

Application reference: 12/0590/FUL HAMPTON WICK WARD

Date application received	Date made valid	Target report date	8 Week date
28.02.2012	28.02.2012	24.04.2012	24.04.2012

Site:

19 - 21 Melbourne Road, Teddington, ,

Proposal:

Erection of two new houses

Status: Pending Consideration (If status = HOLD please check that all is OK before you proceed any further with this application)

APPLICANT NAME

Mr Ben Rothern
Hythe House
200 Sheperds Bush Rd.
London
W6 7NL
UK

AGENT NAME

Mr Phil Davies
4 Eel Pie Island
Twickenham
Middlesex
TW1 3DY
United Kingdom

DC Site Notice: printed on 06.03.2012 and posted on 16.03.2012 and due to expire on 06.04.2012

Consultations:

Internal/External:

Consultee

LBRUT Transport
14D Urban D
14D POL
Environment Agency

Expiry Date

20.03.2012
20.03.2012
20.03.2012
27.03.2012

Neighbours:

25 Melbourne Road, Teddington, TW11 9QX, - 06.03.2012
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History: Development Management, Appeals, Building Control, Enforcements:

Development Management

Status: REF

Date: 01/06/2011

Application: 11/1164/FUL

Erection of two new houses

Development Management

Status: PCO

Date:

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Erection of two new houses

Constraints:

12/0590/FUL

19-21 Melbourne Road, Teddington

Site

The site is a vacant plot of land on the northern side of Melbourne Road, which is understood to have originally formed part of the rear garden of 18 Trowlock Avenue to the north. The immediate neighbour to the east is a two storey detached house (no. 23) while to the west there is a detached bungalow with roof accommodation (no. 15). The wider area comprises of traditional suburban houses of mixed appearance with mature front gardens. The public footway is characterised by grass verges and cherry trees.

The Thames is located approximately 150 metres to the north-east with a channel flowing between Trowlock Island and the right bank of the watercourse approximately 80 metres away. The site is located within Flood Zone 3b (functional floodplain) as designated by the Council's Strategic Flood Risk Assessment (SFRA, 2010).

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11/1164/FUL Refused
Erection of two new houses

Proposal

The applicant proposes to subdivide the site and construct two detached, two-storey 4-bed houses on the site.

The proposed footprint of both houses measures approximately 100sqm while the overall floor space measures 273sqm (no. 19) and 292sqm (no.21). The two properties would be of similar design, each characterised by a hipped main roof with a central flat roof section, a raised upper ground floor with steps leading to the front entrance, a lower ground floor leading to a garage, bicycle and bin store via a ramp, a two storey bay on the eastern side of the front elevation, and single storey element to the rear. Materials would be white roughcast rendered walls, red clay tiled roof and painted timber windows.

The main changes from the previously refused proposal are:

- The rear main elevation falls in line with the main building line to the rear
- The single storey extensions and the external garden decks proposed at no.19 have been relocated from the common boundary with no.15 towards the common boundary with the proposed house at no.21
- The floor to ceiling heights have been reduced to allow the eaves height to be dropped down to line in with no. 23
- No roof space accommodation due to lowered roof
- Removal of balconies to the front, replaced by windows
- Titled gable has been introduced to the front elevation of 21

Planning Policy

Core Strategy

- CP1 – Sustainable Development
- CP2 – Reducing Carbon Emissions
- CP3 – Climate Change, Adapting to the Effects
- CP4 – Biodiversity
- CP5 – Sustainable Travel
- CP7 – Maintaining and Improving the Local Environment
- CP14 – Housing

Development Management Development Plan

DM SD 1 – Sustainable Construction
DM SD 2 – Renewable Energy and Decentralised Energy Networks
DM SD 4 – Adapting to Higher Temperatures and Need for Cooling
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DM SD 7 – Sustainable Drainage
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SPG/SPD

Design Quality (2006)
Residential Design Standards (2010)
Residential Development Standards (2010)
Small and Medium Sized Housing Sites (2006)
Sustainable Construction Checklist (2011)
Front Garden and other Off-Street Parking Standards (2006)
Planning Obligations Strategy (2005, 2007)
Affordable Housing (2003)

