

12/1404/FUL
172 HIGH STREET
TEDDINGTON

TEDDINGTON WARD
Contact Officer:
S Graham-Smith

<http://idoxwam.richmond.gov.uk/WAM/showCaseFile.do?&appNumber=12/1404/FUL>



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Proposal: Extension and roof alterations to accommodate three new residential units

Applicant: Mr A Ward for Mr V Barber

Application received: 27th April 2012

Main development plan policies:

Core Strategy Policies: CP1, CP2, CP7, CP8, CP14 CP 15 and CP16

Development Management Plan Policies: DM DC 1, DM DC 5; DM SD 1, DM SD 2; DM HD 1, DM HD 3; DM TP 2, DM TP 7, DM TP 8; DM HO 4, DM HO 6.

SPD: Design Quality

SPD: Sustainable Construction Checklist

SPD: Residential Development Standards

SPD Affordable Housing

SPG Planning Obligations Strategy

Present use: Bar with flats above

SUMMARY OF APPLICATION:

The proposal follows a previous refusal and appeal dismissal for a similar development. The sole reason for the appeal dismissal related to design and the impact on the Conservation Area. The scheme as amended is considered to overcome the previous design objections. Several policy changes have taken place since the previous refusal, including parking requirements, and these are addressed in this new application.

RECOMMENDATION: APPROVE SUBJECT TO A S106 LEGAL AGREEMENT SECURING CONTRIBUTIONS TOWARDS AFFORDABLE HOUSING AND EDUCATION.

Site, proposal and history:

- 1 The site formerly contained a public house which was set back from the High Street. Several planning applications were submitted for redevelopment of the site, starting in 2002. The first two schemes were withdrawn by the applicant. The third, made in 2003, (Ref 03/0442/FUL) was refused by the Council (citing a number of issues) and a subsequent appeal was dismissed, but only on the basis of the adverse impact on residential amenity. A further 2003 application (03/0930/FUL) was withdrawn after the Council approved a 2004 application (04/1453/FUL) which overcame the reasons for the appeal dismissal.
- 2 The site was redeveloped in 2006 and now contains a ground floor bar fronting the High Street, in line with adjoining shops, with two storeys of flats above. There are also new residences to the rear. There are houses opposite. The site is in a Conservation Area and the adjoining terrace of shops, as well as those opposite the access road at the side, are Buildings of Townscape Merit (BTMs).
- 3 Since the original approval there have been approvals and refusals for items related to the ground floor business including an external beer store, a satellite dish and air conditioning/ventilation units. Also various aspects relating to the business have been the subject of enforcement investigations including a rear doorway, the provision of seating in a parking/turning area and the installation of cooling units.
- 4 In June 2009 an application was made to erect a mansard roof above the flats to contain a one-bedroom flat and a two-bedroom flat (09/1332/FUL). This application was refused on the following grounds:
 - *The proposed extended mansard roof, by reason of its increased height, bulk and mass, would constitute an overdevelopment which would dominate adjoining Buildings of Townscape Merit to the detriment of their setting and would be out of place, neither preserving nor enhancing the character of the Conservation Area. The proposal would therefore be contrary to policies BLT 2, 4 and 11 of the Richmond upon Thames Unitary Development Plan First Review, and policy CP7 of the Richmond upon Thames Local Development Framework Core Strategy.*
 - *The demand for on street parking caused by the proposed development in association with the reduction in parking provision which had been intended for the original development would be unacceptable, resulting in circumstances liable to prejudice highway safety and the free flow of traffic. The proposal would therefore be contrary to policy TRN 2 of the Richmond upon Thames Unitary Development Plan First Review.*
 - *The submitted application fails to demonstrate that CO2 reduction through the use of renewable energy technologies would total a minimum reduction of 20% from the efficient energy baseline (or why this is not possible) as required by the Sustainable Construction Checklist Supplementary Planning Document. The proposal would therefore be contrary to policy CP2 of the Richmond upon Thames Local Development Framework Core Strategy.*
- 5 Later in 2009 a new application (09/3340/FUL) was made which was unchanged save for the provision of additional sustainability information and plans indicating the reinstatement of the

disabled parking space at the rear. It also stated that an additional cycle space would be available in the existing cycle store. This was also refused, but only on the first of the grounds referred to above.

- 6 There was an appeal against the refusal and this was dismissed on design grounds only.
- 7 This new application is for a two-bed flat, a one-bed flat and a studio flat located within a redesigned mansard roof.

