

Application reference: 21/4141/FUL HEATHFIELD WARD

Date application received	Date made valid	Target report date	8 Week date
03.12.2021	03.12.2021	28.01.2022	28.01.2022

Site:

9 Cheyne Avenue, Twickenham, TW2 6AN,

Proposal:

Construction of a two storey, two bedroom, 3 bed space attached dwelling house with associated provision of refuse/parking/cycle storage, and amenity space; host dwelling roof conversion from hip to gable, incorporating proposed rear dormer and 1st floor rear fenestration changes.

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

APPLICANT NAME

Mr M Cooper
C/o Agent

AGENT NAME

Mr Katashi Yamamoto, Lux
Construction
SinKot House
211 Station Road
Harrow
HA1 2TP

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

Consultations:

Internal/External:

Consultee

LBRuT Ecology
LBRUT Transport
14D POL

Expiry Date

30.12.2021
30.12.2021
30.12.2021

Neighbours:

4 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
6 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
8 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
12 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
10 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
5 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
7 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
32 Sheringham Avenue, Twickenham, TW2 6AW, - 16.12.2021
28 Sheringham Avenue, Twickenham, TW2 6AW, - 16.12.2021
30 Sheringham Avenue, Twickenham, TW2 6AW, - 16.12.2021
26 Sheringham Avenue, Twickenham, TW2 6AW, - 16.12.2021
25 Sheringham Avenue, Twickenham, TW2 6AW, - 16.12.2021
23 Sheringham Avenue, Twickenham, TW2 6AW, - 16.12.2021
13 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021
11 Cheyne Avenue, Twickenham, TW2 6AN, - 16.12.2021

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

Development Management

Status: REF

Date: 25/05/2017

Application: 16/4771/HOT

Erection of a two-storey side extension comprising a garage and a single-

storey extension to the rear. Alterations to boundary treatment. Creation of dropped kerb. Paving to front and rear gardens.

Development Management

Status: GTD
Date:15/01/2018

Application:17/3964/HOT
Erection of a two storey side extension and a single storey rear extension. Alterations to first floor windows on rear elevation and patio to the rear. Replacement timeber fence on Cheyne Avenue frontage.

Development Management

Status: REF
Date:08/02/2021

Application:20/1173/FUL
Construction of a two-storey attached dwelling house with associated provision of refuse storage and amenity space; hip-to-gable rear dormer roof extension and alterations to front porch on existing dwelling house.

Development Management

Status: REF
Date:02/11/2021

Application:21/2899/FUL
Construction of a two storey, two bedroom attached dwelling house with associated provision of refuse/parking/cycle storage, and amenity space; host dwelling roof conversion from hip to gable, incorporating proposed rear dormer and 1st floor rear fenestration changes.

Development Management

Status: PDE
Date:

Application:21/4141/FUL
Construction of a two storey, two bedroom, 3 bed space attached dwelling house with associated provision of refuse/parking/cycle storage, and amenity space; host dwelling roof conversion from hip to gable, incorporating proposed rear dormer and 1st floor rear fenestration changes.

Appeal

Validation Date: 05.10.2017

Erection of a two-storey side extension comprising a garage and a single-storey extension to the rear. Alterations to boundary treatment. Creation of dropped kerb. Paving to front and rear gardens.

Reference: 17/0191/AP/REF

Building Control

Deposit Date: 29.05.1998
Reference: 98/0916/FP

Formation of a level access shower.

Building Control

Deposit Date: 10.10.2013
Reference: 13/FEN07918/GASAFE

Installed a Gas Boiler

Building Control

Deposit Date: 28.04.2021
Reference: 21/FEN01685/GASAFE

Install a gas-fired boiler

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES

I therefore recommend the following:

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

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) YES NO

This application has representations on file YES NO

Case Officer (Initials): JSI

Dated: 26/01/2022

I agree the recommendation: WT

~~Team Leader/Head of Development Management/Principal Planner~~

Dated:28/01/2022.....

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

Head of Development Management:

Dated:

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

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

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

U0057862	NPPF Refusal paras 38-42
U0057863	Decision Drawings
U0057864	Inaccurate drawings

Application reference: 21/4141/FUL
Site address: 9 Cheyne Avenue, Twickenham, TW2 6AN

Proposal:

This application seeks planning permission for: *‘Construction of a two-storey, two bedroom three bed space attached dwelling house with associated provision of refuse/parking/cycle storage, and amenity space; host dwelling roof conversion from hip to gable, incorporating proposed rear dormer and 1st floor rear fenestration changes’.*

The application follows the refusal of three similar applications under planning application refs. 14/1441/HOT (refused 25/05/2017 and dismissed at Appeal 27/11/2017), 20/1173/FUL (refused 08/02/2021) and 21/2899/FUL (refused 02/22/2021).

The only material differences between the current scheme and the recent refusal are:

- Minor alterations to proposed rear fenestration arrangement at No. 9
- Additional sustainability information
- No longer proposes subdivision of garden to No. 9 as this has already been implemented

Site description/key designations:

The application relates to a two-storey end-terrace dwelling with front/side/rear garden on a corner plot at the junction of Cheyne Road and Sheringham Avenue, Heathfield ward. There are no statutorily or locally listed buildings to consider and the site is not in or adjacent to a conservation area. The site is located in Area 13 (Waverley Avenue/Lyndhurst Avenue) of the Whitton and Heathfield Village Planning Guidance.

The site has a Land Use Past Industrial designation. It sits in Flood Zone 1 and is not identified as susceptible to surface water flooding, though it is in an Area Susceptible to Groundwater Flooding ($\geq 75\%$). There is an Article 4 Direction restricting basement development.