Representations

14 letters of representation has been received from neighbours objecting to the proposal on the following grounds (summarised, set out in full on the planning file)

- The proposed development is on undeveloped land in flood risk zone 3b and therefore not permitted. Considering recent experience, the sunken garages will definitely flood;
- Flood mitigation measures sets the ground floor of the proposed houses much higher than surrounding properties making them overbearing/overly dominate and out of character;
- Raised ground level, extension into the garden, height and proximity to neighbouring houses will result in visual intrusion, loss of light and privacy to neighbouring properties;
- Proposed flank windows will be obscure but openable. Given the close proximity to neighbouring houses it would result in loss of privacy, noise and disturbance;
- Design of front elevations, flat topped roof, raised ground floors, steeply sloping drives, sunken garages and materials are out of character with the surrounding houses;
- Drives are likely to be too steep for parking resulting in on-street parking on the narrow road would result in blockage and congestion, causing traffic problems;
- Concerns over the environmental impact and loss of green space;
- Concerns over noise and nuisance during construction; and
- Melbourne Road is characterised by grassed verges and cherry trees, requests a condition should any permission be granted to retain and protect existing cherry tree between 19 and 21.

Environment Agency objects to the application because the proposal falls into a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located in accordance with PPS25 and London Borough of Richmond-Upon Thames's SFRA.

Professional Comments

The main planning issues to be considered are:

- Flood risk
- Land use
- Standard of design
- Impact on the amenity of adjacent properties
- Sustainability and Ecology
- Transport and parking

Flood Risk

The previous application was refused on the grounds that residential development would not be acceptable in principle as the site lies within Flood Zone 3b (functional floodplain) as defined by PPS 25 and identified by the Council's SFRA (2010) and in terms of flood risk vulnerability the proposal should not be permitted. It is considered that there is no change in the site's designation or in the type of development, and therefore the objection in principle still stands in accordance with PPS 25 and the National Planning Policy Framework (NPPF) (Technical Guide, Table 1 and 2). This is further supported by Policy DM SD 6 which states that the functional floodplain will be protect by not permitting any form of development on undeveloped sites unless it is for water compatible development or essential utility infrastructure which has to be located in a flood risk area or where no alternative locations are available. As the application site has not been previously developed and the proposal cannot be classified as either aforementioned category of development, in addition to PPS 25 and the NPPF, the proposal is contrary to policy DM SD 6.

The applicant/agent considers that the site should fall within Flood Zone 3a rather than 3b, providing justification of local circumstance in a submitted Flood Risk Assessment (FRA). It states that part of the site is below the EA modelled 1 in 20 annual probability flood level (February 2011) and in accordance with PPS25, land which would flood with an annual probability of 1 in 20 (5%) should provide a starting point to identify the functional floodplain.

That part of the site is below the EA modelled 1 in 20 annual probability flood level is reflected in the Council's updated SFRA map, incorporating the same EA modelling data (February 2011). However, it is clear from the updated map that the majority of the site is subject to flooding up to and including the 5%, most notably the area where the proposed houses would be sited. As such, it is considered that the designation as a functional floodplain (Flood Zone 3b) and the objection in principle is justified and warranted. A copy of the map showing the relevant site is attached to this report.

The FRA also states the application site is with a 'developed area' and in accordance with the PPS25: Practical Guidance developed areas are not generally part of the functional floodplain (para. 4.91). However, PPS25 does not differentiate between developed and undeveloped area as some developed areas may still provide an important flood storage and conveyance function, as it is considered to be the case in this instance.

Notwithstanding and without prejudice to the above, an assessment of the remaining planning issues is given below.

Land Use

While there is a presumption against the loss of back gardens due to the need to maintain local character and amenity, it is considered that there are exceptional circumstances which would justify the loss. In this case, 18 Trowlock Avenue would retain a garden of an acceptable size and form that is equivalent to those on Trowlock Avenue, and the resulting plots on Melbourne Road would be similar in size and form of those on Melbourne Road. Together with the established residential character, it is considered that the proposed loss of garden, subdivision and proposed land use is not considered to result in any material harm to the prevailing character of the area. Amenity is assessed below.