Public and other representations:

- 8 The Teddington Society objects on the grounds of the increased height, the size of the dormer windows, the impact on the Conservation Area and lack of parking provision.
- 9 Objections have been received from fourteen properties, including four owners/occupiers of flats in the existing building. Objections which are relevant to the planning application are:
 - Increased overlooking
 - Loss of light
 - Provision for waste disposal
 - Out of character due to the increased height
 - Lack of parking provision
 - Increase in traffic
 - Noise and disturbance
 - Overdevelopment
 - Insufficient cycle parking
 - Adequacy of proposed accommodation
 - Loss of existing roof space which could be used for plant
- 10 A number of other concerns are raised, but these either do not relate to the application or are not matters which can be taken into consideration as planning grounds for objection. These include structural concerns and other Building Regulations matters, loss of value of existing property and the impact and noise of building work.

Amendments:

- 11 The design of the roof extension has been altered with the dormers reduced in size and changed to casement windows and the mansard walls moved away from the parapet..

Reconsultation:

- 12 One neighbour has reiterated concerns at overlooking and overdevelopment.

13 Professional comments:

- 14 The last appeal decision is a little over two years old. As it relates to a similar proposal its contents are of particular relevance.
- 15 The Inspector stated that main issue was the effect of the proposal on the character and appearance of the Teddington Lock Conservation Area:
 - *It can be understood that a significant characteristic of the locality is the variety and interest given by the rooflines.*
 - *The contribution which the existing building makes to this character is a single pedimented feature. It fronts a false pitched roof which has no other incident to break up its continuity but is low lying so its plainness does not detract.*
 - *The proposal would increase the height of this monotonous feature and so make it more prominent. In its flank elevation, which is visible from the west, it would have rooflights, rather than dormer windows, so they would fail to add much variety to the skyline. They would be placed to suit the internal layout rather than the carefully contrived symmetrical facades of the existing building and so would detract from it. As shown in the drawings (though not in the photomontages), the enlarged mansard would be detached from the pedimented frontispiece.*

This would be left free-standing as an obvious piece of stage scenery rather than as a feature integral to the design and functioning of the building.

- *Although I see no reason in principle why an additional storey would fail to preserve or enhance the neighbouring Building of Townscape Merit (BTM), I conclude that the design of the current proposal is not worthy of the existing building. It would detract from, and so not preserve, the character and appearance of the conservation area.*

16 In relation to these comments, in this new scheme, as amended, the pedimented feature is replaced by a gable of similar height which is attached to the mansard behind. There are no rooflights, only dormers (which have been reduced in size as a result of the amendment). The original plans submitted with this application showed a larger mansard than previously proposed as the walls were closer to the parapet. The plans have now been amended so that the mansard is kept away from the parapet. The Inspector did not object in principle to an additional storey and it is therefore necessary to consider whether the design objection has been overcome.

17 The appearance of the enlarged mansard and detachment of the mansard from the pediment were criticized. The pediment is removed as a result of the proposal and becomes a front gable which will be attached to the mansard and which will be less prominent as it will be smaller. The mansard is given interest by the dormers which replace the formerly proposed rooflights. The building is not currently wholly symmetrical due to an additional element on the west side. The mansard would be constant in size and centrally placed on the roof, unlike the previous refusal. The dormers are not symmetrical, with one to the east of the gable and two to the west, but this reflects the unevenness of the building. These changes are considered to overcome the design concerns of the Inspector and ensure that the proposal does not detract from the character of the Conservation Area.

18 Existing:



19 Previous Refusal:



20 Current Proposal:



Parking

- 21 The Inspector commented on parking as follows:
- *An absence of car parking for residents is an existing feature of the building and is consistent with both national and local policy.*
- 22 Since the appeal decision local policy has changed and the applicant is now required to demonstrate that there would be no adverse impact on the area in terms of street scene or on-street parking when the maximum parking standards are not met. The applicant has submitted parking surveys which have been considered by the Senior Transport Planner in conjunction with surveys undertaken by the Council. These indicate that there is currently 24% on street parking availability in the vicinity in the early hours of the morning when residents can be expected to be home, which would be reduced to 22% with the addition of three extra cars from the proposed development. This is well within the normal requirement that at least 10% on street parking remains available. The addition of further time limited parking on Teddington High Street will limit daytime parking from residents in general on this road, however if residents are already parked in side roads overnight it would not impact on the daytime availability of parking on the High Street. On this basis it is not considered that the lack of parking provision could be put forward as a reason for refusing the application.
- 23 The creation of three small flats would not generate a large amount of additional traffic in relation to the current situation.
- 24 Cycle parking and refuse facilities are in the building to the rear and this could be adapted to include additional space – this could also be secured by condition.

