

06/2019/FUL

Land to the rear of 33 Walpole Road, Teddington.

Site, history and proposal

The site, which comprises of a two-storey detached and derelict two storey outbuilding (originally built as a stable with first floor storage) and associated yard lies to the rear of No. 31 and 33 Walpole Road and is accessed via a right of way from Walpole Place.

The building is not designated a BTM/listed and does lie within a conservation area.

There is extensive history relevant to this application, summarised below:

69/637 - A replacement garage was **approved**.

85/850/FUL – Conversion to form 4x1-bedroom flats, a 2-storey rear extension and hard standing to the rear was **refused**.

85/1512/FUL - A change of use to the ground floor of No. 33 from workshop into two cottages involving the replacement of shop window and demolition of rear extension was **approved**.

86/0626/FUL - A conversion from the stable/storage building to a two-bedroom cottage was **refused - appeal dismissed**

86/1581/FUL - A conversion from stable/storage building to a 1-bedroom cottage was **refused - appeal dismissed**.

92/0451/S64 - An application for a LDC was **refused** for internal and external alterations.

97/0214/FUL - A change of use from workshop to ancillary residential accommodation to No. 33 was **refused**.

02/2827/FUL - An application to rebuild and extend the former workshop to provide additional separate family annex accommodation was **refused**.

04/3262/S191 – An application to establish the use of the building to the rear of No. 31 and 33 as a workshop with associated yard was **refused** as insufficient information was submitted to demonstrate that the use of the building as a self contained workshop has subsisted for a continuous period of at least ten years.

05/1684/COU - Change of use of the building from a workshop (disused) to office use was **refused and appeal dismissed**.

The proposal is for the demolition of the existing building and the erection of a two storey, two-bedroom dwelling with associated amenity space in front.

The proposed dwelling would occupy the footprint of the existing structure and would have a staircase attached externally, to the front of the building. In order to overcome the overlooking issues, no windows are proposed at first floor level and daylight is achieved via three roof lights.

Public and other representation

6 letters of objection have been received, which are summarised below:

1. Concern over parking
2. Invasion of privacy
3. Noise pollution and disruption from use

4. Lack of detail (extractor fans outlets, aerials etc)
5. Loss of trees
6. Timber clad building would be out of character
7. Non planning issues (access on private land for maintenance, loss of value of property)

1 letter of support "in theory" but concern raised over parking provision.

Professional comments

Retention of employment land

As highlighted in the history above, the outbuilding has been in a dilapidated state for some time and not in constant use as a workshop as highlighted by the applicant and demonstrated on the recently refused S191 application. The derelict state of the outbuilding was commented upon in the Inspector's report on the appeal of 86/1581.

When planning permission was granted in 1985 for the change in use of No. 31 and 33 to dwellings there was no statement that the outbuilding would be demolished. Whilst the building is shown on the existing plans it did not form part of the application for change of use. No condition was attached to the approval ref. 85/1512 requiring the building to be demolished, however as the outbuilding was in use incidental to the business at the time and it is considered that a change in use of the site would have incorporated the former stable. The Inspector highlighted this in referring to the building as been in use as storage in connection with the defunct commercial business at No. 33 and furthermore did not state that the loss of the building as employment land as a reason for dismissing the appeal to convert the building into a dwelling (ref. 86/0626/FUL).

As a B1 use is considered to be a use acceptable in a residential area it is comparable to residential use. An independent residential would be therefore have a comparable impact to a B1 use which has been found to be unacceptable.

Given that the Inspector dismissed an application for use as B1, the resurgence of employment use on this site would be harmful to the amenities of adjoining neighbours and contrary to Policy HSG12.

Residential amenity

The previous case officer on application 97/0214/FUL stated that the principal of using the building for any form of residential purposes would be unacceptable to neighbouring residential amenities in terms of noise, disturbance and loss of privacy.

The Inspector held that the use of the building as an office (05/1684/COU) would not be compatible with local context and noise and disturbance resulting from use would be unreasonable. Given that an office would unlikely to be in use before 09h00 and after 17h00 as opposed to a dwelling, it is considered that the use of the building in this location with the building forming the boundary with adjacent small gardens would represent an un-neighbourly and inappropriate form of back land development. The use at present for the storage of household items and a small workshop would not create

disturbance untypical of similar uses within other residential outbuildings, sheds, games rooms etc.

