

## PLANNING REPORT

Printed for officer by Ms Kerry McLaughlin on 4 June 2019

# Application reference: 19/1647/FUL

## WEST TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
23.05.2019	23.05.2019	18.07.2019	18.07.2019

Site:

Garages Adjacent 75, Churchview Road, Twickenham, TUZ 58 T

Proposal:

Demolition of the existing garage block and the erection of a mews development, consisting of 2 x 2 bedroom dwellings, together with associated car parking and landscaping improvements.

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

APPLICANT NAME

C/O Agent

AGENT NAME Mr David Symonds 4 Underwood Row London N<sub>1</sub>7LQ

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

Consultations:

Internal/External:

Consultee	Expiry Date
14D POL	18.06.2019
LBRUT Transport	18.06.2019
14D Urban D	18.06.2019
LBRuT Trees Preservation Officer (North)	18.06.2019
GLAAS 1st Consultation	25.06.2019
LBRuT Ecology	18.06.2019
Environment Agency	25.06.2019
LBRUT Highways	18.06.2019

## Neighbours:

Mr Sean McHugh, 9 Churchview Road, Twickenham, , - 04.06.2019

87 Sherland Road, Twickenham, TW1 4HB, - 04.06.2019

11 Belmont Road, Twickenham, TW2 5DA, - 04.06.2019

Flat 31, Churchview Court, Churchview Road, Twickenham, TW2 5BT, - 04.06.2019

51 Talbot Road, Twickenham, TW2 6SJ, - 04.06.2019

45 Deanhill Court, Upper Richmond Road West, East Sheen, London, SW14 7DL, - 04.06.2019

First Floor Flat,3 Queens Road, Twickenham, TW1 4EZ - 04.06.2019

110 CATHERINE GARDENS, HOUNSLOW, TW3 2PW - 04.06.2019

35 The Ridge, Twickenham, TW2 7NL, - 04.06.2019

46 Meadway, Twickenham, TW2 6PQ, - 04.06.2019

253 Staines Road, Twickenham, TW2 5AY, - 04.06.2019

Flat 20, Addison Court, 15 Heath Road, Twickenham, TW1 4AG, - 04.06.2019

Crane Community Centre, Meadway, Twickenham, TW2 6PG, - 04.06.2019

Trafalgar Infants And Early Years Centre, 49 Meadway, Twickenham, TW2 6PY, - 04.06.2019

Asquith Court Day Nursey,49 Meadway, Twickenham, TW2 6PY, - 04.06.2019

77B Churchview Road, Twickenham, TW2 5BU - 04.06.2019

77A Churchview Road, Twickenham, TW2 5BU - 04.06.2019

77C Churchview Road, Twickenham, TW2 5BU - 04.06.2019

77D Churchview Road, Twickenham, TW2 5BU - 04.06.2019

66 Campbell Road Twickenham, TW2 5BY, - 04.06.2019

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72 Campbell Road, Twickenham, TW2 5BY, - 04.06.2019 70 Campbell Road, Twickenham, TW2 5BY, - 04.06.2019 68 Campbell Road, Twickenham, TW2 5BY, - 04.06.2019 19 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 17 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 15 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 12 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 20 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 18 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 16 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 14 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 13 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 11 Campbell Close, Twickenham, TW2 5BZ, - 04.06.2019 70 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 58 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 60 Sontan Court, Churchview Road, Twickenham, TW2 5BU, - 04.06.2019 74 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 73 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 72 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 71, Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 69 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 68 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 67 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 65 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 62 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 55 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 61 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 64 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 66 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 75 Sontan Court, Churchview Road, Twickenham, TW2 5BU, - 04.06.2019 Flat 26, Churchview Court, Churchview Road, Twickenham, TW2 5BT, - 04.06.2019 56 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 59 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 57 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 63 Sontan Court, Churchview Road, Twickenham, TW2 5BU - 04.06.2019 70 Churchview Road, Twickenham, - 04.06.2019

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

**Development Management** 

Status: REF Date:14/09/2017 Application:17/2759/FUL

Demolition of an existing garage block and the erection of a mews development, consisting of 3 x 2 bedroom dwellings, together with

associated car parking and landscaping works.

**Development Management** 

Status: PCO

Date:

Application:19/1647/FUL

Demolition of the existing garage block and the erection of a mews development, consisting of 2 x 2 bedroom dwellings, together with

associated car parking and landscaping improvements.

Appeal

Validation Date: 24.07.2018

Demolition of an existing garage block and the erection of a mews development, consisting of 3 x 2 bedroom dwellings, together with

associated car parking and landscaping works.

Reference: 18/0105/AP/REF

I therefore recommend the following:	
<ol> <li>REFUSAL</li> <li>PERMISSION</li> <li>FORWARD TO COMMITTEE</li> </ol>	
This application is CIL liable	YES* NO (*If yes, complete CIL tab in Uniform)
This application requires a Legal Agreement	YES* NO (*If yes, complete Development Condition Monitoring in Uniform)
This application has representations online (which are not on the file) This application has representations on file	YES NO
Case Officer (Initials):	Dated: 28/02/20
I agree the recommendation:	
Head of Development Management ha application can be determined without re delegated authority.  Head of Development Management:  Dated:	esentations that are contrary to the officer recommendation. The s considered those representations and concluded that the ference to the Planning Committee in conjunction with existing
REASONS:	
CONDITIONS:	
INFORMATIVES:	*)
UDP POLICIES:	Th.
OTHER POLICIES:	

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

Recommendation:

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

# INFORMATIVES

19/1647/FUL Garages Adjacent 75, Churchview Road, TW2 5BT

**Application description:** The proposal is for the demolition of a block of 10 existing garages and the erection of a residential mews development, consisting of 2 x 2 bedroom dwellings, together with associated car parking and landscaping.

