

PLANNING REPORT

Printed for officer by
Ms Kreena Patel on 20 June 2014

Application reference: 14/2391/FUL TWICKENHAM RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
10.06.2014	10.06.2014	05.08.2014	05.08.2014

Site:

71 Richmond Road, Twickenham, TW1 3AW,

Proposal:

Erection of two storey extension to existing building to provide additional floor space to the ground floor and 2 new two-bedroom maisonettes above. Alteration to existing flat on the first floor to convert and extend to provide 2 one-bedroom maisonettes. Erection of 1.5 storey side extension to provide separate access to proposed residential dwellings.

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

APPLICANT NAME

Mr B Chisholm
C/O Lewis & Co Planning
United Kingdom

AGENT NAME

Mr Luke Carter
Lewis & Co Planning
2 Port Hall Road
Brighton
East Sussex
BN1 5PD
United Kingdom

DC Site Notice: printed on and posted on and due to expire on

Consultations:

Internal/External:

Consultee

14D POL
LBRUT Transport
LBRUT Trees Preservation Officer
LBRUT Environmental Health
14D Urban D

Expiry Date

11.07.2014
04.07.2014
04.07.2014
04.07.2014
04.07.2014

Neighbours:

43 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
68D Richmond Road, Twickenham, TW1 3BE - 20.06.2014
68C Richmond Road, Twickenham, TW1 3BE - 20.06.2014
70B Richmond Road, Twickenham, TW1 3BE - 20.06.2014
Makan Makan, 69 Richmond Road, Twickenham, TW1 3AW, - 20.06.2014
70C Richmond Road, Twickenham, TW1 3BE - 20.06.2014
70A Richmond Road, Twickenham, TW1 3BE - 20.06.2014
44 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
42 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
40 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
38 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
36 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
33 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
31 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
29 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
27 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
25 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
23 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
21 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
19 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014

17 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 15 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 13 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 10 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 8 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 6 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 4 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 2 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 72A Richmond Road, Twickenham, TW1 3BE, - 20.06.2014
 73 Richmond Road, Twickenham, TW1 3AW, - 20.06.2014
 69 Richmond Road, Twickenham, TW1 3AW, - 20.06.2014
 41 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 39 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 37 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 35 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 34 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 32 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 30 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 28 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 26 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 24 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 22 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
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 18 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
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 12 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 11 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 9 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 7 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 5 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 3 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 1 Orleans Court, Seymour Gardens, Twickenham, TW1 3AP, - 20.06.2014
 72 - 74 Richmond Road, Twickenham, TW1 3BE, - 20.06.2014
 68B Richmond Road, Twickenham, TW1 3BE, - 20.06.2014
 68 Richmond Road, Twickenham, TW1 3BE, - 20.06.2014
 68A Richmond Road, Twickenham, TW1 3BE, - 20.06.2014
 42 Seymour Gardens, Twickenham, TW1 3AR, - 20.06.2014
 75 Richmond Road, Twickenham, TW1 3AW, - 20.06.2014
 45 Seymour Gardens, Twickenham, TW1 3AR, - 20.06.2014
 31 Haggard Road, Twickenham, TW1 3AL, - 20.06.2014
 26 Seymour Gardens, Twickenham, TW1 3AR, - 20.06.2014

History: Development Management, Appeals, Building Control, Enforcements:

Development Management

Status: GTD

Date: 28/05/1987

Application: 87/0729

Formation of glazed door opening to allow access to the rear beer garden, with internal alterations (Toilet) and new boiler enclosure externally.

Development Management

Status: REF

Date: 13/04/2007

Application: 07/0604/FUL

Installation of wall mounted awning and floor mounted, metal framed, glazed wind screens within the front patio area to the main frontage.

Development Management

Status: GTD

Date: 26/04/2007

Application: 07/0777/FUL

Installation of two 3040mm high, 4000 x 4000mm ground fixed jumbrellas incorporating heat and light. Installation of new paving at front.

Development Management

Status: GTD

Date: 17/08/2010

Application: 10/1786/FUL

Proposed two wooden garden gazebos to rear corner of the pub beer garden.

Development Management
Status: GTD
Date:01/10/2013

Application:13/1394/FUL

Erection of a ground floor single storey extension to the rear garden area and a one and a half storey side extension.