The applicant states that the comings and goings of occupants of a two bedroom flat are not likely to cause harm to the amenities of surrounding properties as they will be at irregular times of day and will not involve deliveries etc. associated with an office. It is still considered that the comings and goings associated with a dwelling in this location would cause disturbance, particularly if a car is used (see last paragraph of this section) and certainly these comings and goings could occur at unsociable hours. The use of the building as a whole and noise from within it would also harm adjacent residential amenity given that three walls of the building are sited on the boundary with surrounding properties, particularly in summer months when windows and roof lights are left open.

The proposed structure would have a high level window (1.6m) on the north-western elevation to light the stairwell and landing and three roof lights and as such it is not considered that proposal would result in an unreasonable loss of privacy to adjacent residential properties.

The applicant has stated that the scheme would result in the removal of nine windows that currently face directly onto the rear garden of surrounding properties and would be an improvement to the amenities of neighbours. If the structure was used ancillary to the enjoyment of the dwelling (which appears not to have occurred) it is likely that the occupant may have installed obscure glazing at ground floor level to protect their own privacy and the instance of overlooking from the first floor would not have been as intense and unreasonable compared with a dwelling and or office accommodation. It is therefore considered that the removal of these windows would not outweigh concerns regarding general noise and disturbance that would emanate from the building.

The applicant has stated that no parking would be made available for occupiers of the building. Whilst the former yard is proposed as a patio/garden there is nothing stopping future residents parking on the right of way between No. 1 Walpole Place and the rear gardens of No. 35-41 Walpole Road. Furthermore, double gates are proposed along with a patio garden, which would allow access for and parking of a vehicle and or motorcycles. The comings and goings associated with a dwelling in relation to car ownership would have a detrimental impact on the amenity enjoyed by those occupants of property adjacent to the right of way.

Design and Living conditions

Having regard to the loss of privacy the Inspector held on the appeal of 86/1581 "that it would not be possible to avoid overlooking and create a reasonable pleasant internal environment for future occupiers of the building". Whilst roof lights have been introduced to the northeast facing roof plane, the structure would not benefit from a favourable orientation, would have a limited outlook from the first floor and would not benefit from adequate ventilation. It is not considered that the addition of roof windows on the northeast roof plane would overcome this issue; in fact more roof lights would result in unsightly clutter.

There is no reason to find that the rooms concerned would receive inadequate levels of daylight, however the design solution to the first floor habitable room windows would not give rise to acceptable living conditions for future occupiers by virtue of an inadequate

outlook. Virtually no view of the outside world would create oppressive and depressing rooms to occupy.

On an appeal decision at 40 The Avenue, Hampton (03/1353/FUL), the Inspector considered that despite first floor windows (which were obscure glazed) the introduction of roof lights would not overcome concerns related to outlook.

As noted above, there is little to stop one parking a vehicle within the patio garden and if this took place, the outlook from the sole light source on the ground floor would be compromised.

Trees

It is noted that the structure is covered to some degree by creepers there are no prominent trees adjacent to the structure worthy of protection. It is regrettable that vegetation in close proximity may be lost, given that it softens the impact of the existing structure, however soft landscaping could be re-introduced should permission be granted.

Parking

The proposed building would not provide a formal parking area and the former yard to the existing building would be used as amenity space for future occupiers. Notwithstanding the comments regarding parking on the access way above, the site has a Public Transport Accessibility Level of 3 (medium) and is within walking distance of Broad and High Street for local amenities, several bus routes and Teddington Train Station. As such, there are no objections from transport planners regarding this development being car free.

Conclusion

Therefore the proposed use of this backland building from a vacant former workshop to residential accommodation by reason of its siting and close proximity to neighbouring houses and gardens and the activity associated with such a use would lead to an unacceptable level of noise and disturbance to the detriment of the amenities enjoyed by the occupiers of 1, 3 and 5 Walpole Place, 29, 31 and 33 Walpole Road and 19 Walpole Crescent and resulting in an unsatisfactory residential development in which the first floor bedrooms are not afforded adequate outlook.

Contrary to Policies: BLT 11, 16 and HSG 11 and 12.

Recommendation

Refuse.