## Main development plan policies (not exhaustive):

National Planning Policy Framework (2019)

Para - 12 Achieving Sustainable Development

Para - 68 Identifying Land for Homes

Para - 117-118 Making Effective Use of Land

Para - 124 Achieving Well-Designed Places

Para - 141 Green Belts

## The London Plan (2016)

Table 6.2 - Car Parking Standards

Table 6.3 - Cycle Parking Minimum

#### Local Plan (2018)

LP 1 - Local Character and Design Quality

LP 8 - Amenity and Living Conditions

LP10 – Local Environmental Impacts, Pollution and Land Contamination

LP 12 - Green Infrastructure

LP 13 – Green Belt, Metropolitan Open Land and Local Green Space

LP 15 - Biodiversity

LP 16 - Trees, Woodlands and Landscape

LP 20 - Climate Change Adaptation

LP 21 - Flood Risk and Sustainable Drainage

LP 22 - Sustainable Design and Construction

LP 24 – Waste Management

LP 34 – New Housing

LP 35 - Housing Mix and Standards

LP 36 - Affordable Housing

LP 39 – Loss of Housing

LP 39 - Infill, Backland and Backgarden Development

LP 44 - Sustainable Travel Choices

LP 45 - Parking Standards and Servicing

## Supplementary Planning Guidance

Design Quality SPD

Planning Obligation Strategy SPD

Sustainable Construction Checklist

Residential Development Standards SPD (Incorporating Nationally Described Space Standards)

Small & Medium Housing Sites SPD
Front Garden and Other off Street Parking Standards SPD
Twickenham Village Planning Guidance SPD
Refuse and Recycling Storage Requirements SPD
Nature Conservation and Development SPD

#### **Site Description:**

The site contains a terrace of 10 garage units at the northern end of Churchview Road. The garages are adjacent to the flats at nos. 72-75 Sontan Court which are located at the end of Churchview Road. The area is predominately residential in character. The terraced residential properties of Campbell Close, (in particular Nos 16-20) are located to the west of the site. The site is accessed of Churchview Road. This is positioned north off the A305 Staines Road, a Local Distributor Road. The application site is in an Archaeological Priority Area 'Crane Valley'. The site is subject to an Article 4 Direction (Basements). The site is in the Campbell Village Character Area 10 in the Twickenham Village Planning Guidance.

The site northern/western border adjoins Metropolitan Open Land (MOL), an Other Site of Nature Importance and Public Open Space. Whilst there are no TPO trees on the site, there are a number of trees which surround the site with amenity value. Adjacent to the site to the north, a TPO Area Group has been proposed however this has not been approved and does not have status at present. A section of the northern corner of the site is positioned in Flood Zone 2 and 3a.

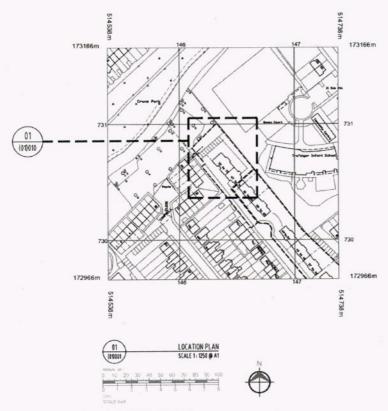


Figure 1. Site Location Plan (19/1647/FUL)

#### **Planning History:**

## **Relevant Pre-Applications**

The proposal has been subject to pre-application advice (Ref: 16/P0338/PREAPP)

## **Relevant Planning Applications**

Garages Adjacent 75 Churchview Road, Twickenham, TW2 5BT

Ref	Proposal	Dacicion	Appeal Decision
17/2750/EIII	lerection of a mews development, consisting of 3 x 2	Refused Permission 14/09/2017	Dismissed 08/11/2018

## Reasons for Refusal

#### Amenity:

The proposed dwellings and new surface parking spaces, by reason of their combined siting, design, bulk and mass and resultant loss of trees would result in a visually intrusive, overbearing and overlooking form of development, including new views from Sontan Court, that detracts from the amenities of the occupants of neighbouring properties, in particular nos. 15-20 Campbell Close. The proposal is therefore considered to be contrary to, the Local Development Framework, in particular, Policy CP7 of the Core Strategy, Policy DM DC 4 and DM DC 5 of the Development Management Plan, Policy LP 1, LP 8 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents.

#### MOL, POS and Wildlife Corridor:

The proposed three dwellings, by reason of their siting, design, height, width, scale and mass would represent an overly dominant structure that conflicts with the open character and appearance of the adjacent parkland and Metropolitan Open Land (MOL) thereby eroding the setting and views into and from this public open space while the new parking arrangements on the northern boundary would prejudice tree retention, local biodiversity and a wildlife corridor link to Crane Park. The proposal is therefore contrary to, the Local Development Framework and in particular, Policy CP4, CP7 and CP10 of the Core Strategy, Policies DM DC1, DM OS 2, DM OS 5, DM OS 6 of the Development Management Plan, Policy LP1, LP 12, LP13, LP15 and LP16 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents: Design Quality and Small and Medium Housing Sites.

#### Affordable Housing:

In the absence of a binding agreement, the development proposes solely market housing without a appropriate contribution to affordable off-site housing and is therefore contrary to, the Local Development Framework, in particular, Policy CP15 of the Core Strategy, Policy DM HO 6 of the Development Management Plan, Policy LP36 of the Local Plan (Publication Version for consultation) and Supplementary Planning Guidance on Affordable Housing (Adopted and draft).