Development Management
Status: REF
Date:02/04/2014

Application:14/0336/FUL

Erection of two storey extension to existing building to provide additional floor space to the ground floor and 3 new maisonettes above. Alteration to existing flat on the first floor to convert and extend to provide 2 maisonettes. Erection of 1.5 storey side extension to provide separate access to proposed residential dwellings

Development Management
Status: PCO
Date:

Application:14/2391/FUL

Erection of two storey extension to existing building to provide additional floor space to the ground floor and 2 new two-bedroom maisonettes above. Alteration to existing flat on the first floor to convert and extend to provide 2 one-bedroom maisonettes. Erection of 1.5 storey side extension to provide separate access to proposed residential dwellings.

Appeal
Validation Date:
10.07.2007
Reference:
07/0091/AP/REF

Installation of wall mounted awning and floor mounted, metal framed, glazed wind screens within the front patio area to the main frontage.

Enforcement
Opened Date:
07.05.2014
Reference:
14/0228/EN/UBW

Enforcement Enquiry

Constraints:

Professional Comments:

SEE REPORT ATTACHED.

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): *LOW*

Dated: *01/12/14*

I agree the recommendation:

Team Leader/Development Control Manager

Dated:

01/12/14
[Signature]

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: *[Signature]*

Dated: *02/12/14*

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

SEE CAPS

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:

DELEGATED REPORT

14/2391/FUL

The Old Anchor PH, 71 Richmond Road, Twickenham TW1 3AW

Development Plan Policies:

Local Development Framework Core Strategy 2009: CP1, CP2, CP7, CP14 and CP15
Local Development Framework Development Management Plan 2011: DM SD1; DM SD2; DM HO1, DM HO2; DM HO4; DM HO6; DM TP2; DM TP6; DM TP7; DM TP8; DM HD1; DM HD3; DM DC1; DM DC5 and DM6

Supplementary Planning Guidance:

Supplementary Planning Guidelines (SPG) - "House Extensions & External Alterations"
Design Quality SPD (February 2006)
Residential Development Standards SPD (March 2010)
Small & Medium Housing Sites SPD (February 2006)
Sustainability Construction Checklist SPG (August 2006)

Site, History and Proposal:

The application site relates to an established public house located on the corner of Richmond Road and Seymour Gardens. The application building is not listed nor is it currently designated a Building of Townscape Merit (BTM) however the site has been identified as of local importance and is currently on the list of buildings to be designated as BTMs. The site is not located within a conservation area however the Twickenham and Riverside conservation area is located opposite the site to the southeast.

The surrounding area to the rear and side of the pub is characterised by residential development of various scales and designs. The uses along Richmond Road are more varied with commercial uses located at street level and some flatted developments located above the ground floor commercial premises.

The most recent and relevant planning history is as follows:

- Planning permission was also granted (Ref: 14/2944/FUL) for the overboarding of existing windows and doors. Given that the property is currently vacant the overboards have been attached to the property in an attempt to prevent anyone from occupying the property. This was conditionally granted for 12 months in August 2014.
- Planning permission was refused in April 2014 for erection of two storey extension to existing building to provide additional floor space to the ground floor and 3 new maisonettes above. Alteration to existing flat on the first floor to convert and extend to provide 2 maisonettes. Erection of 1.5 storey side extension to provide separate access to proposed residential dwellings. (Ref: 14/0336/FUL)

The application was refused planning permission on seven grounds relating to design; unneighbourly impacts; living standards; lack of education and affordable housing contributions; parking standards and sustainability.

- Planning permission was granted at Planning Committee in September 2013 (Ref: 13/1394/FUL) for the Erection of a ground floor single storey extension to the rear garden area and a one and a half storey side extension.
- Planning permission was granted (Ref: 10/1786/FUL) for the proposed two wooden garden gazebos to rear corner of the pub beer garden in August 2010.
- Planning permission was granted (Ref: 07/0777/FUL) for the installation of two 3040mm high, 4000 x 4000mm ground fixed jumbrellas incorporating heat and light. Installation of new paving at front. Permission was granted in April 2007.
- Planning permission was refused in April 2007 (Ref: 07/0604/FUL) for the installation of wall mounted awning and floor mounted, metal framed, glazed wind screens within the front patio area to the main frontage. The reason for the refusal was by reason of their prominent siting, size, scale and design, would represent a visually intrusive form of development, that would appear unduly prominent and result in unacceptable clutter. The proposal would thereby be detrimental to the character and appearance of the building and streetscene in particular, and the setting of the adjoining conservation area and nearby buildings of townscape merit. The decision was appealed with the Planning Inspectorate and dismissed in November 2007.
- Planning permission was granted in May 1987 (Ref: 87/0729) for the formation of glazed door opening to allow access to the rear beer garden, with internal alterations (Toilet) and new boiler enclosure externally.