The site has a Public Transport Accessibility Rating (PTAL) of 1b which is considered very poor on a scale of 0 to 6b with 0 being worst and 6b being best. There is no Controlled Parking Zone (CPZ) in operation.

Amendments:

None.

Other matters:

There are inaccuracies and inconsistencies across the submitted plans. The building lines of Nos. 9 and 9B shown on the proposed block plan do not reflect what is shown at the front on the proposed ground-floor plan and proposed front elevations drawings. The existing elevations drawings do not show the existing boundary treatment at the front as it is on site and there are discrepancies between the proposed elevations and proposed block plan with regards to what is proposed at the front. Sections for the north east elevation (Dwg. Nos. 108 v.2 and 210 v.2) do not correctly show the existing roof form and proposed dormer (as shown on other submitted drawings). It is not considered that the inaccuracies have precluded officers from making a recommendation and issuing a decision; however, were the application acceptable in all other respects, accurate drawings would be requested and neighbours re-consulted if necessary. An informative is recommended drawing the applicant's attention to this advice.

The proposed boundary treatment is unclear. For example, the proposed elevations show the blank façade of the new dwelling facing the highway, though on the floorplans the site would appear to be encased by a fence. Further, the submitted elevations appear to show the removal of the existing front boundary wall, though this is not clear, as the existing drawings incorrectly omit a front boundary. A future application would require these discrepancies to be clarified and amended drawings submitted accordingly. It is not considered that these discrepancies have precluded the Case Officer's ability to assess the application.

The site boundary wall has been removed and replaced with a large fence greater than 1m in height. As the fence faces a highway, this is not permitted development. No planning permission has been sought or granted for the development and so the Case Officer has referred the matter to Enforcement for investigation. This was not considered to preclude the officer's ability to assess the planning application and is separate to the planning decision for this case.

Relevant planning history:

Development Management and Appeals

- 16/4771/HOT – Erection of a two-storey side extension comprising a garage and a single-storey extension to the rear. Alterations to boundary treatment. Creation of dropped kerb. Paving to front and rear gardens. – Planning Permission REFUSED 25/05/2017 – Appeal DISMISSED 27/11/2017

Reason(s) for refusal:

1. *Design and Scale – The proposed two-storey side extension, by virtue of the combined siting, design, height, width, depth, scale, bulk and mass results in a visually obtrusive, unsympathetic and dominant form of overdevelopment resulting in horizontal emphasis to the detriment of the appearance, form and proportion of the host dwelling and the visual amenity of the streetscene. As such, the proposal is contrary to, in particular, policies CP7 of the Core Strategy 2009; DM DC1 and DM DC5 of the Development Management Plan 2011; the adopted Supplementary Planning Document 'House Extensions and External Alterations' 2015; and Strategic Vision 1, Policy LP1 and LP8 of the Local Plan (Publication version for consultation January – February 2017).*
 2. *Transport – In the absence of satisfactory pedestrian sightlines onto Cheyne Avenue and distance from a road junction, the proposed crossover, by virtue of its siting and design would fail to achieve the required visibility splays therefore will adversely impact on highway and pedestrian safety. The scheme is therefore contrary to, in particular, policies DM TP6 and DM TP8 of the Development Management Plan, LP45 of the Local Plan (Publication for Consultation Version) and Supplementary Planning Document 'Front Garden and Other Off-Street Parking'.*
- Appeal Ref. APP/L5810/D/17/3182507 – Appeal DISMISSED 27/11/2017
- The Planning Inspector upheld both of the Council's reasons for refusal.
 - 17/3964/HOT – Erection of a two-storey side extension and a single-storey rear extension. Alterations to first floor windows on rear elevation and patio to the rear. Replacement timber fence on Cheyne Avenue frontage. – Planning Permission APPROVED 15/01/2020 – [Officer note: this does not appear to have been implemented.]

- 20/1173/FUL – Construction of a two-storey attached house with associated provision of refuse storage and amenity space; hip-to-gable rear dormer roof extension and alterations to front porch on existing dwelling house. – Planning Permission REFUSED 08/02/2021

Reason(s) for refusal:

1. Roof extension – *The proposed hip-to-gable rear dormer roof extension, by virtue of its combined siting, design, width, depth, bulk and massing, would result in an unduly prominent, overbearing and unneighbourly form of development, which would completely destroy the character and form of the main roof, to the detriment of the character and appearance of the host dwelling and surrounding area, and would result in an unacceptable degree of overlooking of neighbouring rear gardens, to the detriment of neighbouring amenities. As such, the development would be contrary to, in particular, Policies LP1 and LP8 of the Local Plan (2018), the Design Quality Supplementary Planning Document (February 2006), the House Extensions and External Alterations Supplementary Planning Document and the Whitton and Heathfield Village Planning Guidance Supplementary Planning Document (July 2014).*
2. Design/Siting – *The proposed new dwelling, by virtue of its combined unacceptable siting, width and design, would result in an unduly cramped and incongruous form of overdevelopment of the site, which introduces an uncharacteristic and visually confusing terraced urban grain to the area, resulting in an unacceptable form of infill development to the detriment of the visual amenities of the area. As such, the development would be contrary to, in particular, Policies LP1 and LP39 of the Local Plan (2018), the Design Quality Supplementary Planning Document (February 2006), the Small and Medium Housing Sites Supplementary Planning Document (February 2006) and the Whitton and Heathfield Village Planning Guidance Supplementary Planning Document (July 2014).*
3. Housing standards – *The proposed new dwelling, by virtue of its failure to meet minimum internal space standards, would result in an unacceptable standard of residential development for future occupiers. As such, the development would be contrary to, in particular, Policies LP8 and LP35 of the Local Plan (2018), the Residential Development Standards Supplementary Planning Document (March 2010) and the Small and Medium Housing Sites Supplementary Planning Document (February 2006).*
4. Sustainability – *In the absence of an adequately detailed Energy Statement and accurately completed Sustainable Construction Checklist, the application fails to demonstrate that it would deliver an energy efficient and sustainable form of development and as such would be contrary to Policies LP20 and LP22 of the Local Plan (2018) and the Sustainable Construction Checklist Supplementary Planning Document (January 2016).*
5. Parking – *In the absence of a Parking Survey and clear and convincing information demonstrating safe independent access to the proposed on-site parking spaces, the application has failed to demonstrate that it would provide an adequate level of on-site parking for both the existing dwelling and proposed new dwelling, and would thus adversely impact on the free flow of traffic in the vicinity, to the detriment of pedestrian and vehicular safety on the surrounding highways network. The scheme is therefore contrary to the aims and objectives of Policies, in particular, LP44, LP45*