#### Substandard Parking & Permit Eligibility:

The proposal provides substandard integral garaging and no segregated pedestrian access giving rise to an inconvenient and unsafe form of development and in the absence of a binding obligation securing an exemption from future car parking permit eligibility in the event that this area is designated a Community Parking Zone, the development would give rise to additional pressure for kerbside parking prejudicial to local highway conditions, traffic

movement and public safety. The proposal is therefore contrary to policy DM TP 2 and DM TP 8 of the adopted London Borough of Richmond upon Thames Development Management Plan 2011 and Policy LP45 of the Local Plan and Supplementary Planning Document: Parking in Front Gardens.

## Appeal

## Amenity & Loss of Trees:

I conclude that the proposed terraced houses and removal of trees would harm the living conditions of occupiers of 16-20 Campbell Close, specifically their outlook and privacy. As such, the proposal would conflict with LP 1 and LP 8 of the LP that seek to ensure compatibility of development, including the living conditions for occupants of existing, adjoining and neighbouring properties such as ensuring proposals are not visually intrusive or have an overbearing impact or raise unacceptable overlooking.

I have found that the proposal would not result in harm to the character and appearance of the area, trees, biodiversity and ecology, highway safety and would contribute toward housing provision, including affordable housing, in the area. However, that is not sufficient to outweigh the harmful effect the works would have on the living conditions of occupiers of neighbouring properties. Given that results in conflict with development plan policies, I conclude that the proposal would be contrary to the development plan as a whole. As such, I conclude that the appeal should be dismissed.

## **Public and other Representations:**

The application has been advertised by way of neighbour notification. There were 47 objections from 42 third parties. Below is summary of the key planning related issues:

#### Public Objections

- Loss of privacy and overlooking.
- Detrimental to the character of the site and the wider area.
- Siting in too close a proximity with neighbouring properties. No a minimum of 20 m away from neighbouring windows.
- Biodiversity impacts on habitats in particular: the River Crane Nature Corridor, Crane Park, TPO Group Area, hedgerows and species.
- Impact on the openness of the MOL.
- Reduced access to biodiversity.
- Unacceptable generation of noise & pollution impacts.
- Overbearing and overpowering such to impact on daylight/sunlight of neighbouring properties.
- Excessive height, bulk and mass, overdevelopment of the site.
- Creation of a sense of enclosure.
- Visually intrusive and dominant on neighbouring properties.
- The proposed bin storage bins could cause adverse amenity/ hygiene impacts.
- · Adverse impacts on Flood Risk.
- Impact on Affordable Housing.
- Poor access along Churchview Road given this is a narrow road.
- Transport impacts on air quality, highway safety, lack of parking and congestion.
- View and the public view of greenspace.
- Loss of the garages/lock ups.
- Increase in density.

- Impacts on social infrastructure and utilities.
- Impact on amenity space/children play space.
- Light pollution on neighbouring residents and wildlife.

## **Objections from Community Groups and Organisations**

#### Friends of the River Crane Environment

- · Massing impacts, visual and shadow impacts.
- · Noise and light impacts.
- · Sewerage and Drainage impacts.
- Encroachment on nature, wildlife and vegetation.
- Does not offer community and environmental value to the Crane Valley.
- · Poor quality design.
- Proposal likely to adversely impact of proposals on adjacent open spaces, including MOL.

### Dr Sara Cox behalf of the River Crane Sanctuary Group

- Poorly constructed ecology report that is out of date in line with current best practice on the age of survey data (CIEEM, 2019).
- The report is written to provide information on three mews houses and not the current proposals for two 3-storey mews properties and makes assertions over the retention of habitats that are no-longer present.
- The PEA report is only a scoping report, and an Ecological Impact Assessment (EcIA) should be produced.
- Any direct or indirect impacts on the adjacent Local Wildlife Site (Crane Corridor SINC) and 'Land South of River Crane' Local Nature Reserve (LNR) are not mentioned at all.
- The Crane corridor are included on the broadleaved woodland habitat inventory as Habitats of Principal Importance. No mention is made of the presence of this habitat at all within the report.
- Lack of consideration of the wide context of the site is in direct contrast to best practice and to local and national planning policy and no reference to Policy LP15
- Lack of consideration of the impacts on adjacent sites means that the proposals themselves ignore the issue of avoidance and move immediately to mitigate or compensate.
- Limited information on the proposed development, especially regarding lighting which means that. As such not possible for the Local Planning Authority to make an informed decision.

## Yvonne Minton on behalf of the River Crane Sanctuary Group

- The proposed highway/parking arrangements would generate heavy traffic and unsafe highway conditions for surrounding residents. Unsafe access to the proposed flats as the road is narrow in particular regard to 17 to 20 Campbell Close.
- The proposed waste, refuse and storage area would generate environmental health issues on neighbouring flats, particularly Campbell Close.
- Access to the Thames Water manhole should be retained. The development could lead to sewage/contamination on the MOL at the rear of the site which has a high ecological value.
- The development may lead to excessive ground water run off /surface water flooding.
   Water butts should be included.
- The land behind the garages is of high wildlife value. It supports a variety of species
  including birds and bats. The LBAP identifies wasteland as an important habitat. This

including the hedgerows, trees and habitats should be retained. Better landscaping including hedgerow, gate, pond, compost heap should have been incorporated into the development to protect this wildlife corridor and the MOL.

- The garages are sound and dry and should not be redeveloped.
- The development would adversely impact on the openness and views of the nature behind the garages, MOL and River Crane. It would also unduly restrict public access.
- The proposed new development would be overbearing and dominant especially in regard to its height on nearby residents including at Campbell Close.
- The proposal would generate negative impacts on visual amenity, daylight/sunlight on nearby properties, in particular 19/20 Campbell Close.
- Adverse impacts on neighbouring properties such as noise, air quality and light pollution.
- Insufficient ecology and lighting evidence has been supplied to demonstrate adverse biodiversity impacts would not be incurred.
- The proposed new units are of poor design.
- · A Construction Management Plan should be carried out.