Proposal:

The application subject to this report is for the erection of two storey extension to existing building to provide additional floor space to the ground floor and 2 new two-bedroom maisonettes above. Alteration to existing flat on the first floor to convert and extend to provide 2 one-bedroom maisonettes. Erection of 1.5 storey side extension to provide separate access to proposed residential dwellings.

Public and Other Representations:

Seven letters of representation have been received from the neighbouring properties including a representation from Cllr Chappell, who raises the following issues:

- Increase to the building provides excess bulk and the extension will dominate the original building and so is contrary to DM DC1 6.1.4 and 6.1.6 and DM HO3
- Not subservient to the main building and will look incongruous in the street scene.
- Has a negative impact in terms of visual amenity
- Ignores the Victorian residential properties to the east, which are designated Buildings of Townscape Merit as well as falling within a Conservation Area.
- Increased overlooking providing significant intrusion into privacy as with the two previous applications.

- The maisonettes have no outside space at all.
- Increase the business which will add to the traffic in the area as not all patrons will walk.
- 4 residential properties are being created which are completely separate from the pub for which NO parking is provided on site whereas our policy requires that 4 off street parking spaces. The development is, therefore contrary to DM TP8.
- No mention is made of the hours of opening and closing for this larger and busier pub.
- Overdevelopment of this site

Professional comment:

The main issues associated with this application are a) Impacts on character and appearance on the surrounding area, the host property and the adjoining Building of Townscape Merit (BTM) in terms of design; b) Affordable Housing; Housing mix and standards; c) Borough and Mayoral CIL; d) Impacts on neighbouring amenity; e) Impacts of transport and parking; f) Sustainability issues and g) Trees. These shall be dealt with in turn.

a) Impacts on character and appearance on the surrounding area; host property and the adjoining Buildings of Townscape Merit (BTM) in design terms

The National Planning Policy Framework advises the Government attaches great importance to the design of the built environment stating that developments should be visually attractive as a result of good architecture. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy CP7 requires all new development to recognise distinctive local character and contribute to creating places of a high architectural and urban design quality that are well used and valued.

Policy DM HD3 seeks to preserve and enhance Building of Townscape Merit (BTM) by protecting their significance, character and setting. Alterations and extensions should be based on an accurate understanding of the structure and respect the architectural character and detailing of the original building.

Policy DM DC1 of the DMP 2011 states that new development must be of a high architectural and urban design quality. Development must be inclusive, respect local character including the nature of a particular road, and connect with, and contribute positively, to its surroundings based on a thorough understanding of the site and its context. Particular regard should be had to the compatibility with local character and detailing and materials. Paragraph 6.1.6 further identifies that where a building or plot is part of an existing pattern of development with an identifiable and consistent form, there

will be a presumption against its replacement with a unit or units which do not reflect the prevailing pattern of development and local character

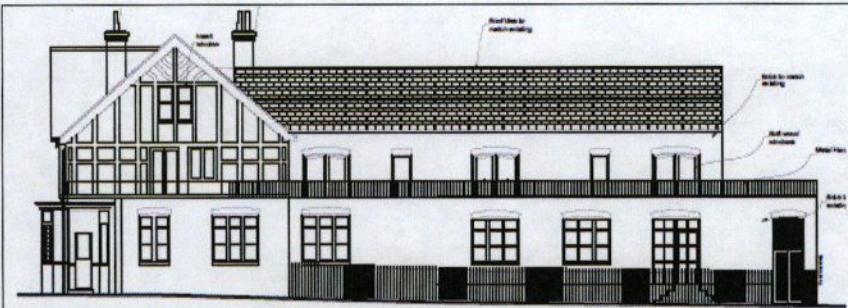
In such locations the character and appearance of an area is the result of many aspects that contribute to its character. The quality of materials, detailing, scale, form and bulk are important elements in any assessment. Consequently the main issues in this application are whether or not the proposal preserves or enhances the surrounding area and the adjoining BTMs, or at the worst have a neutral effect on such an area. In assessing such an application it is important to look at the character of the area as a whole; the immediate streets and the host property itself.