of the Local Plan (2018) and the Transport Supplementary Planning Document (June 2020).

6. Affordable Housing – In the absence of a binding legal agreement securing the necessary contribution to the affordable housing fund, the proposed scheme would fail to contribute to the Borough's affordable housing targets. As such, the application fails to comply with the outcomes sought by Policy LP36 of the Local Plan (2018) and the Affordable Housing Supplementary Planning Document (March 2014).
- 21/2899/FUL – Construction of a two storey, two bedroom attached dwelling house with associated provision of refuse/parking/cycle storage, and amenity space; host dwelling roof conversion from hip to gable, incorporating proposed rear dormer and 1st floor rear fenestration changes. – Planning Permission REFUSED 02/11/2021

Reason(s) for refusal:

1. Affordable Housing – In the absence of a binding legal agreement securing the necessary contribution to the affordable housing fund, the proposed scheme would fail to contribute to the Borough's affordable housing targets. As such, the application fails to comply with the outcomes sought by Policy LP36 of the Local Plan (2018) and the Affordable Housing Supplementary Planning Document (March 2014).
2. Roof extension – The proposed hip-to-gable rear dormer roof extension, by virtue of its combined siting, design, width, depth, bulk and massing, would result in an unduly prominent, overbearing and unneighbourly form of development, which would completely destroy the character and form of the main roof, to the detriment of the character and appearance of the host dwelling and surrounding area, and would result in an unacceptable degree of overlooking of neighbouring rear gardens, to the detriment of neighbouring amenities. As such, the development would be contrary to, in particular, Policies LP1 and LP8 of the Local Plan (2018), the Design Quality Supplementary Planning Document (February 2006), the House Extensions and External Alterations Supplementary Planning Document and the Whitton and Heathfield Village Planning Guidance Supplementary Planning Document (July 2014).
3. Design/Siting – The proposed new dwelling, by virtue of its combined unacceptable siting, width and design, would result in an unduly cramped and incongruous form of overdevelopment of the site, which introduces an uncharacteristic and visually confusing terraced urban grain with small gardens to the area, resulting in an unacceptable form of infill development to the detriment of the visual amenities of the area. As such, the development would be contrary to, in particular, Policies LP1, LP16 and LP39 of the Local Plan (2018), the Design Quality Supplementary Planning Document (February 2006), the Small and Medium Housing Sites Supplementary Planning Document (February 2006) and the Whitton and Heathfield Village Planning Guidance Supplementary Planning Document (July 2014).
4. Sustainability – In the absence of an adequately detailed Energy Statement and accurately completed Sustainable Construction Checklist, the application fails to demonstrate that it would deliver an energy efficient and sustainable form of development and as such would be contrary to Policies LP20 and LP22 of the Local

Plan (2018) and the Sustainable Construction Checklist Supplementary Planning Document (January 2016).

5. *Parking – In the absence of a Parking Survey and clear and convincing information demonstrating safe independent access to the proposed on-site parking spaces, the application has failed to demonstrate that it would provide an adequate level of on-site parking for both the existing dwelling and proposed new dwelling, and would thus adversely impact on the free flow of traffic in the vicinity, to the detriment of pedestrian and vehicular safety on the surrounding highways network. The scheme is therefore contrary to the aims and objectives of Policies, in particular, LP44, LP45 of the Local Plan (2018) and the Transport Supplementary Planning Document (June 2020).*

Pre-Application

- 18/P0239/PREAPP – Removal of the existing garage at the land rear of no.9 Cheyne Avenue and creation of 1No. family dwelling. The design includes a basement level, with associated lightwells, this will accommodate 2 bedrooms (2 bed,3p). – Written advice issued 06/11/2018 – [Officer note: the applicant and agent who engaged in the pre-application service are not involved with this current application.]

Public and other representations:

Neighbour consultation

None received.

Internal consultation

- Ecology – No objection subject to replacement of lost tree at side in the rear garden and conditions securing final details of landscaping, ecological enhancements and external lighting details
- Transport – Sufficient parking for one dwelling only. Construction Method Plan is required.
- Housing/Viability – No objection subject to policy-compliant level of affordable housing provision being secured via a S106 Agreement

Internal consultees' comments are incorporated into the main body of the assessment below.