Standard of Design

The houses provide approximately 273sqm (no. 19) and 292sqm (no. 21) of internal floor space, which meets the 200sqm SPD requirement for a 3 to 4-bed family unit. The proposed habitable rooms also meet SPD standards with the rooms exceeding the minimum floorspace and dimensions, and all benefit from good levels of light, outlook and privacy. The gardens are a generous size, with over 100sqm of usable space provided. In terms of impact on each other, their front and rear elevations do not significantly project any further forward or rearward than each other and therefore would not appear overbearing or result in any significant overshadowing to their amenity space or habitable rooms. However, a raised deck is proposed on the shared boundary at no. 21 and off-set by 1 metre at no. 19. Due to this proximity, the height (approximately 1m) area (16-18sqm) and nature of activities, there are concerns with overlooking and it is considered that proposed 1.8m feather edged fence set down from the finished floor levels would not provide adequate privacy, resulting in an unneighbourly form of development.

In relation to appearance, the proposal has been amended from the previous scheme, most significantly a reduction in height and depth. As a result, the submitted streetscene (ref: MR-12) and site plan (MR-10, MR-11) shows a continuation in the main building line both to the front and rear, and building widths and height at the ridge and eaves comparable to neighbouring houses. This is considered sufficient to overcome previous concerns over bulk and mass which resulted in an overly dominant appearance. However, the provision of garages at lower ground floor level are uncharacteristic of the area as no other property in the road has lower ground floor levels or front gardens dominated by steep access ramps. The inclusion of a lower ground floor also results in the proposed fenestration being sited approximately 40cm higher than neighbouring fenestration, disrupting the horizontal alignment of the street. The flat roof bay fronting Melbourne Road at no. 19 would also be unique in the street. As a result, it is considered that the design would appear incongruous with the local character and contrary to policy.

Impact on Adjacent Properties

In relation to no. 23, the two storey element would be set off the shared boundary by approximately 1.5 metres and such a relationship between two houses is not uncommon in the surrounding area. The two storey element would also be contained within the existing envelope of this property, minimising any overbearing or overshadowing effect, with the exception of a single storey element to the rear. However, the single storey element is not considered to result in any material harm in terms of loss of light or visual intrusion to this property due to its modest depth and height, and 6 metre distance from the shared boundary. Concerns have been raised over loss of light to a first floor sitting room/bedroom at no. 23, and it is noted that

there is a window on the flank elevation which is the sole window to this room, but their reliance on other land for light and outlook is not considered sufficient grounds for refusal. Concerns have also been raised over additional noise and disturbance to no. 23, but given the level of intensification and standard day-to-day activities incidental to the enjoyment of the dwelling house, the proposal is not considered to result in any material increase in noise and disturbance.

To the west, the two storey element would project approximately 2.5 metres beyond the rear of no.15 at its closest point and approximately 2 metres past the nearest window to a habitable room. Given the modest depth and that it passes the BRE test for sunlight, the proposal is not considered to result in any significant harm in terms of visual intrusion or loss of light. The single storey element would project back further but as it would be set centrally within the site, at a distance of approximately 6 metres from the shared boundary, it would have little impact to this property.

With regards to privacy, all proposed first floor flank windows serve non-habitable rooms (bathroom/toilets) and would be fitted with obscure glazing which could be conditioned. As such, the proposed first floor flank windows are considered acceptable. Raised terraces have been proposed to the rear, but due to the 4 metre off-set from the common boundaries with no. 15 and 23, the existing boundary treatment and mature vegetation, it is considered that sufficient screening would protect the adjoining neighbours from undue overlooking. There is an approximate 40 metre back-to-back distance between the proposed houses and those on Trowlock Avenue, and a 19 metre distance from the proposed rear elevation to the rear boundary, therefore it is considered that there are no privacy issues.

