

Design & Access Statement
For Reduction in low front garden wall

18 Church Grove, KT1 4AL

24/1443/HOT

Background to Application

An application to Richmond Council was made to request repairs to the grass verges and paving outside our property due to health and safety concerns as well as the effect on the street scene in a conservation area from broken paving and mud ditches where grass should be. The damage has been caused by delivery vehicles parking on the area while servicing the whole street as it is the only place where vehicles can pull up.

The Highways department alerted us to the fact that our property does not have an official crossover despite there being an active driveway approved since 1974 and that we needed to apply to the Highway department to have this installed – which we did.

However, due to a change in the low boundary wall (less than 1000mm) in our front garden, the Highway department have now advised that we must gain planning permission before the repair works to the paving, grass verges and crossover can take place. Highways are ready to commence the work as soon as planning is granted. In the meantime, the health and safety risk continues to increase as the Council owned area continues to deteriorate and a hole has recently appeared next to a manhole cover which is significant safety hazard.

Why Retrospective

There is clear guidance on the Planning Portal that states planning permission for changes to a wall under 1000mm is not required providing certain conditions are met, and our property meets these conditions. In particular, whilst we are in a conservation area, the portal clearly states that unless we are listed or under an article 4 direction (which we are not) then planning consent **is not required**. We will however restore the height of the left pillar to its original height as this was an error on our part and should not have been reduced.

Please see the full planning portal recommendation below (appendix A) outlining why our property does not need planning permission. However, as we have been advised that the repairs to the Council owned areas immediately outside our property will not be completed until we have planning permission we are now retrospectively applying for planning permission for the change to the wall.

The wall change is a reduction by 1400 mm in length. This allows two appropriately sized vehicles to park on the drive without any overhang. As we already have an EV charging point on the driveway, the benefit of an additional parking space will enable us to have 2 electric vehicles, which supports Richmond Council's strategy to encourage residents to use electric vehicles for journeys that cannot be made by public transport or by walking or cycling. There are no EV charging points near our property at present.

In addition, residents of Hampton Wick have repeatedly raised concerns with the Council about parking difficulties caused by Kingston shoppers/diners and Bushy Park visitors, which is particularly acute in roads such as Church Grove that are within walking distance of Kingston Bridge and Bushy Park. The change to the wall on our property and the

creation of an additional parking space for an appropriately sized car allows us to remove a car from the oversubscribed residents parking on this road. The council has recently removed 2 car parking spaces for electric scooter and bike rental, and while it is appreciated that this form of travel is a priority, it has added further stress on residents parking on Church Grove and adjacent roads. Our neighbours fully support this planning application and have responded to the planning consultation accordingly.

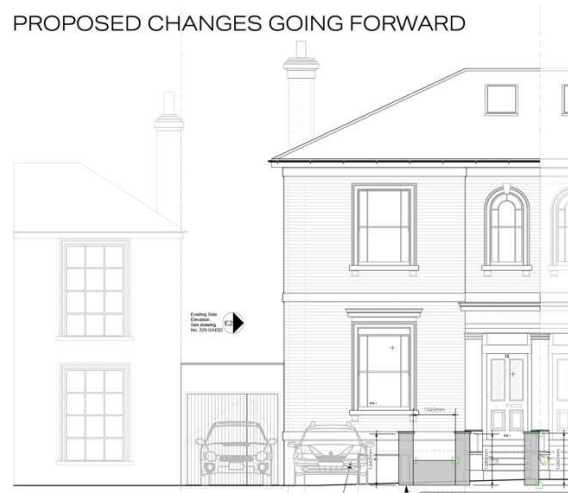
The drive is cobbled using a style seen across a number of old properties in the area and at Hampton Court and Bushy Park opposite. Using a permeable filler to enable water to run off and also down to lateral drainage that has been in existence since 1974. We have replaced the drainage grill.

LOW WALL PRE-MARCH 2024 – Wall allowed one car to pull in and take a sharp right and one car to pull in straight but hardstanding between verges is at an angle and does not align with the gap. There has been a drive here since 1974 and we do not understand why there is no crossover and what has happened in the past 50 years.

ACTUAL - PRE MARCH 2024



PROPOSED CHANGES GOING FORWARD



LOW WALL POST-MARCH 2024 – Wall now allows for second car to pull in straight and in line with crossover.

The work has been undertaken due to following the advice on the planning portal. We hope this planning can be granted respectively given it is a minor change to the overall look of the property and street scene



APPENDIX A PLANNING PORTAL

It is our belief that the planning portal allowed us to do this work without permission as the screenshots below clearly show. We checked this before work commenced. It is very clear that we do not need planning for this change. Richmond Planning Department believe this information is misleading.

The portal is the householders source of information and **the** access point for planning applications to take place. If Richmond Planning believe this information on the portal then this cannot be our fault.

Whilst we are in a conservation area, the portal clearly states that unless we are listed or under an article 4 direction then planning consent is not required. The wall was under 1000mm. We have though applied to restore the height of the left pillar to the original height as this was an error on our part and should not have been reduced.

PRECEDENT ON SAME ROAD

See below images of 3 houses on the same road that have a full open front forecourt for parking without the need for a barrier wall. Following a call with planning we were told that a wall is needed to delineate the entrance. Other houses in the area suggest this is not necessary.



2nd PARKING BAY Design

There is a query on the design of the second parking space

The new parking bay is 4400mm deep which whilst is under the Richmond guidelines at 4800mm – our current vehicle fits with a 300mm space left and we are planning the purchase of an even smaller electric vehicle. The 4800 is a guideline and we believe smaller cars should be encouraged especially for domestic use.

We are happy for a planning condition for a vehicle length must be within size of the bay.

We feel the conservation of the planet by using electric vehicles is a far higher need than the 400mm below recommended parking bay size.

Soft Landscaping

We were told by highways that soft landscaping was not required and have an email confirming this. However planning would like us to add some soft scaping. To this end we have included a strip of flower bed to the left of the drive to add some colour to the main left hand wall in our proposal.

Conclusion

We and our neighbours believe this design in terms of Urban design relieves much needed pressure on Church Grove parking and adds needed EV charging for 2 vehicles which needs to be adopted much quicker across the UK.

APPENDIX A

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Do you need permission? Planning Building control Services and information Search Q England >

Planning Permission

Building regulations: General information

Building Regulations: Things to check

Planning and specifying a fence

Planning Permission

Do you need planning permission to put up a fence?

You will **not** need to apply for planning permission if you wish to erect a new; or alter, maintain, improve or take down* an existing fence, wall or gate if the following conditions are met:

- in regard to its height:
 - it is next to a highway used by vehicles (or the footpath of such a highway) and it would **not exceed** one metre in height (from ground level); or
 - it would **not exceed** two metres in height (from ground level) if elsewhere; or
 - if an existing fence, wall or gate already exceeds the limits above, that its height would **not be increased**.
- no part of the site is a listed building or within the curtilage of a listed building.
- no part of the fence, wall, gate or any other boundary involved, forms a boundary with a neighbouring listed building or its curtilage.
- the right to put up or alter fences, walls and gates has not been removed by an article four direction or a planning condition.

If any of these conditions are not met, then you will need to apply for planning permission.

***In a conservation area**, you might need permission take down a fence, wall or gate. [Find out more about conservation areas and when permission may be required.](#)

You do not need planning permission for hedges as such, though if a planning condition or a covenant restricts planting (for example, on "open plan" estates, or where a driver's sight line could be blocked) you may need planning permission and/or other consent.

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Conservation Areas

Does my project require additional consents?

Licensed premises

Ancient monuments

Badger licences

Biodiversity net gain

Coal Authority permissions

Common land

Conservation Areas

Covenants and private rights

Environmental permits

You can check with your Local Planning Authority to see if your proposed work is in a conservation area.

If your development site is in a conservation area, you will generally need 'planning permission for relevant demolition in a conservation area' (also commonly known as 'conservation area consent') to do the following:

- Demolish a building with a volume of 115 cubic metres or more.
- To demolish any gate, fence, wall or other means of enclosure with:
 - a height of one metre or more if next to a highway (including a public footpath or bridleway), waterway or open space; or
 - a height of two metres or more elsewhere

Please note: There are some exemptions to these general requirements.

You can [view further details in the official government guidance](#) or discuss the matter with your Local Planning Authority.

[Find your local planning authority](#)

Submit your building control applications through the Planning Portal
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Even if your proposals do not include the work mentioned above you should still check if an application is required.

If your application is refused, granted with conditions or not determined within 8 weeks of it being validated by the council then you have the right to appeal to the Secretary of State.