#### Richmond and Twickenham Friends of the Earth

Unacceptable adverse impacts on MOL, parkland and biodiversity.

## Richmond Bat Species Action Plan Steering Group

• The generation of light pollution would adversely affect bats and other species.

#### South West London Environment Network

- Adverse impact on biodiversity, in particular the nearby hedgerows and trees.
- Unacceptable negative impacts arising from lighting upon local ecology of value and local residents.

#### Third Party Observations

There were 8 observations received by 3 third parties.

#### Third Party Observations

- Request to refer the application to planning committee. The planning reason sited is the Appeal Decision on the case 17/2759/FUL and planning history of the site.
- TPO trees and the local wildlife (i.e. local compost heap) should be protected.
- Removal of hedgerows would adversely impact on visual amenity.

In addition to the above, three statutory consultee responses were received. These did not raise objections to the proposal.

#### Consultees:

## Th Environment Agency

 No objection. Whilst the site itself partially lies within Flood Zone 3, the proposed built footprint is located in Flood Zone 1. Appropriate measures should be applied to reduce any risk of flooding.

## Historic England

No objection subject to appropriate archaeology conditions.

## Thames Water

- No objection. Unable to obtain the position on foul water drainage. A suitable condition would be required.
- Unable to get information on surface water infrastructure. A suitable condition should be supplied on Surface Water Drainage.

#### Amendments:

An updated location plan was received which corrected the extent of land within the Applicant's control. Additionally, the Certificate B Distribution List was supplied by the Applicant.

#### **Professional Comments:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The main considerations material to the assessment of this application have been summarised as follows:

- Background
- · Principle of Development
- Loss of Existing Garages, Highways and Parking
- Character and Appearance
- Residential Standards for future Occupants
- Metropolitan Open Land
- Ecology
- Trees
- Amenity Space
- · Affordable Housing
- · Community Infrastructure Levy
- Sustainability
- Waste
- Flood Risk and Sustainable Drainage
- Impact upon Amenities of Neighbouring Occupiers
- Other Matters

## Background:

The application follows the refused scheme 17/2759/FUL for the 'demolition of an existing garage block and the erection of a mews development, consisting of 3 x 2 bedroom dwellings, together with associated car parking and landscaping works" which subsequently went to a Appeal. This proposal has been amended following the Inspector's comments. Below is a summary of the two key changes:

- One of the proposed dwellings has been removed (resulting in the reduction of 3 to 2 dwellings) to increase the degree of separation from circa 11m to 19m from the proposed terraced units and the properties at Campbell Close.
- This proposal makes the case that the trees which provide amenity value to Nos 16 –
  20 Campbell Close which protect the amenity of 16-20 Campbell Close are now
  being retained. However, it is noted that detailed evidence has not been provided to
  illustrate that the root protection areas of these trees would not be detrimentally
  impacted as a result of the proposed four adjacent car parking spaces.

## **Principle of Development:**

NPPF Paragraph 12 sets out that "the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making."

NPPF Paragraph 68 outlines that "small and medium sized sites can make an important contribution to meeting the housing requirement of an area." The NPPF at Paragraph 117 sets out that "planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions."

Paragraph 118 sets out that development should "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)."

The predominant character of the surrounding area to the south and west is residential. The immediate street scene comprised of three storey flatted blocks and at Nos 1-75 Churchview Road there are also a large number of two storey detached and semi-detached dwellings. Trafalgar Infant School is located to the east. The River Crane lies to the north . The northern boundary is bounded by MOL, a Other Site of Nature Importance and Public Open Space.

The site is on previously developed land. It is noted that the principle of a residential scheme was not challenged in the refused scheme 17/2759/FUL. Whilst a residential development in this location may be acceptable, this would be subject to the requirements of the Local Plan (2018) being met in particular policies LP 1, LP 8 , LP 12, LP 13 , LP 15 , LP 16 , LP 20 , LP 21 , LP 22 , LP 24 LP 34, LP 35 , LP 36 LP 39 , LP 39, LP 44 and LP 45 and the relevant SPDs. In particular, it is considered that any future development would need to ensure that it does not generate adverse impacts on the adjacent MOL, OSNI and trees. The detailed assessment is set out below.

## Loss of Existing Garages, Highway and Parking:

Local Plan Policy LP45 states that "the Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car based travel including on the operation of the road network and local environment, and ensuring making the best use of land."

The applicant proposes to demolish 10 garages to build 2 x 2-bed houses with 1 parking space each allocated to them. The proposal also seeks to provide 4 new spaces to the west of the site so the loss would be reduced to 6 garage spaces.

The internal "dimensions for new or re-built garages are 2.75m x 5.5m" is outlined in the Front Garden and Off-street Parking Guidance. The internal dimensions of the existing garages are below this standard.

The evidence supplied states that the only 6 of the garages are let out and that 4 are vacant. It is stated that those that are let are primarily used for storage purposes. The garages are not considered to be fit for purpose to house modern vehicles. The principle of their loss is deemed acceptable. Overall the parking provision complies with LP45 and the Front Garden and Off-street Parking Guidance.

In respect to the size of the 6 total new spaces (1 per unit & 4 west of the site), the Front Garden and Off-street Parking Guidance SPD stats that "the car-standing area must be a minimum size of 2.4m wide and 4.8m long". The proposed new parking spaces in terms of their size are considered to be acceptable when considered against the SPD.

In terms of parking provision requirements for the 2 new units, the London Plan Table 6.2 Car Parking Standards sets out that proposals in PTAL 2 should provide up to 1.5 car parking space per unit. The proposal provides 1 car parking space per unit in accordance with this standard.