Concerns have also been raised in relation to noise and disturbance during the construction phase, and should permission be granted the attention of the applicant would be drawn to the requirements of the Control of Pollution Act 1974 and British Standard 5228:2009.

Sustainability and Ecology

A Sustainability Report has been submitted to support the application, which demonstrates that the proposal would meet Level 3 of Code for Sustainable Homes (CSH) and a C Rating of the LBRUT Sustainable Construction Checklist. The Sustainability Report also provides options on how the proposed dwellings can reduce the carbon dioxide emissions by at least 25% over Building Regulations Part L 2010 and offset the predicted carbon dioxide emissions by at least 20% renewable energy technologies. Given the evidence, the scheme is considered acceptable in terms of sustainability and compliance can be secured by a condition.

A Sustainable Homes: Ecology Report verified by a qualified ecologist has also been submitted with the application. It concludes that the site should be awarded 2 credits out of 7 credits but provides options which, if carried out, would increase the credits to 5. The options are considered feasible and compliance can be secured by a condition.

Transport

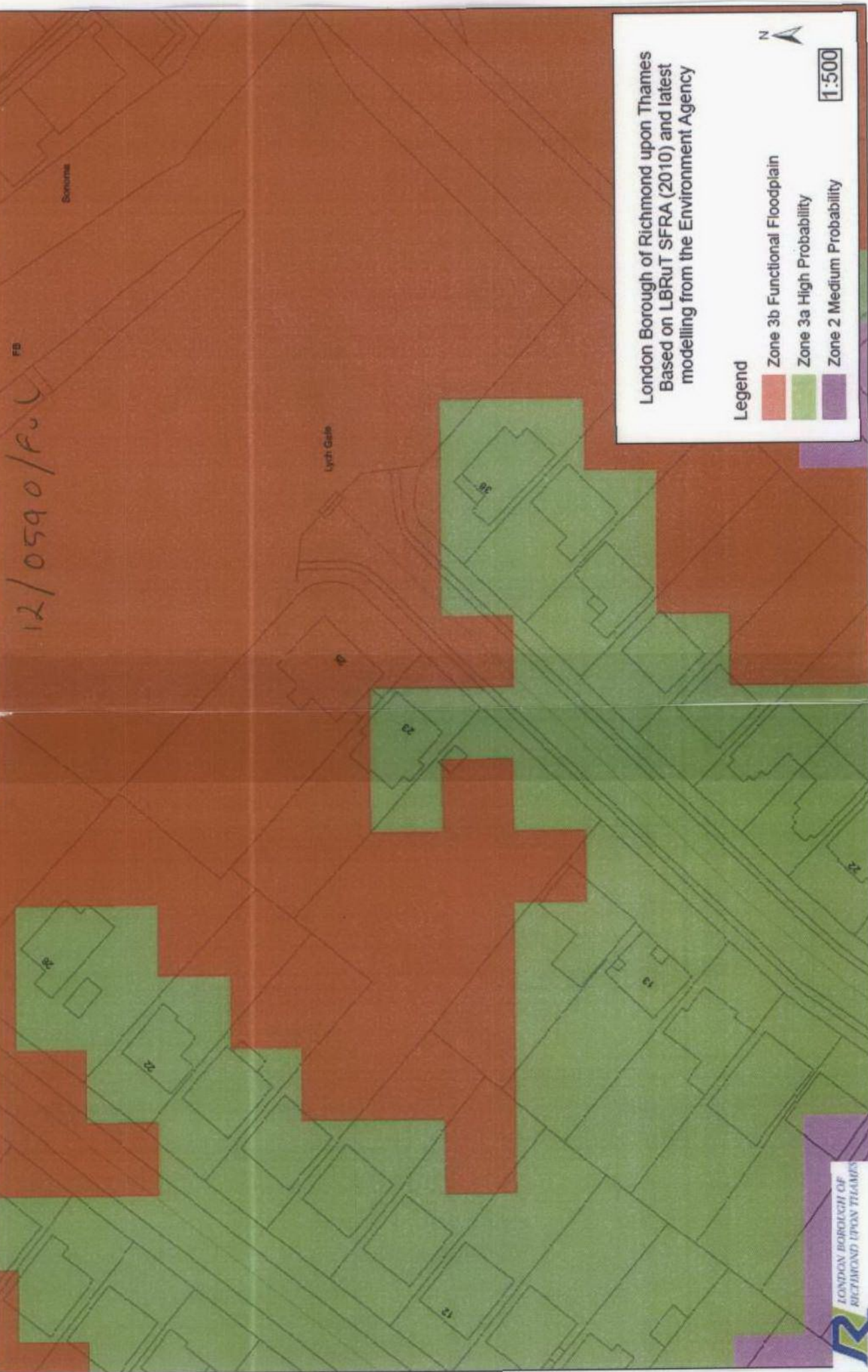
Policy DM TP 8 requires 2 off-street parking spaces, which are provided in the proposed basement. In terms of acceptability, the Engineer has requested further information/details in respect of sightlines, gradients, garage layout and dimensions and refuse/recycling storage, but these matters could be dealt via conditions had the scheme been considered to be appropriate.