Policies:

The proposal has been assessed having regard to the National Planning Policy Framework (NPPF) (2021) and the Local Development Plan, in particular, the following policies and supplementary planning guidance:

London Plan (2021)

- Policy D12 Fire Safety

Local Plan (2018):

- Policy LP1 Local Character and Design Quality
- Policy LP2 Building Heights
- Policy LP8 Amenity and Living Conditions
- Policy LP10 Local Environmental Impacts, Pollution and Land Contamination
- Policy LP15 Biodiversity
- Policy LP16 Trees, Woodlands and Landscape

- Policy LP20 Climate Change Adaptation
- Policy LP21 Flood Risk and Sustainable Drainage
- Policy LP22 Sustainable Design and Construction
- Policy LP34 New Housing
- Policy LP35 Housing Mix and Standards
- Policy LP36 Affordable Housing
- Policy LP37 Housing Needs of Different Groups
- Policy LP39 Infill, Backland and Backgarden Development
- Policy LP44 Sustainable Travel Choices
- Policy LP45 Parking Standards and Servicing

Supplementary Planning Documents (SPDs):

- Affordable Housing SPD (March 2014, updated March 2021)
- Air Quality SPD (June 2020)
- Design Quality SPD (February 2006)
- House Extensions and External Alterations SPD (June 2015)
- Planning Obligations (June 2020)
- Refuse and Recycling Storage Requirements SPD (April 2015)
- Residential Development Standards SPD (March 2010) and Housing Optional Technical Standards update (June 2015)
- Small and Medium Housing Sites SPD (February 2006)
- Sustainable Construction Checklist SPD (January 2016)
- Transport SPD (June 2020)
- Whitton and Heathfield Village Planning Guidance SPD (July 2014)

Other Planning Guidance:

- Construction Management Plan – Guidance Notes and Template (July 2021)
- Strategic Flood Risk Assessment – Level 1 Update (Updated 2020 with further minor updates March 2021)

Professional comments:

The application site has been assessed in relation to the following issues:

- Principle of development and land use;
- Housing mix and standards;
- Character, design and layout;
- Neighbour amenities;
- Biodiversity, ecology and trees;
- Sustainability and flood risk;
- Transport and refuse;
- Affordable housing provision.

Principle of residential land use

The existing site is in residential use and so no change of use is proposed. Policy LP34 (New Housing) of the Local Plan refers to the borough's target for 3,150 new homes for the period 2015-2025, as conferred upon it by the Mayor of London and the London Plan. Subject to the principal of infill development being acceptable and the provision of a policy-compliant housing mix and standards and affordable housing contribution, the addition of one new dwelling is welcome in this respect, where this can be achieved in accordance with other Local Plan policies.

Principle of infill development

Policy LP39 (Infill, Backland and Backgarden Development) Part A states that all infill development must reflect the character of the surrounding area and protect the amenity

and loving conditions of neighbours. In considering applications for backland development, the following factors should be addressed:

1. Retain plots of sufficient width for adequate separation between dwellings;
2. Retain similar spacing between new buildings to any established spacing;
3. Retain appropriate garden space for adjacent dwellings;
4. Respect the local context, in accordance with policy LP2 Building Heights
5. Enhance the street frontage (where applicable) taking into account of local character;
6. Incorporate or reflect materials and detailing on existing dwellings, in accordance with policy LP1 Local Character and Design Quality;
7. Retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP16 Trees and Landscape;
8. Result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens, in accordance with policy LP8 Amenity and Living Conditions;
9. Provide adequate servicing, recycling and refuse storage as well as cycle parking;
10. Result in no unacceptable impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.

The application appears almost identical to the refused scheme and thus the proposal is considered to continue to be of an insufficient design and siting that would not satisfactorily reflect the established plat layouts and spacing within the area, instead appearing as a cramped form of overdevelopment of the plot. The proposed amenity space for the new dwelling would be very small in comparison with rear gardens in the immediate local area, which are noted to be deep. Further the application is considered to continue to fail to provide an adequate standard of on-site car parking and access layout, to the detriment of highways safety. It is therefore not considered that the application would fully comply with the relevant criteria set out in Policy LP39 above and thus in its current form represents an unacceptable form of infill/backgarden development. This is discussed in greater detail in the relevant sections of the main report.

Housing mix and residential development standards

Housing mix

Policy LP35 (Housing Mix and Standards) Part A of the Local Plan states that developments should generally provide family-sized accommodation in this location. The application is for a two-bedroom dwelling, which could accommodate a small family, which is considered to be an acceptable housing mix for the area.

Internal standards

Policy LP35 Part B of the Local Plan requires new housing to comply with the Nationally Described Space Standard (NDSS). The submitted plans indicate that the proposed new two-bedroom dwelling would be three-storey with an occupancy level of three people (2B3P).

For a 2B3P two-storey dwelling, 70sqm of gross internal floor area (GIA) is required. According to the Design and Access Statement, the proposed house has a GIA of 74sqm, which would therefore meet and exceed the minimum requirements.

Also required within the NDSS is:

- a built-in storage area of 2sqm;
- a dwelling with two or more bedspaces has at least one double or twin bedroom;

- one double bedroom is at least 2.75m wide with very other double bedroom being at least 2.55m wide;
- one double bedroom has a floor area of at least 11.5sqm;
- head height should be at least 2.3m for a minimum of 75% of the GIA.

The application appears to meet all other internal space standards cited above.

External standards

The requirements of policy LP35 (Parts C and D) of the Local Plan and the Residential Development Standards SPD apply to external amenity space. This seeks a minimum of 5sqm of private outdoor space for a 1-2 person dwelling plus an extra 1sqm per additional occupant. A minimum of 6 would therefore be required for the new dwelling.

Part D states that amenity space for all new dwellings, should be:

- private, usable, functionable and safe;
- easily accessible from living areas;
- orientated to take account of the need for sunlight and shading;
- of a sufficient size to meet the needs of the likely number of occupiers; and
- accommodation likely to be occupied by families with young children should have direct and easy access to adequate private amenity space.