Policy LP 44 promotes sustainable transport modes. The Local Plan, Table 6.3 Cycle Parking Minimum Standards sets out that 4 cycle parking spaces would required, 2 to be provided per dwelling. The proposal provides adequate cycle parking provision of 2 spaces per unit which are located to the east of the development site in a secure enclosure. The proposal complies with the necessary London Plan cycling requirements and LP44.

It is noted that the application has been subject to a number of objections on the grounds of loss of parking. However, based on the current functionality of the existing garages and the additional spaces that would be provided this aspect of the scheme is deemed acceptable in against the Local Plan and London Plan policies.

The application 17/2759/FUL did not object to the application on the loss of the existing garages or parking/cycle parking grounds. Turning to the reason for refusal 17/2759/FUL on parking permits, were this application to be acceptable a binding legal agreement would be required that would restrict future occupiers from being eligible for parking permits should a controlled parking zone be allocated in the area.

## Character and Appearance:

The NPPF advises good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people. NPPF Paragraph 124 states that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Policy LP 1 of the Local Plan states that all development must maintain and enhance the high quality character and heritage of the borough and its villages. Development proposals must demonstrate a thorough understanding of the site and its relationship to its existing context, including character and appearance and take opportunities to improve the quality and character of buildings, spaces and the local area.

Policy LP39 states infill and backland development must reflect the character of the surrounding area. It must "respect the local context, in accordance with policy LP 2 Building Heights; incorporate or reflect materials and detailing on existing dwellings, in accordance with policy LP 1 Local Character and Design Quality; and result in no unacceptable impact on neighbours in terms of visual impact."

Sontan Court is 3 storeys in height. It is a traditional red brick building for the first two storey and white rendered on the third floor with a pitched roof. Campbell Court are red brick to the west is two storey in height.

The site is on previously developed land. The existing garages are a single storey with a low pitched roof. They are modest in their size and scale. They are currently surrounded by

landscaping which connects to the to the MOL land, OSNI and POS at the rear of the site (north west).

The replacement two units would be 2 stories with a converted mansard roof. They would represent in increase in height to what is existing at present. The development would comprise of multi brickwork and a zinc roof and dormer.

The structure would be of contemporary compared to the neighbouring residential blocks with large glazed windows. The first floor and roof elements overhang the ground floor at the rear. Sontan Court is 3 storeys and that proposal would not exceed this. However, Sontan Court is well set back from the MOL, OSNI and POS.

There have been a large number of representations received by the Council objecting to the visual appearance of the proposal in terms of its overall design. It was stated that inter alia, it would be overbearing and excessive in terms of its height, bulk and mass resulting in the overdevelopment of the site to the detriment of the surrounding area.

The proposal would materially alter the character of this part of Churchview Road changing the views towards the MOL, POS and OSNI behind however its width extends only to 2 dwellings and would not wholly block the visual connection to the adjacent MOL/OSNI and POS land. The scale of the development is subordinate to the visual line established by Sontan Court to the south and overall the bulk and mass of the proposal is not significantly out of keeping with the typography of the residential blocks at Campbell Close to the west.

Design was not sited as a reason for refusal under 17/2759/FUL. The mass and bulk of this scheme has been reduced since 17/2759/FUL from 3 to two units.

Given the area's context which consists of 2 and 3 storey terraced blocks, the Council raise no objections to the provision of a modest semi-detached C3 development here. The proposed mansard roof would introduced a new style of roofscape, where a more harmonious roof form would be preferred. Furthermore, the overhang at the rear, gives the scheme a top heavy appearance. However, although the proposal is taller than the properties along Campbell Close, it is not significantly so. Whilst the proposed two dwellings would be more prominent than the existing garages and restrict views to some extend to the trees behind them, the development does reflect the scale and proportions of the surrounding developments. The design does introduce a new style of development to this part of the street, however there is no ridged uniformity in the nearby residential buildings. As such, the proposal would adequately reflect the character and appearance of the surrounding area.

In terms of materials, the choice for the exterior walls is mixed grey stock brick in panels. The mansard roof will be clad in a weathered zinc with standing seams. Whilst more traditional materials would be preferred, the proposed materials would not detract from the visual amenity of the street scene or the surrounding area such to warrant a reason for refusal. Overall the development is deemed tolerable against LP1 and the Council's supporting guidelines.

## **Residential Standards for Future Occupants:**

Policy LP35 requires that all new housing complies with the Nationally Described Space Standards (NDSS). The minimum standards are outlined below:

Table 1 - Minimum gross internal floor areas and storage (m2)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
	1p	39 (37) *			1.0
1b	2p	50	58		1.5
	3р				
2b	4p	70	79		2.0
	4p	74	84	90	2.5
3b	5p	86	93	99	
	6p	95	102	108	

The proposal is for 2 x 2 bedroom (4 people) units over 3 storeys. As such each unit should be a minimum of  $79m^2$ . Each unit exceeds the minimum space standards in this regard. Overall the scheme adequately complies with the NDSS and LP35.

## Metropolitan Open Land:

The Council's Local Plan (2018) sets out that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence. Metropolitan Open Land (MOL) is unique to London and protects strategically important open spaces within the built environment. In terms of the reading of the NPPF, the Green Belt policy equally applies to Metropolitan Open Land.

NPPF Paragraph 141 sets out that "once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land."

LP 12 seeks to ensure that "all development proposals protect, and where opportunities arise enhance, green infrastructure." It sets out that there is a need to "protect the integrity of the green spaces and features that are part of the wider green infrastructure network." The hierarchy of open spaces is also set out in LP 12. MOL is identified as being of subregional importance.