Summary

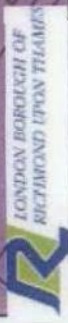
The application site lies within Flood Zone 3b (functional floodplain) and the proposal fails the PPS 25 and NPPF Sequential Test as residential development is considered to be 'more vulnerable' in terms of flood risk vulnerability and is not permitted in Zone 3b. By reason of their siting, form, design and landscaping the proposed houses would fail to relate satisfactorily to the prevailing character and would appear incongruous in the streetscene. Furthermore, by reason of their height, siting and boundary treatment, the raised decking would result in an unacceptable level of overlooking and loss of privacy into neighbouring gardens. Therefore, the proposal is considered contrary to the aims and objectives of National and Council policy.

Recommendation: Refuse

Flood Map for 19-21 Melbourne Road, Teddington



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London Borough of Richmond upon Thames



Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES / NO

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

Case Officer (Initials): A.C

Dated: 11.4.12

I agree the recommendation:

Team Leader/Development Control Manager

Dated:

This application has been subject to representations that are contrary to the officer recommendation. The Development Control Manager has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Development Control Manager:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:	
INFORMATIVES:	

ADDITIONAL NOTES CONTINUED FROM ABOVE:

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HAMPTON WICK WARD

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Flood Risk

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Land Use

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In relation to appearance, the proposal has been amended from the previous scheme, most significantly a reduction in height and depth. As a result, the submitted streetscene (ref: MR-12) and site plan (MR-10, MR-11) shows a continuation in the main building line both to the front and rear, and building widths and height at the ridge and eaves comparable to neighbouring houses. This is considered sufficient to overcome previous concerns over bulk and mass which resulted in an overly dominant appearance. However, the provision of garages at lower ground floor level are uncharacteristic of the area as no other property in the road has lower ground floor levels or front gardens dominated by steep access ramps. The inclusion of a lower ground floor also results in the proposed fenestration being sited approximately 40cm higher than neighbouring fenestration, disrupting the horizontal alignment of the street. The flat roof bay fronting Melbourne Road at no. 19 would also be unique in the street. As a result, it is considered that the design would appear incongruous with the local character and contrary to policy.

Impact on Adjacent Properties

In relation to no. 23, the two storey element would be set off the shared boundary by approximately 1.5 metres and such a relationship between two houses is not uncommon in the surrounding area. The two storey element would also be contained within the existing envelope of this property, minimising any overbearing or overshadowing effect, with the exception of a single storey element to the rear. However, the single storey element is not considered to result in any material harm in terms of loss of light or visual intrusion to this property due to its modest depth and height, and 6 metre distance from the shared boundary. Concerns have been raised over loss of light to a first floor sitting room/bedroom at no. 23, and it is noted that

there is a window on the flank elevation which is the sole window to this room, but their reliance on other land for light and outlook is not considered sufficient grounds for refusal. Concerns have also been raised over additional noise and disturbance to no. 23, but given the level of intensification and standard day-to-day activities incidental to the enjoyment of the dwelling house, the proposal is not considered to result in any material increase in noise and disturbance.