The application proposes 21sqm of outdoor rear amenity space. This is considered to meet the minimum space standards and the general spacing and standards requirements set out above.

Accessibility

Policy LP35 Part E of the Local Plan states that 90% of all new build housing is required to meet Building Regulation Requirement M4(2) 'accessible and adaptable dwellings' and 10% of all new build housing is required to meet Building Regulation Requirement M4(3) 'wheelchair user dwellings'. According to the Design and Access Statement the proposed new build development would meet Building Regulations M4(2). Various details are provided under the heading of Inclusive Home Statement. Were the application acceptable in all other respects, provision to Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings' would be secured by condition.

Fire safety

Policy D12 Fire Safety of the recently adopted London Plan requires all development to demonstrate the highest standards of fire safety. Part A relates to minor applications and further guidance is provided in the GLA's Draft Fire Safety SPG.

The applicant has submitted a Fire Safety Strategy (FSS) and accompanying plans, the information in which addresses the criteria set out in Policy D12 Part A. The document is considered to be proportionate and acceptable for an application of this scale and nature.

Affordable Housing

Policy LP36 (Affordable Housing) of the Local Plan sets out the framework to require contributions to affordable housing from all small sites. Further details are set out in the Affordable Housing SPD. The contribution that would be sought would be discounted to represent 5% affordable housing, given the proposal creates one new unit. The commuted sum can be calculated using the pro-forma Annex A to the Affordable Housing SPD.

No commuted sum pro-forma has been submitted with the application though the applicant has submitted a draft Unilateral Undertaking which cites an affordable housing contribution of £4,652.

The application has been referred to the Council's Planning Viability Advisor to review, including the open market value (OMV). Based on comparables, an Open Market value of £500,00 for the two-bedroom unit has been assumed. On this basis, at 5% and using the Council's benchmark rent for use in the pro-forma, a contribution of £12,263 is suggested. Officers note that this is the same amount which was suggested by the Council during the assessment of the previous refusal, and is cited in the relevant officer report.

Were the application acceptable in all other respects, the suggested amount would need to be secured via a legal agreement (note that monitoring and legal fees relevant to this application are likely to be added to this sum when the legal agreement is finalised). If there were issues of viability to raise, then financial appraisal information would need to be submitted and the Council would require this to be independently

However, given that the scheme is unacceptable in other respects, it is not possible to secure this contribution. Therefore, in the absence of a binding legal agreement securing the necessary contribution to the affordable housing fund, the proposed scheme would not comply with the outcomes sought by Policy LP36 of the Local Plan and the Affordable Housing Supplementary Planning Document.

Character, design and appearance

Policy LP1 (Local Character and Design Quality) of the Local Plan states that new development must be of a high architectural and urban design quality based on sustainable design principles. 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. To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:

1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height massing, density, landscaping, proportions, form, materials and detailing;
2. sustainable design and construction, including acceptability, subject to aesthetic considerations;
3. layout, siting and access, including making best use of land;
4. space between buildings, relationship of height to widths and relationship to the public realm, heritage assets and natural features;
5. inclusive design, connectivity, permeability, natural surveillance and orientation; and
6. suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.

Supporting text para 4.1.3 states that this policy requires developers and applicants to take a sensitive approach to the architectural design of new buildings, as well as landscape proposals. The Council does not wish to encourage a particular architectural style or approach but expects each scheme to be based on a sound understanding of the site and its context, following the locally specific guidance set out in the Village Planning Guidance for the area.

Para. 4.1.4 goes on to state that given the built-up nature of the borough, it is anticipated that most new buildings will be as a result of redevelopment, where compatibility with the existing urban fabric is a key consideration. The purpose is to maintain, reinforce and where possible enhance the local character and features that give the area its distinctive

and clear identity. Opportunities should be taken to improve the general level of design of an area where appropriate. New development should respect existing street and development patterns.

Further guidance is provided in the Council's Design Standards SPD, House Extensions and External Alterations SPD, the Village Planning Guidance for the area and the Small and Medium Housing Sites SPD. The latter states that new residential development must have regards to potential impacts on local character, plot layout and grouping, amenity and parking. Re-development of previously developed sites should only take place where the proposal does not have an adverse impact on the local character.

As per Policy LP39 of the Local Plan, infill development must reflect the character of the surrounding area and protect the amenity and living conditions of neighbours. The full requirements for an acceptable form of infill development as per Policy LP39 have been set earlier in the report.

Turning first to the proposed hip-to-gable rear dormer roof dormer at No. 9, the House Extensions and External Alterations SPD is particularly relevant. This states that the external appearance of any extension must be carefully designed in order to avoid the visual confusion that can result when the style and materials of the original house are ignored. An extension that results in the conversion of an existing hip roof into a gabled roof is not desirable and will not be encouraged. This is especially so when the roofscape and space between buildings are important features of the character of that part of the street, and/or there is symmetry with the adjoining semi-detached property or within the terrace in which the building is located.

With regards to roof dormer extensions, the SPD advises that these ought not to dominate the original roof. Normally a significant area of the existing roof should be left beneath a new dormer and on either side, thus setting the extension well in from either side of the roof. It is advised that it may be more successful to incorporate two smaller dormers than one large dormer. Sensitivity to the existing character should be ensured. A dormer with a flat roof may be out of character with the original building. Hipped or gabled dormers are often preferable, or alternatively, the use of rooflights should be considered. In order to create sufficient internal headroom, it may be acceptable as a compromise to have a small dormer with a flat roof. Further, dormer windows should be smaller in size than the windows on the floor below. Matching or complementary materials should be used.