Policy 13 sets out that "when considering developments on sites outside Green Belt or Metropolitan Open Land, any possible visual impacts on the character and openness of the Green Belt or Metropolitan Open Land will be taken into account."

The application site forms part of the transition between the built-up area and the adjacent Crane Valley Site of Metropolitan Importance (MOL). The site lies within 50m of the River Crane. The existing site contains a modest terrace of 10 garages. Sontan Court is three storeys but sited a significant distance for the MOL.

There have been a number of objections lodged with the Council, on the grounds of negative impacts on the MOL. These have been considered in the assessment of this case. There are landscape works proposed at the rear, however sufficient information and evidence has not been submitted to demonstrate that the openness and character of the MOL would not be adversely impacted.

The proposal would result in an increase in height when compared to the existing garages.

Overdominance of the proposed units on the open character and appearance of the MOL was sited as a reason for refusal in 17/2759/FUL. It is recognised that the units have been reduced from 3 to 2, since this. However notably it has not been sited further back from the MOL boundary. Additionally, there would be no reduction in height. The rear façade would contain large fenestrations with internal balconies the activity and resultant light of which would draw attention to the proposal from the wider surrounds. It would not be neither a discrete or sensitive addition to the adjacent MOL. There is a grass lawn and a strip of landscaping proposed along the rear and a close bordered timber fence. However, this would not be of a height of density that would screen the rear façade from views from the MOL. The application proposal does not show consideration of the necessity to preserve the openness and character of the MOL. Overall it is considered that the proposed 2 units d would, appear over dominant and would conflict with the character and appearance of this valued asset. The application is deemed contrary to NPPF paragraph 141, LP12 and LP 13. It is not considered that the reason for refusal on MOL grounds has been addressed.

#### **Ecology:**

LP 15 states that the Council will protect and enhance the borough's biodiversity by "protecting biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value". Where development would impact on species or a habitat, especially where identified in the relevant Biodiversity Action Plan at London or local level, or the Biodiversity Strategy for England, the potential harm should:

- "firstly be avoided (the applicant has to demonstrate that there is no alternative site with less harmful impacts),
- · secondly be adequately mitigated; or
- as a last resort, appropriately compensated for."

The use of the north of the site (the land behind the existing garages) by commuting bats is not disputed between the submitted evidence and the Council. As well as being MOL it is also an Other Site of Nature Importance (OSNI). It is a wildlife corridor linking the River Thames with open spaces and bat roosting and foraging areas all the way up to the source in Harrow. As well as the importance of the land immediately behind the garages all the connecting habitat that links the Crane Valley along the east and west boundary sides is of value. The Preliminary Ecological Appraisal (PEA) June 2017 by ACD Environmental is out of date. It appears to have been drafted to support the refused application 17/2759/FUL and has not been refreshed since then. Site conditions can change over time. In order to robustly make the case that the development would be able to avoid, mitigate and as a last resort compensate if appropriate any impact on biodiversity, especially protected species and habitats, up to date site survey information should be carried out as per best practice (BCT 3rd Edit Good Practice Guidance and BS 42020:2013). Secondly the PEA was a scoping level report and full ecological impact assessment was not produced. This proposal does not demonstrate to a satisfactory degree what the biodiversity/ecology impacts would be and how these would be addressed in line with the Council's development plan.

The biodiversity value of the land behind the garages is deemed paramount being designated as importance for nature conservation. In particular, the land rear of the garages provides commuting, roosting and feeding resource for bats. The submitted material suggests that only light tolerant bat species will be passing through the northern part of the site. However as noted above the survey data is out of date. Additionally, the Council's

evidence suggests that Myotis bats have been recorded 200m downstream and 1km up stream. The supporting evidence does not provide adequate information addressing Myotis bats and there is concern that these could fly close to the application site. The supporting evidence also admits to comment on those trees that do not have negligible potential for bats.

Any increase in lighting or loss of hedgerow screening could detrimentally impact the bat commuting corridor. In order for the bat commuting corridor to be retained, there should be no intrusive interference. The rear facades of the proposed 2, 2 bedroom apartments facing onto the bat commuting corridor contains a significant amount of glazing including internal balcony's serving each unit on the first floor. It is noted that some screening is proposed by way of tree planting and landscaping, however notwithstanding this, the 2 C3 units are likely to generate light spill levels (internal and external) on to the bat commuting corridor detrimentally impacting on bat movement. No lighting assessment/isolux report has been provided.

There is amenity grass on the eastern boundary of the site. The loss of the amenity grass has not been adequately surveyed and/or mitigated for and therefore any implications on foraging habitat for ground feeding birds such starlings (Red data list), thrushes and blackbirds have not been considered.

Insufficient ecology information overall has been provided to enable the Council to assess if the provisions of LP15 Biodiversity could be upheld. Impacts on wildlife was sited as a reason for refusal in 17/2759/FUL. As noted above, the ecology information does not appear to have been updated since this time. Furthermore, additional measures to preserve and enhance biodiversity are not apparent.

It is noted that there have been a large number of representations received objecting to the application on ecology grounds.

The Council are of the view that the submitted proposal for 2, 2 bedroom flats has failed to adequately demonstrate that adverse impacts on biodiversity, in particular bats, amenity grass land & associated species would be firstly avoided and where applicable adequately mitigated. As such the application does not comply with Policies LP15 Biodiversity and LP12 Green Infrastructure. It is not considered that the reason for refusal 17/2759/FUL, has been adequately addressed.

## Trees:

Policy LP 39 that for infill and backland developments should "retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP 16 Trees and Landscape."

LP 16 Trees, Woodland and Landscape sets out that the Council will

"resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or
dangerous; or the tree is causing significant damage to adjacent structures; or the tree
has little or no amenity value; or felling is for reasons of good arboricultural practice;
resist development that would result in the loss or deterioration of irreplaceable habitat
such as ancient woodland.

- resist development which results in the damage or loss of trees that are considered to
  be of townscape or amenity value; the Council will require that site design or layout
  ensures a harmonious relationship between trees and their surroundings and will resist
  development which will be likely to result in pressure to significantly prune or remove
  trees.
- require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations)."

As noted above, trees within this proposal site are not protected by a Conservation Area or Tree Preservation Order (TPO) at present. There is a proposed TPO north of the site however this has not been designated and currently does not have status. However relevant trees in relation to the proposal are considered to have amenity value and connectivity with the MOL, OSNI and POS. As a rule such trees should be retained under LP16.

There are four no-dig car parking spaces west of the site adjacent to trees including T1, T2, T3 and T4. In creating a no-dig area, the four parking spaces will be elevated above the adjacent Churchview Road level. It is not considered, based on the evidence supplied that this can be achieved without damaging the adjacent trees roots given their proximity to the root protection areas. The tree report has not provided sufficient that the integrity of this tree belt, especially its long term visual amenity value would be protected.

Trees should not be retained if unsafe to do so. Trees; T15, T13, T12, T11 have all been categorised as U, although are being retained. U category trees would typically have a life span of less than 10 years and are often diseased, decayed or dead. The trees structural and physiological condition has not been covered the tree report which is also a concern.

Overall, it is considered that the proposal for 2, 2 bedroom flats fails to demonstrate that trees in particular those on adjacent land to the west and T1, T2, T3 and T4 would be adequately protected throughout the course of development, in accordance with British Standard 5837 contrary to LP16.

## **Amenity Space:**

Policy LP35 states that amenity spaces should be: "D a. private, usable, functional and safe; b. easily accessible from living areas; c. orientated to take account of need for sunlight and shading; d. of a sufficient size to meet the needs of the likely number of occupiers; and e. accommodation likely to be occupied by families with young children should have direct and easy access to adequate private amenity space".

The current Residential Development Standards SPD was adopted in March 2010 and sets out general guidance on amenity space. It seeks "a minimum of 5 sqm of private outdoor space for 1-2 person dwellings plus an extra 1 sqm should be provided for each additional occupant."

Policy LP39 states infill and backland development should "retain appropriate garden space for adjacent dwellings." The units would be for 4 persons requiring a minimum of 7 sqm of private outdoor space. Each unit will provide 7.5sqm of private outdoor amenity space which meets this standard.

The level of provision of amenity space meets the Council's minimum standards in line with LP 35.

#### Affordable Housing:

Local Plan Policy LP36 states some form of affordable housing contribution will be expected on all new housing sites. The Council will seek the maximum reasonable amount of affordable housing when negotiating on private residential schemes, further details are set out in the Affordable Housing SPD. As such, Council require affordable housing contributions where it is viable to do so.

A commuted sum pro-forma was submitted with the application which suggests a contribution of £63,515. An independent review was undertaken by the Council's independent planning viability advisor to ensure that the assumptions and values of the applicant's viability and S106 evidence are appropriate and correct.

The Council's Planning Viability Advisor has reviewed the open market values and have recommended to the Council that that these are acceptable. On this basis, a contribution of £63,515 is agreed. This amount were this application to be acceptable would need to be secured via a legal agreement.

#### Community Infrastructure Levy:

Mayoral Community Infrastructure Levy (CIL)

The estimated amount of Mayoral CIL for this development is £55,799.90. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

Richmond Community Infrastructure Levy (CIL)

The estimated amount of Richmond CIL for this development is £16,712.00. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

#### Sustainability:

Policy LP 10 stipulates that "the Council will seek to ensure that local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land."

Policy LP 20 sets out that "new development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption."

Policy LP22 states that development will be required to conform to the Sustainable Construction Checklist. The London Plan (5.7) requires that all new development should achieve a reduction in carbon dioxide emission of 35% from on-site renewable energy generation. The target of 35% is expressed as minimum improvement over the Target Emission Rate (TER) outlined in the national Building Regulations (2013).

Policy LP 22 also emphasises that new residential development will be required to incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day.

An Energy Statement and Sustainability Construction Checklist have been supplied. The application will score a 'B' rating which according to the checklist scoring matrix 'helps to significantly improve the Borough's stock of sustainable developments'. This is satisfactory. The application will reduce CO2 emissions 37.23% beyond national Building Regulations (2013). Internal water usage will be limited to 105 litres person per day. In light of the above, the proposal is considered to provide a sustainable form of development and therefore complies with Policies LP20 and LP22 of the Local Plan (2018).

#### Waste:

Policy LP24 sets out that "all developments, including conversions and changes of use are required to provide adequate refuse and recycling storage space and facilities."

The Refuse and Recycling Storage Requirements SPD sets out that "kerbside recycling must be presented at the front edge of and within the property boundary and visible from the street on collection day." The location of the bins provides access for kerb collection at the west of the site. This provides adequate access and egress for waste vehicles and is acceptable.

The recommended dimensions in the Refuse and Recycling Storage Requirements SPD are:

- Refuse capacity 240 litres, 0.585m width, 0.74m depth
- Recycling capacity 55 litres, 0.585m width, 0.39m depth

The recommended dimensions in the Refuse and Recycling Storage Requirements SPD. The development will provide a bin storage area 0.6m (w) x 1.3m (d) and for both households. The proposed refuse and recycling storage area meet the requirements of Policy LP24 and the Recycling Storage Requirements SPD.

As such, the proposed refuse and recycling storage areas meet the requirements of Policy LP24 and the Recycling Storage Requirements SPD.