Impact on neighbours

- 25 The Inspector did not consider the impact on neighbours to be a reason for refusal in the case of the previous appeal.
- 26 Bearing in mind the existing height and bulk and the nature of the building, it is difficult to see how daylight would be significantly affected by the minor increase in height. There would be a minor reduction in sunlight reaching houses on the opposite side of the High Street, but this would not be sufficient, bearing in mind the amount of added height and their distance away (approximately 25m), to warrant refusal.
- 27 There are already windows on the first and second floors facing neighbouring properties and these were considered to be acceptable when the original development was approved. There would be no grounds to refuse the application for overlooking when the proposed windows will not overlook any property which is not already overlooked and will actually be further away as they will be higher.
- 28 Objections have been made to noise and disturbance from the finished development. However the relationship of the new flats with those below will be similar to existing circumstances (the second floor above the first) which are not considered to be unusual or unacceptable.

Sustainability Checklist

- 29 The submitted details indicate that the proposed flats will meet Code Level 3 of the Code for Sustainable Homes and the required carbon offset using renewable technology will be achieved. The Sustainability Checklist has been completed with a 'C' rating achieved. It is recognised that a high rating would be difficult to obtain as this is effectively an extension of an existing building.

Residential Design Standards

- 30 The three units meet the baseline space requirements of the Residential Design Standards. Amenity space cannot be provided, however this is not unusual for flats above shops. There is

public open space nearby at Udney Hall Gardens.

Housing Policy

- 31 The current policy places an emphasis on providing family housing except within town centres where a higher proportion of small units would be appropriate. As this is a town centre location no objection is seen in principle.
- 32 Policy DM HO 6 requires new private housing to contribute towards affordable housing and the amount is calculated using a formula which captures a proportion the subsidy that a developer would have put in, had the scheme been for affordable housing. The contribution that would be sought would be discounted to represent 15% affordable housing, given the proposal is to create three units as outlined in the policy. The amount is £24,459 which the applicants have agreed to.

Infrastructure

- 33 Based on the Planning Obligations Strategy a sum of £3,302.25 (plus £157.25 management fee) would be expected to be contributed towards education and the applicant has agreed to this.

Other matters

- 34 The Inspector commented as follows on other matters raised with regard to the previous application:
- *Other matters raised by members of the public, such as the existing management of the building's refuse collection, its water supply and the logistics of construction, do not raise*
 - *fundamental matters which could not be resolved in the construction or management of the proposal or dealt with by conditions. Although I have taken them into account, they do not add to my reasons for dismissing this appeal.*
- 35 Conditions are listed below which are considered to cover those points which are planning related.

Community Infrastructure Levy

- 36 The scheme will be liable for the Mayor of London Community Infrastructure Levy.

Conclusion:

- 37 The proposal follows a previous refusal and appeal dismissal for a similar development. The sole reason for the appeal dismissal related to design and the impact on the Conservation Area. The scheme as amended is considered to overcome the previous design objections. Several policy changes have taken place since the previous refusal, including parking requirements, and these are addressed in this new application.
- 38 Approve subject to a S106 legal agreement securing contributions towards affordable housing and education.

Standard conditions:

- AT01 - Development begun within 3 years
- BD12 - Details - Materials to be approved
- DV11 - Use of Roof Restricted
- DV44 - Code for Sustainable Homes - Code Level 3
- DV48 - Approved Drawings – TP01 – TP07 received on 27th April 2012 and TP08A, 09A, 10A, 11A and 12A received on 11th December 2012
- DV49 - Construction Method Statement

Non-standard conditions:

- NS01 - None of the buildings hereby approved shall be occupied until dustbin and cycle storage facilities for the proposed dwellings have been identified and provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning

- Authority, such drawings to show the siting and design thereof. REASON: To safeguard the appearance of the property and the Conservation Area and comply with the transport policies of the Council.
- NS02 - Details of the siting and appearance of the proposed photovoltaic panels shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. REASON: To safeguard the appearance of the property and the Conservation Area and comply with the sustainability policies of the Council.

Standard informatives:

- IE05A - Noise control
IH06B - Damage to highway
IL10A - Building Regulations
IL16HA - Policies:
Core Strategy Policies: CP1, CP2, CP7, CP8, CP14 CP 15 and CP16
Development Management Plan Policies: DM DC 1, DM DC 5; DM SD 1, DM SD 2; DM HD 1, DM HD 3; DM TP 2, DM TP 7, DM TP 8; DM HO 4, DM HO 6.
SPD: Design Quality
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SPD: Residential Development Standards
SPD Affordable Housing
SPG Planning Obligations Strategy
- IL13 - Section 106 agreement
IL19 - Summary reasons for granting planning permission: See conclusion
IL24 - CIL Liable
IL25 - NPPF Approval

Background papers:

- Application forms and drawings
Letters of representation
Application forms, drawings for previous applications 09/1332/FUL, 09/3340/FUL