The proposed dormer would not be set in at either side, would come right up to the ridge of the main roof with minimal set back from the eaves. Little, if any, of the original roof would remain visible and the property would read from the rear as an overly-vertical third-storey building with flat roof rather than a two-storey pitched-roofed dwelling with a proportionate and subordinate addition to its roof. Whilst the dormer would no longer feature a Juliet balcony, which is a marginal improvement, the proposed windows would not be smaller in size than those on the floor below and in fact would be marginally longer in height, thus increasing the dominance and incongruity of the extension. The original character and form of the roof would be completely destroyed and the proposal would appear unduly prominent, unneighbourly, overbearing and incongruous, particularly given its prominent corner-plot siting, to the unacceptable detriment of the character and appearance of the main house and the visual amenities of the area.

These concerns regarding the proposed roof dormer were all raised during the assessment of both recently refused schemes. The current application is not considered to have made any material effort to address these concerns, as it is almost identical to the refused scheme, albeit no longer proposes a Juliet balcony.

The Design and Access Statement submitted with the application identifies an existing rear dormer roof extension at No, 5 Cheyne Avenue, which is also substantial in size, though officers do note that it is at least set back further from the eaves than what is being proposed at No. 9. No planning records exist for this dormer and thus presumably it was built under permitted development. The dormer appears to be an isolated case and certainly is not considered to have altered the surrounding roofscape to such a degree that large, prominent roof dormers are now a dominant characteristic of the area. Each case is assessed on its own merits but if anything, the dormer at No. 5 serves as an example of the harmful visual impact a non-policy-compliant scheme would have, and more generally has been used to inform the content of the Council's current House Extensions and External and Alterations SPD and Policy LP1 of the Local Plan.

Turning now to the proposed new dwelling, this would adjoin the existing house to the side, turning the existing semi-detached pair (Nos. 9 & 11) into a short terrace. Materials and design would match the existing property, and it is recognised that characteristic features such as the two-storey bay window and sash windows at the front, would be incorporated into the design. The front and rear building lines would be flush with the existing property and the new dwelling would also have the same width. Roof ridge and eaves would match, with a pitched roof adjoining the proposed new gabled roof at No. 9.

Despite this, however, the proposed dwelling is not considered to successfully assimilate with the character of the surrounding area, mainly because the defining urban grain of properties is semi-detached pairs and detached bungalows. There are no examples of short terraces and therefore the proposal would introduce a building type and layout which is not characteristic of the area and would thus appear visually incongruous. It is recognised that the application no longer proposes the introduction of a dual-pitched roof porch to the site. This is welcome, as the dual-pitched style is not a typical characteristic of the area. However, this improvement is not considered sufficient to mitigate the overall unacceptable design of the scheme.

Further, the new dwelling would occupy the whole of the existing side garden of No. 9, coming right up to the boundary with the road. Whilst it is noted that the property on the opposite side of the junction on Cheyne Road (No. 7) has been extended to the side, the extension does not come right up to the boundary, is set down from the main roof ridge, is less than half the width of the adjoining dwelling, and clearly reads as a proportionate and subordinate addition to the main house. What is proposed at No. 9, however, would obviously be a new dwelling and not an extension, is of a much larger width and scale, and is consequently considered to appear cramped and overdevelopment of the plot. This would be exacerbated by its prominent corner plot siting.

The applicant has included in their submission the Appeal Decision for a part single, part two storey side/rear extension and rear dormer roof extension at 192 Waverley Avenue which was allowed on Appeal on 11/02/2011. This decision was issued long before the adoption of the Council's current policies within the Local Plan (2018). In any case, the decision relates to a different property which is not within the immediate streetscene and does not comment on the officers' concerns about the introduction of short terrace to the urban grain, given that the Appeal decision does not relate to a new dwelling.

Officers consider it to be more relevant and appropriate to refer to the more recent Appeal Decision relating to the actual application site. In the assessment of the unsuccessful Appeal of the refusal of a two-storey side extension under planning application ref. 16/4771/HOT, the Inspector concluded that the development would significantly enlarge the footprint of the existing dwelling and noticeably add to its scale and mass. It was further noted that the long ridgeline of the finished building, which would run parallel to Cheyne Avenue, would visually accentuate the width and scale of the development, as

would the rooflines above the ground floor front projection. In views from Cheyne Avenue, the new development was considered to draw the eye because it would appear as an overly large addition, which would overwhelm the traditional style and more modest proportions of the appeal dwelling.

Whilst it is appreciated that the Inspector's comments relate to the acceptability of a two-storey extension and not a new dwelling, the sentiment of the concerns raised is considered to be relevant, and it remains the case that the proposed development on this site would result in an unacceptable form of overdevelopment and inappropriate infill development.

Regarding the proposed alterations to the rear fenestration arrangement for No. 9, whilst this would match what is also proposed at No. 9B, the style and design of the windows would differ to the original design and, more importantly, would no longer match the design of No. 7, which forms the second dwelling of the semi-detached pair.

Further, deep rear gardens are a typical characteristic of the local area, which is considered to have an open, leafy and suburban feel, to which these deep gardens are a contributory factor. The submitted plans show that the new dwelling would benefit from only a very small rear garden, comparatively. The development would therefore fail to reflect the established urban grain and spacing of the local area, which is characterised by deep rear gardens which gives the area a green, spacious and suburban feel.

These concerns regarding the new dwelling were all raised during the assessment of both the recently refused schemes. The current application is not considered to have made any effort to address these concerns, as it is almost identical to the refused scheme.

The submitted elevations appear to show the removal of the existing front boundary wall, though this is not clear, as the existing drawings incorrectly omit a front boundary. There is a discrepancy between the proposed elevations and floorplans but both drawings do seem to indicate that the front boundary wall would be lost and soft boundary planting implemented instead. Front gardens with dwarf boundary walls is a feature specifically mentioned in the Whitton and Heathfield Village Planning Guidance as a dominant characteristic of the area. The omission of this characteristic from the proposal is therefore not supported and is considered to contribute to the development's incongruity on the streetscene. In any case, clarification of the discrepancies would be required in any future application. Please also refer to the 'Other Matters' section above.

Proposed materials are considered acceptable. However, these do not mitigate the harm identified above.

Residential amenity

Policy LP8 (Amenity and Loving Conditions) of the Local Plan states 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.

Further guidance is provided in the Council's House Extensions and External Alterations SPD and Small and Medium Housing Sites SPD.

With regards to the proposed new dwelling, this would not include windows in the flank, and so there would be no impact on the privacy of the nearest property (No. 11) which is

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located on the other side of the street anyway. With regards to the impact on No. 25 Sheringham Avenue to the rear, the new dwelling would face a flank wall and so no privacy or overlooking concerns arise.

Regarding the impact of the proposed rear dormer roof extension at No. 9, the removal of the proposed Juliet balcony and unacceptably large windows, as previously proposed in the refused scheme, is considered to overcome officers' previous concerns regarding a real and perceived sense of overlooking of neighbouring rear gardens.

Ecology and biodiversity

Policy LP15 (Biodiversity) of the Local Plan states that all new development will be expected to preserve and where possible enhance existing habitats and biodiversity features, including trees. All developments will be required to enhance existing and incorporate new biodiversity features and habitats into the design of buildings themselves as well as in appropriate design and landscaping schemes of new developments with the aim to attract wildlife and promote biodiversity, where possible. When designing new habitats and biodiversity features, consideration should be given to the use of native species as well as the adaptability to the likely effects of climate change. New habitats and biodiversity features should make a positive contribution to and should be integrated and linked to the wider green and blue infrastructure network.

The application no longer proposes the subdivision of the existing the amenity space at the rear, as this appears to have already been implemented, and the majority of the rear garden has already been lost to hardstanding. The application site is therefore considered to have only minimal ecological value.

The Council's Ecology Officer has raised no objection to the scheme subject to there being no net loss in soft landscaping and the lost tree at the side of the site being replaced in the rear garden. Noting the existing condition of the site, there would be net loss of soft landscaping as a result of the development. Further, as noted in further detail in the 'Trees' section of the report below, there is no longer a tree on site as this has since been removed. However, to accord with Policy LP15, the development would be expected to deliver ecological uplift on site. Were the application acceptable in all other respects, this could be secured via conditions securing the submission and approval of an ecological enhancement plan and final details of soft and hard landscaping works. It is also noted that the Ecology Officer advises that, were the application acceptable in all other respects, details of external lighting should be secured via condition.

With regards to the potential presence of nesting swifts, as noted in the officer report for the refused scheme, the Council's Ecology Officer has previously advised that, were the application acceptable in all other respects, this could be mitigated via a condition ensuring that replacement nest boxes are installed under the eaves.

Trees and Landscaping

Policy LP16 (Trees, Woodlands and Landscape Part A of the Local Plan states that the Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

Part B of Policy LP16 states that the Council will resist the loss of trees, included 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. With regards to landscape, Policy LP16 Part B states that to ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals will:

1. require the retention of important existing landscape features where practicable;
2. require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and
3. encourage planting, including new trees, shrubs and other significant vegetation where appropriate.

The applicant has confirmed that there are no longer any trees on site. Were the application acceptable in all other respects, details of soft landscaping, including planting of new trees, could be secured via condition.

Sustainability

Policy LP20 (Climate Change Adaption) of the Local Plan states that the Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.

Policy LP22 (Sustainability) Part A of the Local Plan relates to sustainable design and construction. This states that development will be required to achieve the highest standards of sustainable design and construction in order to mitigate against climate change. Applicants will be required to comply with the following:

1. Development of 1 dwelling unit or more will be required to comply with the Sustainable Construction Checklist SPD;
2. Development that results in a new residential dwelling will be required to incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day for homes;
3. New non-residential buildings over 100sqm will be required to meet BREEAM 'Excellent; standard;
4. Proposals for change of use to residential will be required to meet BREEAM Domestic Refurbishment 'Excellent' standard (where feasible).

Part B relates to reducing carbon dioxide emissions. This states that developers are required to incorporate measures to improve energy conservation and efficiency as well as contributions to renewable and low carbon energy generation. All new residential buildings on schemes of under 10 units should achieve a 35% carbon reduction.

Part C states that this should be achieved by following the Energy Hierarchy: 1) Be lean: use less energy; 2. Be clean: supply energy efficiently; 3) Be green: use renewable energy.

Part D relates to decentralised energy (DE) networks and requires development to connect with localised DE networks where feasible.

Finally, Part E relates to retrofitting and states that high standards of energy and water efficiency in existing development will be supported wherever possible through retrofitting. Householder applications and other development proposals that do not meet the thresholds set out in Policy LP22 are encouraged to comply with the Sustainable Construction Checklist SPD as far as possible in line with other policies in the Local Plan.