Council guidance contained in the "House Extensions and External Alterations SPG" states that the continuity of the whole is an important feature. The essence of visual success is to look at the street as a whole, and through an appreciation of the original design and construction and blend new work into the existing property.

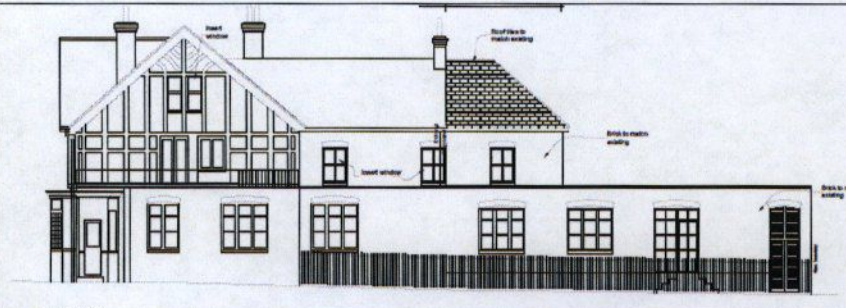
The previously refused scheme (Ref: 14/0336/FUL) contained a rear extension that was a significant additional to the original form and appeared as more of an after thought rather than a treatment that blends with the existing fabric. The upper floor element had little relationship with the host property, and thus the extension is not considered subordinate to the host property and was inappropriate at the site. As a result the scheme by reason of the mass, bulk, scale, form, appearance and design, the extension proposed was not considered to respect the proportions and form of the host and adjacent buildings, and dominated and detracted from the character and appearance of the host property.

The current scheme has sought to reduce the scale and the bulk of the significantly, although there are still concerns in respect to the design of the scheme given the prominent corner location. The Councils Urban Design and Conservation Team have been consulted as part of the application. The Conservation Officers have again indicated that the property is located in close proximity to a Building of Townscape Merit (BTM); a conservation area and remains on the list of potential new BTMs. They have indicated that the building has an interesting roofscape and the both elevations, including the return, have detailing of quality. Given its prominent corner site it is considered that the property forms an important link between the main road and the residential area.

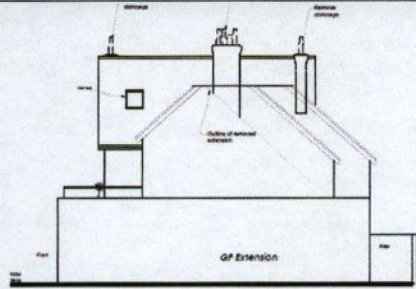
The main differences between the previously refused scheme and the current scheme are highlighted below:



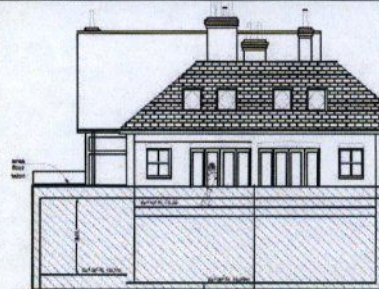
Refused east flank elevation (Ref: 14/0336/FUL)



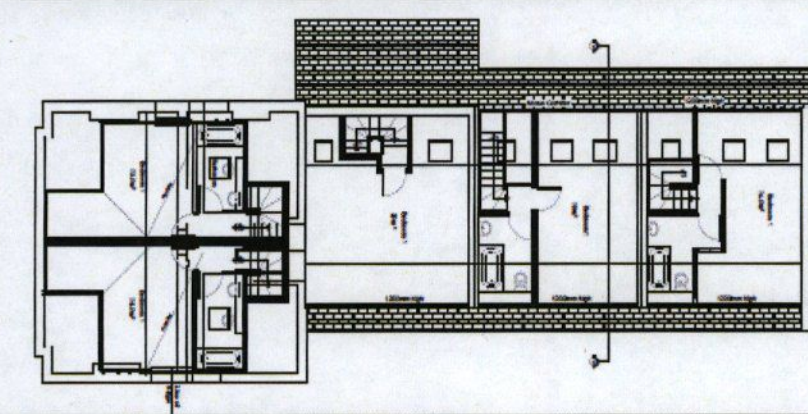
Proposed east flank elevation



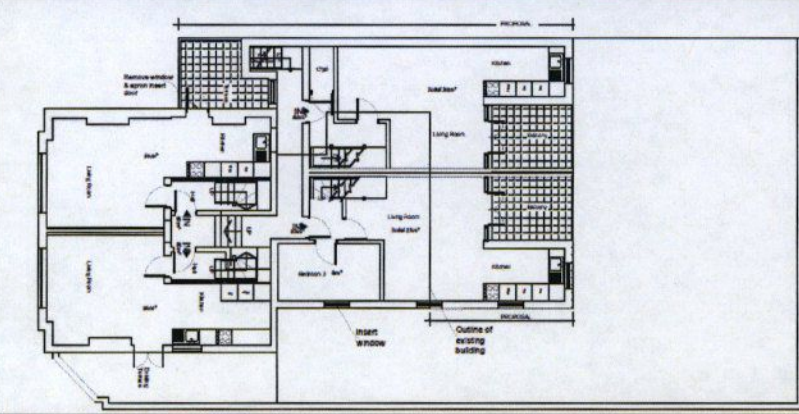
Refused rear elevation (Ref: 14/0336/FUL)



Proposed rear elevation



Refused plan view (Ref: 14/0336/FUL)



Proposed plan view

The roofscape of the existing building is now retained including the chimneys and the proposed extension is on the whole considered smaller and more subservient to the main building and its roof as existing than the previous scheme. The extension will be detailed to match the existing building in terms of the materials design of the window heads etc and this can be secured by way of a condition.

The scheme has been amended and has removed the previous dormers and replaced with roof lights which has meant that the rear elevation now comprises of a hipped roof treatment that is considered less bulky and intrusive in visual terms. Further alterations to the rear elevation comprising of the reduction in width of the kitchen windows by around 30% and the addition of a curved window header above to match the east elevation.

Overall it is considered that overall the proposal respects the historic and established character of the building and at the very least preserves the setting within this part of the conservation area, subject to conditions. Consequently it is considered that the scheme is of an adequate standard of design and that attention has been paid to the form, scale, proportions, of the area and the proposed development is considered to at least preserve the character and appearance of the area and thus would be consistent with policies DM DC1, DM HD1 and DM HD3 of the DMP 2011.

b) Affordable housing, Housing mix and standards

Policy DM HO2 sets out criteria for infill development and the residential standards are set out in Policy DM HO4 and the Residential Development Standards SPD. If relevant policies can be satisfied, the creation of additional residential units above existing residential use is in principle considered in accordance with Policies CP1 and CP14, bringing additional units within this town centre location.

Policy CP14 of the Core Strategy indicates that density of residential proposals should be taken into account and the need to achieve maximum intensity compatible in the local context, whilst respecting quality, character and amenity of the existing neighbourhood.

Policy DM HO4 states that development should generally provide family accommodation, except within town centres where a higher proportion of small units would be acceptable. The housing mix should be appropriate to the location. All new residential development including conversions are required to meet with the external and internal space standards. These requirements are further set out in the Residential Development Standards SPD, particularly in terms of baseline standards, amenity space, and outlook etc.

It is important to consider residential amenity in regards to the future occupiers of the development. The Council has published a supplementary planning document 'Residential Standards' which has been subject to public consultation and supports the Core Strategy. Further the Mayor of London has published a document 'London's Housing Design Guide' which has also been subject to public consultation.

The Council notes the previously approved extension to the pub as permitted under planning permission (Ref: 13/1394/FUL), which also allowed alterations to create independent access to the first floor 3 bed flat above the pub, thereby removing any restriction that it would only be occupied by someone associated with the management of the public house. This application

seeks additional residential units, through a two storey extension and additional accommodation at second floor in the roof space.