To the west, the two storey element would project approximately 2.5 metres beyond the rear of no.15 at its closest point and approximately 2 metres past the nearest window to a habitable room. Given the modest depth and that it passes the BRE test for sunlight, the proposal is not considered to result in any significant harm in terms of visual intrusion or loss of light. The single storey element would project back further but as it would be set centrally within the site, at a distance of approximately 6 metres from the shared boundary, it would have little impact to this property.

With regards to privacy, all proposed first floor flank windows serve non-habitable rooms (bathroom/toilets) and would be fitted with obscure glazing which could be conditioned. As such, the proposed first floor flank windows are considered acceptable. Raised terraces have been proposed to the rear, but due to the 4 metre off-set from the common boundaries with no. 15 and 23, the existing boundary treatment and mature vegetation, it is considered that sufficient screening would protect the adjoining neighbours from undue overlooking. There is an approximate 40 metre back-to-back distance between the proposed houses and those on Trowlock Avenue, and a 19 metre distance from the proposed rear elevation to the rear boundary, therefore it is considered that there are no privacy issues.

Concerns have also been raised in relation to noise and disturbance during the construction phase, and should permission be granted the attention of the applicant would be drawn to the requirements of the Control of Pollution Act 1974 and British Standard 5228:2009.

Sustainability and Ecology

A Sustainability Report has been submitted to support the application, which demonstrates that the proposal would meet Level 3 of Code for Sustainable Homes (CSH) and a C Rating of the LBRUT Sustainable Construction Checklist. The Sustainability Report also provides options on how the proposed dwellings can reduce the carbon dioxide emissions by at least 25% over Building Regulations Part L 2010 and offset the predicted carbon dioxide emissions by at least 20% renewable energy technologies. Given the evidence, the scheme is considered acceptable in terms of sustainability and compliance can be secured by a condition.

A Sustainable Homes: Ecology Report verified by a qualified ecologist has also been submitted with the application. It concludes that the site should be awarded 2 credits out of 7 credits but provides options which, if carried out, would increase the credits to 5. The options are considered feasible and compliance can be secured by a condition.

Transport

Policy DM TP 8 requires 2 off-street parking spaces, which are provided in the proposed basement. In terms of acceptability, the Engineer has requested further information/details in respect of sightlines, gradients, garage layout and dimensions and refuse/recycling storage, but these matters could be dealt via conditions had the scheme been considered to be appropriate.

Summary

The application site lies within Flood Zone 3b (functional floodplain) and the proposal fails the PPS 25 and NPPF Sequential Test as residential development is considered to be 'more vulnerable' in terms of flood risk vulnerability and is not permitted in Zone 3b. By reason of their siting, form, design and landscaping the proposed houses would fail to relate satisfactorily to the prevailing character and would appear incongruous in the streetscene. Furthermore, by reason of their height, siting and boundary treatment, the raised decking would result in an unacceptable level of overlooking and loss of privacy into neighbouring gardens. Therefore, the proposal is considered contrary to the aims and objectives of National and Council policy.

Recommendation: Refuse

Flood Map for 19-21 Melbourne Road, Teddington

12/0590/FUL

FB

Sonoma

Lynch Gade

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London Borough of Richmond upon Thames

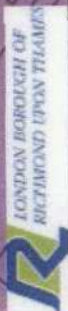
London Borough of Richmond upon Thames
Based on LBRuT SFRA (2010) and latest
modelling from the Environment Agency

Legend

- Zone 3b Functional Floodplain
- Zone 3a High Probability
- Zone 2 Medium Probability

N

1:500



Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES / NO

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

Case Officer (Initials): A.C

Dated: 1.4.12

I agree the recommendation:

Team Leader/Development Control Manager

Dated:

This application has been subject to representations that are contrary to the officer recommendation. The Development Control Manager has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Development Control Manager:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:	
INFORMATIVES:	

ADDITIONAL NOTES CONTINUED FROM ABOVE: