Thames UDP First review 2005.

Reasons

4. Two proposals to convert the existing building into a dwelling were refused by the Council in 1986 and subsequently dismissed on appeal. I note a proposal to refurbish the existing building and use it as an office was also refused by the Council and dismissed on appeal in 2005. The latter failed mainly because a commercial use was viewed as likely to generate noise and disturbance to occupiers of surrounding residential properties. In particular, due to its generated traffic passing along the narrow driveway to the site that runs alongside No.1 Walpole Place and behind Nos.35-41 Walpole Road and the activities associated with the use of the building and yard that abuts the small rear gardens of Nos.29-33 Walpole Road, 1 and 3 Walpole Close and 19 Walpole Crescent.

5. The decisions on the earlier residential proposals appear to have been concerned with the cramped conditions, its poor outlook and the fact that first floor windows would overlook adjoining gardens. The proposed building omits any fenestration on the three elevations that abut neighbouring gardens, whereby all openings are in the elevation facing onto the yard, which is proposed to be utilised as a patio garden. However, the first floor windows and roof lights serving two bedrooms and a bathroom are all positioned above eye level to avoid overlooking. Moreover, access to the first floor is via an external staircase that would be enclosed by timber cladding also to preclude overlooking. The ground floor living/dining/kitchen area is served by sliding patio doors, a glazed personal door and a window below the external staircase. Hence, the outlook from the living area would be over the proposed patio area. No on-site parking is proposed, which, despite the apparent parking stress in the locality and concern from neighbouring residents has not attracted an objection from the Council as the site is within easy walking distance of the town centre.
6. The appellant maintains the proposal would greatly improve the character and appearance of the area and represent a sustainable form of development. I recognise that it involves the utilisation of an underused previously developed site within a predominantly residential locality situated close to Teddington town centre. However, whilst the proposal would also replace a long-standing dilapidated storage building with a new dwelling, I do not find the design to be aesthetically pleasing. Indeed, I regard the single aspect dwelling as a contrived solution aimed at resolving serious shortcomings associated with this highly constrained site. Furthermore, I consider it would provide a poor standard of residential amenity for its intended future occupiers, having regard to the number of properties that surround and overlook it, which would be heightened by the restricted sizes of their respective gardens. I share the Council's view that the outlook of sky from the upstairs rooms and of a tightly contained patio from the living room would confer an oppressive and claustrophobic feel to the property.
7. I interpret the Council's assertion of increased noise and disturbance as relating to normal sounds that are associated with the permanent occupation of a dwelling, which would be more intrusive than usual in this instance due to the backland position of the site and its cheek by jowl grouping with the surrounding houses and gardens. I find this relationship would provide an unsatisfactory standard of residential amenities for its future occupants and also be likely to result in harm to the living conditions of occupiers in surrounding dwellings.

Conclusions

8. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

9. I dismiss the appeal.

Edward Grace

Inspector