Following the previous refusal the current application seeks a reduced design of the proposed first floor extension, and thus reducing the number of flats proposed from five to four. The reduction in the number of flats has meant that the proposal has created an increase the size of the residential units.

The Residential Development Standards SPD states that 1 bedroom units should have a net internal floor space of 45sqm and that 2 bedroom units should have a net internal floor space of 60sqm with kitchen/dining/living space of 22sqm and 24sqm respectively. The proposed floor space of the units are as follows:

Unit	Internal Floor Space	Meets baseline?	Kitchen/dining/living	Meets baseline?
1 (2 bed)	80sqm	✓	30sqm	✓
2 (2 bed)	85sqm	✓	30sqm	✓
3 (1 bed)	50sqm	✓	26sqm	✓
4 (1 bed)	50sqm	✓	26sqm	✓

Therefore it is considered that the housing standards have been met in this respect.

The SPD further indicates that a minimum of 5sqm for outdoor amenity space should be provided for a 1-2 person dwelling, plus an additional 1sqm for each additional occupant whilst Ground level family units (of 3 or more bedrooms) should have larger private amenity spaces. The application should therefore supply a minimum of 22sqm of amenity space. The scheme currently has a provision of 15sqm at the first floor level for the 2 x 2 bed units which will provide appropriate amenity space for the potential occupiers of these units. However there is no provision for amenity on the units within the host property. The terrace will need to be assessed against the criteria set out in Policy DM DC6 (see point d below).

Given that this part of the scheme is a conversion and given the current layout of the building and the town centre location there is no scope for the provision of any private outdoor amenity space for these units.

Paragraph 5.1.28 of policy DM HO4 indicates that in town centres the onus is on the applicant to show that usable roof terraces, roof gardens and balconies have been considered and the standards cannot be met. Given the location of the application site within the conservation and its potential designation as a Building of Townscape Merit, it is considered that no additional external amenity space can be accommodated in this particular location, and the incorporation of balconies/terraces on the host property would be considered out of keeping.

The dwellings will meet the Lifetime Homes standards and be fully wheelchair accessible. However, no details are provided of criteria or shown on the plans, nor whether the units meets Lifetime Homes standards, although the layouts appear spacious and this may be suitable, subject to clarification it could be secured by condition.

Policies CP15 and DM HO6 set out the framework to require contributions to affordable housing from all small sites. The Council's suggested approach to calculating affordable housing would be based on the principle set out in Policy DM HO6 of capturing the subsidy that a developer

would have put in, had the scheme been for affordable housing, further details are set out in the Affordable Housing SPD.

There are 4 maisonettes proposed. There is existing residential floorspace to the front at first floor that will be retained and incorporated into two units, which are also extended into new floorspace at second floor. To the rear at first floor there will be a further two units, enabled largely by the two storey extension. The affordable housing policy requirement equates to 10% for new build units 2 x 2 bed maisonettes proposed to the rear, plus 8% for the converted units 2 x 1 bed maisonettes to the front. The contribution that would be sought would therefore be discounted to represent 18% affordable housing.

The applicant is willing to enter into a legal agreement to make a contribution towards affordable housing. The commuted sum can be calculated using the pro-forma Annex A to the SPD. The applicants has sought advice from Jeff Spencer, Associate Director at Featherstone Leigh Estate Agents who have provided two comparable examples of values for flats above a public house in the area and these were marketed at a guide price of £230,000 for a one bed and £350,000 for a three bed.

Mr Spencer has indicated that the location above a pub makes them "*virtually un-mortgageable*" and this would consequently have a massive impact on the price, and considers that the 1 bed units proposed could expect to reach a price of £265,000 and the two bed unit around £475,000. Applying these details to the pro-forma Annex A to the SPD this would provide an off-site affordable housing contribution of £97,083.00. The Councils Planning Viability Advisor has reviewed the information and is of the opinion that it would be considered reasonable to accept this offer as the affordable housing contribution, in line with Policies CP16, CP17 and DMS12, subject to a Section 106 agreement. The applicant has agreed in principle to the S106 contribution towards affordable housing being calculated on the basis of these figures.

c) Borough and Mayoral CIL

Since the submission of the application, the Council has prepared its Community Infrastructure Levy (CIL) Charging Schedule, which was agreed, following Independent Examination, by the Council on 22 July 2014. It came into effect from 1 November 2014 and these charges will apply to relevant development which is approved (including appeals) after this date.

As such the Borough CIL will apply and a legal agreement will be required to secure the necessary contributions.

The application would also be liable for the Mayoral CIL and the application has not been accompanied CIL form at this stage,

d) Impacts on neighbouring amenity

Policy DM DC5 seeks to ensure that the design and layout of buildings is sufficient to ensure that adjoining land or properties are protected from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance.

Policy DM DC6 encourages purpose built balconies or terraces on new residential units providing that they allow adequate circulation, do not impinge on neighbouring privacy and screen stored items from view.

The scheme contains additional windows in the upper floors on the east and west elevations. These windows are between 16.0m and 18.0m from the properties located on the east side of Seymour Gardens. The Councils Supplementary Planning Guidance contained in the Small & Medium Housing Site SPG seeks a 20m gap as a minimum between facing windows, however the SPG further states that *"in defining layout it is important that new development does not infringe on the privacy, daylight and sunlight of adjacent properties not that of the intended occupiers. To make sure that the privacy of occupiers is respected the windows of main facing habitable rooms (reception rooms, dining-kitchen and bedrooms) should preferably be no less than 20m apart. Where principal windows face a wall that contains no windows or those that are occluded separation distances can be reduced to 13.5m."*

The current distances are considered contrary to the Councils SPG, which seeks the 20m gap as a minimum and whilst it was acknowledge that a permission could be conditioned to provide obscured glazing in these windows, it is considered that this would create a bleak outlook for any future occupiers given that the serve living areas such as lounges and kitchens.

As with the previously refused scheme the current scheme proposes balconies/terraces at first floor level. However these have been reduced and re-sited at the rear of the site sandwiched between the kitchens on either side. The Council accepts that the provision of the balconies may have been added in response to providing private amenity space in accordance with the Mayors Housing Design Guide and the Councils Residential Development Standards SPD, however these should not be to the detriment of any loss privacy, both actual and perceived from neighbouring properties. It is considered that given the location and the orientation of the proposed balconies they will not result in pollution or visual intrusion, nor any additional impact on privacy both perceived and actual.

Given that the ground floor is to remain as a public house there is currently no information is regard to any ducting required at the public house to prevent unacceptable risks from pollution. As such new development must be appropriate for its location and the effects of pollution on the amenity mitigated to an acceptable level. Information needs to be provided to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

There is potential for loss of amenity to new occupiers of the proposed development due the following pollution issues detailed below. There is no indication on the drawings if there is an existing kitchen extraction system and where this terminates and it is considered that an acoustic report and odour control scheme of works must be provided before first occupation of the proposed development. This could be secured by way of a condition.

e) Impacts of transport and parking

Policy DM TP2 states that the impact of new development on the transport network will be assessed against other plan policies and transport standards. The policy indicates that it is necessary to consider the impact of any new development on the existing wider and local transport network for all modes, how it links to the network, impacts on highway safety, the impact of parking and servicing, and with larger developments what provision has been made for the movement and parking of vehicles.

Policy DM TP7 states that new developments should provide appropriate cycle access and sufficient and secure cycle parking facilities. The proposal indicates that there will be 6

additional cycle spaces provided at the ground floor level within weatherproof, secure, enclosed and hooped bike stores. It is considered that the scheme would accord with the cycle policy in this regard.

While Policy DM TP8 seeks to ensure that developments provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions, this policy and CP5 advises that in higher PTAL areas, and in Twickenham town centre car free housing will be required. The application site has a PTAL of 4, and is located within the Central Twickenham Community Parking Zone (CPZ) Zone D that operates Monday – Saturday 8.30am – 6.30pm. However, Seymour Gardens is the last road in this CPZ and CPZ Area S commences which is operational Mon-Fri 10.0am-4.30pm.

It is acknowledged that the site has a PTAL of 4 good and there is no onsite parking proposed. As such any application would need to be supported by an overnight car parking survey to ascertain the level of on street parking attributed to residents. This would be particularly pertinent to the roads in CPZ S which have a much shorter operational time and not at all at weekends.

The applicants have conducted a parking survey and have indicated that the results highlight that there is a greater than 90% parking stress on all of the streets within the survey area but there is sufficient capacity in the immediate vicinity of the site. The data also shows that the impact that is created by this proposal is within the daily variation of the parking demand.