The application is accompanied by the following supporting information:

- Sustainable Construction Checklist prepared by the agent dated 06/11/2021
- SAP Report Energy Statement prepared by Vision Energy dated 30/11/2021

- Regulations Compliance Report (SAP Report – Be Lean) assessed by Storma FSAP dated 30/11/2021
- Regulations Compliance Report (SAP Report – Be Green) assessed by Storma FSAP dated 30/11/2021
- Water Usage Calculator Report (undated)

The submitted information demonstrates that the new dwelling would result in 36% on-site CO2 reductions and sets out how this would be achieved following energy hierarchy set out in Policy LP22(C). It also confirms that the site is not within an area which allows for a decentralised energy network to be utilised. Whilst there is a slight discrepancy in the Sustainable Construction Checklist (SCC), which states that a 35% carbon reduction would be achieved on site, given that this is policy-compliant, the application is considered to be acceptable in this respect. Officers remain disappointed that the SCC continues to give an overall score of 34 which indicates ‘minimal effort to increase sustainability beyond general compliance’. Furthermore, no information has been provided regarding the BREEAM score for the new dwelling. The application is considered to be policy-compliant with regards to Policy LP22 above, and is therefore considered to have overcome the previous reason for refusal in this regard; however, officers note the minimal sustainability efforts made and have taken this into account as part of the overall planning balance of the scheme.

Flood Risk and Sustainable Drainage

Policy LP21 (Flood Risk and Sustainable Drainage) Part A of the Local Plan requires all development to 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. The site is in Flood Zone 1 and has no designations indicating a high risk of surface water flooding. Given that the application is for a minor scheme of one new dwelling (and roof extension to an existing dwelling), there is no policy requirement to provide a Flood Risk Assessment or Sustainable Drainage Statement.

Transport and refuse

Policy LP44 (Sustainable Travel Choices) of the Local Plan states that the Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment.

Policy LP45 (Parking Standards and Servicing) of the Local Plan outlines that developments must demonstrate an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions. It is further stated that in areas with a low PTAL it is particularly important that parking standards are met.

The Council's Transport SPD and Recycling and Refuse Requirements SPD are also relevant.

The site has a PTAL rating of 1b which is considered ‘very poor’ and has no CPZ. There is an existing dropped kerb from Sheringham Avenue which provides on-site parking for No. 9. The proposed plans show that this arrangement would continue albeit that this space would be allocated to the new dwelling. No details of where occupants of No. 9 would park have been provided. The application would therefore result in a deficit of 1no. parking space. No Parking Survey has been provided to demonstrate that the resulting overspill would not result in unacceptable parking stress on nearby streets. It is therefore

considered that the application fails to demonstrate that the development would be able to accommodate a policy-compliant level of on-site parking provision, and in the absence of a Parking Survey, fails to demonstrate that this potential overspill would not be to the detriment of local parking conditions, the free flow of traffic and highway safety.

With regards to cycle parking provision and recycling and refuse storage, the application proposes 2 no. cycle parking spaces per property and bin storage in the respective front garden. In principle this is acceptable and were the application acceptable in all other respects, it is recommended that a condition be attached requesting final details.

Turning to construction, in order to demonstrate the development may be carried out in a safe manner, the applicant is required to submit a detailed Construction Traffic Management Plan (CTMP) for the project, demonstrating how the works are to be carried out, including but not limited to: the number and type of vehicles that will be required, routing, methods of spoil removal and concrete supply, protection for other highway users and vulnerable pedestrians, the position of vehicles, skips, etc. Site setup drawings at a minimum scale of 1:200 are required showing the site in context of the surroundings. The applicant should be aware that construction traffic has a disproportionate impact on a street and must demonstrate they have carried out meaningful consultation with neighbours on the CTMP proposals. Were the application acceptable in all other respects, details could be secured via condition.

Community Infrastructure Levy (CIL)

Had this application been acceptable in all other respects, the scheme would have been liable for CIL contributions. The online calculator can be found here: https://www.richmond.gov.uk/borough_cil_and_planning_obligations.

Summary:

The proposed hip-to-gable rear dormer roof extension, by virtue of its combined siting, design, width, depth, bulk and massing, is considered to result in an unduly prominent, overbearing and unneighbourly form of development, which would completely destroy the character and form of the main roof, to the detriment of the character and appearance of the host dwelling and surrounding area, and would result in an unacceptable degree of overlooking of neighbouring rear gardens, to the detriment of neighbouring amenities. As such, the development is considered to be contrary to, in particular, Policies LP1 and LP8 of the Local Plan (2018), the Design Quality SPD (February 2006), the House Extensions and External Alterations SPD and the Whitton and Heathfield Village Planning Guidance SPD (July 2014).

The proposed new dwelling, by virtue of its combined unacceptable siting, width and design, would result in an unduly cramped and incongruous form of overdevelopment of the site, which introduces an uncharacteristic and visually confusing terraced urban grain with small garden to the area, resulting in an unacceptable form of infill development to the detriment of the visual amenities of the area. As such, the development is considered to be contrary to, in particular, Policies LP1, LP16 and LP39 of the Local Plan (2018), the Design Quality SPD (February 2006), the Small and Medium Housing Sites SPD (February 2006) and the Whitton and Heathfield Village Planning Guidance SPD (July 2014).

Moreover, in the absence of a Parking Survey and clear and convincing information otherwise, the application fails to demonstrate that it would provide a policy-compliant level of on-site parking for both properties, and would thus adversely impact on the free flow of traffic in the vicinity, to the detriment of pedestrian and vehicular safety on the surrounding highways network. The scheme is therefore contrary to the aims and objectives of Policies, in particular, LP44, LP45 of the Local Plan (2018) and the Transport SPD (June 2020).

Finally, in the absence of a binding legal agreement securing the necessary contribution to the affordable housing fund, the proposed scheme would fail to contribute to the Borough's affordable housing targets. As such, the application fails to comply with the outcomes sought by Policy LP36 of the Local Plan (2018) and the Affordable Housing SPD (March 2014).

Recommendation: REFUSE