Objections were received in respect to the location of the bins. It was stated that these would generate a safety/hygiene risk. Were this application to be acceptable, a condition would be applied to on the waste storage and refuse arrangements to ensure that these were of an acceptable standard.

#### Flood Risk and Sustainable Urban Drainage:

Policy LP 21 Flood Risk and Sustainable Drainage sets out that "A. All developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere."

A Flood Risk Assessment has been supplied. The development site is mostly located within Flood Zone 1 as defined by the EA online Flood Map for Planning. A small part of the site is located within Flood Zone 2 and Flood Zone 3. However, the extent of the proposed building location are wholly within Flood Zone 1. It is noted that objections have been received in relation to flood risk. The submitted Flood Risk Assessment sets out that the application is supported by sustainable drainage and construction methods. The findings and do not identify that the proposed new units would be at risk of flooding or that the development would generate flood risk in the site or wider area.

An observation was received by Thames Water in respect to foul drainage and surface water infrastructure. Were the application to be acceptable, conditions would be applied to ensure that adequate mechanisms would be put in place to secure foul water drainage and surface water infrastructure. The proposal adequately accords with LP 21.

#### Impact upon Amenities of Neighbouring Occupiers:

Policy LP39 states infill and backland development must "result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens, in accordance with policy LP 8 Amenity and Living Conditions."

Policy LP8 outlines that in considering proposals for development, the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance. The Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings and that adjoining land or properties are protected from overshadowing in accordance with established standards.

Policy LP39 states infill and backland development should "retain plots of sufficient width for adequate separation between dwellings; retain similar spacing between new buildings to any established spacing; result in no unacceptable adverse impact on neighbours including loss of privacy to existing homes or gardens, in accordance with policy LP 8 Amenity and Living Conditions."

It is noted that a number of representations have been received on the basis that the development would result in the loss of privacy, overlooking and be overbearing and dominant with particular regard to Campbell Close.

The applicants has submitted a Daylight and Sunlight Report. Sontan court lies adjacent to the site to south. As with the refused application, given the siting, degree of separation, privacy/overlooking impacts are not anticipated on the residential units at Sontan Court. Furthermore, given its siting it would not be overbearing or dominant on this terraced block.

In terms of privacy arising from this development, Nos 16-20 Campbell Close is sited to the west. The proposal site does not contain flank elevation windows that look onto Nos 16-20 Campbell Close, nor did it in the refused scheme 17/2759/FUL. The distance from the closest unit to No's 16-20 Campbell Close has been increased from circa 11m to 19m directly from No's 19-20 Campbell Close compared to the refused application 17/2759/FUL. As such it is not considered that privacy impacts would not be incurred. Further it is not anticipated that the development would be overbearing in respect to daylight or sunlight.

Notwithstanding the above, the height and depth of the proposed scheme has not been reduced. It is taller than the properties along Campbell Close and the overhanging first floor and mansard roof in particular would appear imposing. Given the design, bulk and mass the scheme would be an incongruous feature when viewed from the rear gardens of no Nos 16-20 Campbell Close, especially, Nos 19-20 which do not benefit from screening from trees (T1, T2, T3 and T4). These trees serve to soften the outlook of these properties and block views from the flats at Sontan Court to rear gardens and windows of those properties.

As noted above details in the Arboricultural evidence does not fully demonstrate how the parking on the verge in this location would adequately retain these trees to their existing screening value such that would be substantial enough to screen these views. Consequently, the development would appear visually intrusive and would result in new views from Sontan Court which would harm to the outlook of and occupiers of these dwellings.

It is noted that trees T1, T2, T3 and T4 (as noted in the tree section above) are located helping to screen the proposal from Nos 16 & 17 to the proposal as well as the existing properties along Sontan Court. The retention of these trees were deemed essential prevent adverse visual amenity and privacy impacts arising from the new development upon the residents of 16-20 Campbell Close in the refused scheme 17/2759/FUL and subsequent Appeal. In terms of reason for refusal and the Inspector's judgement, the privacy and visual amenity impact upon 16-20 Campbell Close has not been adequately addressed.

The proposed development, and new surface parking spaces, by reason of their combined siting, design, bulk and mass and would result in a visually intrusive, overbearing form of development that would be an incongruous feature when viewed from the rear gardens of no Nos 16 - 20 Campbell Close to the detriment of the visual amenities of the occupants. Insufficient evidence has been supplied to demonstrate that there would not be a resultant loss of trees such that would generate new views from Sontan Court and detract from the amenities of occupants of neighbouring properties, in particular Nos 16 – 20 Campbell Close. The proposal is therefore considered to be contrary to LP1 and LP 8 of the Local Plan (2018) and the Design Quality Supplementary Planning Document. Upon this basis, it is not considered that the proposal adequately accords with LP8.

#### Other Matters:

It is noted that representations have been recieved on the generation of noise and pollution impacts. The area is predominantly residential in nature. It is not considered that 2 residential units in this location would give rise to an unacceptable noise impact. Light pollution is considered an issue however as noted above. Were this application to be acceptable a construction management plan would be required to reduce the pollution and nose during the construction and implementation phases.

An objection noted that access to the Thames Water manhole should be retained behind Nos 19/20 Campbell Close. Thames Water have been consulted in the process of this application. Were this application to be acceptable, at the development and implementation stages, suitable arrangements would need be made in regard to water and drainage with Thames Water.

Objections were recieved in regard to the negative affects upon social infrastructure, amenity space, child play space. The site currently is occupied by garages and would not result in the reduction of amenity space or child amenity space. The development, were it to be acceptable, would be required to make a contribution towards the Community Infrastructure Levy which supports local community infrastructure in the Borough. It is not considered that the development of 2 units would adversely impact on community infrastructure provision.

The application is therefore recommended for Refusal