This has been reviewed by the Transport Team who indicates that the results illustrate across the whole survey area, parking stress was at 93.9%, with the parking stress on Tuesday being 95.6% and 92.7% on Thursday. With 4 more vehicles looking to park the parking stress will rise therefore more cars circling roads to find parking space, affecting highway safety as they stop start at spaces to see whether they are able to fit into the space.

The Transport Team currently objects to the proposal as it is increasing the number of private flats at this location which would be unable to absorb any overspill parking from the development at a time when local residents are at home. As such by reason of the under provision of sufficient off-street parking, the failure to demonstrate that there is sufficient on-street parking to accommodate the increase in parking demand as a result of the change of use, the proposal would result in an unacceptable pressure on on-street parking in neighbouring roads, prejudicial to the safety and freeflow of traffic on the highway and detrimental to neighbouring amenity. The proposal would therefore be contrary to policy, in particular to Local Development Framework policy CP5 of the Core Strategy (2009) and policies DM DC5, DM TP2, TP6 and TP8 of the Development Management Plan (2011).

f) Sustainability issues.

Policy CP1 states that extensions and conversions are required to conform to the sustainable construction checklist, including the requirement to meet BREEAM level 'Excellent' for extensions and conversions. Policy CP2 requires all new development to achieve a reduction in carbon dioxide emissions by 20% from on site renewable energy generation.

Policy DM SD1 of the DMP 2011 states that new homes must meet Code for Sustainable Homes Level 3. Furthermore new homes must achieve a minimum 40% reduction in carbon dioxide emissions over Building Regulations and should be accompanied by a Sustainable Construction Checklist. Policy DM SD2 states that new development to conform to Sustainable

Construction Checklist & SPD and maximise opportunity for renewable energy; reduce carbon dioxide; use low carbon technologies and where feasible include a contribution from renewable sources.

The application has been submitted with a Sustainable Construction Checklist, an Energy Statement; BREEAM Domestic Refurbishment Assessment and a Code for Sustainable Homes Pre-Assessment Report. The proposed development will achieve a Code for Sustainable Homes code Level 3, a BREEAM Domestic Refurbishment Assessment of EXCELLENT and 49.5 score on the Sustainable Construction Checklist which indicates that the proposal helps to significantly improve the Boroughs stock of sustainable developments. The scheme is generally in accordance with policy DM SD3 in this regard.

g) Trees

Policy DM DC4 seeks to protect and enhance the boroughs existing trees, and there will be a presumption against schemes which will result in an unacceptable loss of trees. Where trees are removed replacement planting will normally be required. The applicant has submitted an Arboricultural Statement as part of the application.

In terms the tree impacts the scheme is outlined in the previous submission, had an Arboricultural Impact Assessment been undertaken showing the root protection area spread there may have been no requirement for the condition. The pair of street trees, adjacent to the site are likely to be indirectly rather than directly impacted by the development. The trees are Liquidambar, one of the trees is in good condition, while the other has been made into a pollard following major canopy failure.

The size of the trees, would place their root protection area on about the building line. This is unlikely to impact the foundation construction. However, we will require this to be confirmed in the Arboricultural Method Statement (AMS), if there is encroachment, we would expect a management solution to be offered.

The AMS should also outline any management pruning works required and tree protection measures to be put in place to ensure that the trees are not impacted by the method of excavation, scaffolding, material delivery or other such operations. This could be secured by way of a condition.

Conclusion:

The proposed scheme has been amended and is considered better than the previously refused scheme. However, given the absence of any agreed legal agreement securing an affordable housing contribution and the under provision of sufficient off-street parking, the failure to demonstrate that there is sufficient on-street parking to accommodate the increase in parking demand as a result of the change of use, the proposal would result in an unacceptable pressure on on-street parking in neighbouring roads, prejudicial to the safety and freeflow of traffic on the highway and detrimental to neighbouring amenity. The proposal would therefore be contrary to policy, in particular to Local Development Framework policy CP5 of the Core Strategy (2009) and policies DM DC5, DM TP2, TP6 and TP8 of the Development Management Plan (2011).

I therefore recommend **REFUSAL**.