

Application reference: 21/3911/HOT

ST MARGARETS AND NORTH TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
12.11.2021	13.01.2022	10.03.2022	10.03.2022

Site:

46 Ailsa Road, Twickenham, TW1 1QW,

Proposal:

Alterations to front boundary wall including raising height to highest point of existing wall, installation of dropbox and new gates.

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

APPLICANT NAME

alexander
46, Ailsa Road
Twickenham
TW1 1QW

AGENT NAME

Tom Soper
KTB Architecture
15 Theed street
London
SE18ST
United Kingdom

DC Site Notice: printed on 13.01.2022 and posted on 21.01.2022 and due to expire on 11.02.2022

Consultations:**Internal/External:**

Consultee
14D Urban D

Expiry Date
27.01.2022

Neighbours:

3 Kilmorey Gardens, Twickenham, TW1 1PU, -
37 Ailsa Road, Twickenham, TW1 1QJ, - 13.01.2022
35 Ailsa Road, Twickenham, TW1 1QJ, - 13.01.2022
44 Ailsa Road, Twickenham, TW1 1QW, - 13.01.2022
48 Ailsa Road, Twickenham, TW1 1QW, - 13.01.2022

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

Status: GTD Application:000/11/46/P3(A)
Date:22/02/1977 Erection of second floor extension to provide separate living unit.

Development Management

Status: RNO Application:00011/46/TA1
Date:29/03/1994 Works to silver birch tree within Isleworth Riverside Conservation Area.

Development Management

Status: RNO Application:08/T0580/TCA
Date:14/10/2008 T1 - Magnolia - Remove

Development Management

Status: GTD
Date:14/10/2011

Application:11/2375/HOT
Conversion of existing ground floor workroom into a new single bedroom with en-suite shower room.

Development Management

Status: GTD
Date:28/09/2011

Application:11/2435/HOT
Proposed Single Storey Rear Extension And Enlarged Rear Terrace With New Steps Down To Existing Lower Garden.

Development Management

Status: GTD
Date:19/10/2020

Application:20/1430/HOT
Internal remodelling, minor alterations to external elevations including raising parapet height for new roof construction. Replacement windows and external wall insulation.

Development Management

Status: PDE
Date:

Application:21/3911/HOT
Alterations to front boundary wall including raising height to highest point of existing wall, installation of dropbox and new gates.

Building Control

Deposit Date: 13.01.2012

Conversion of existing workshop into new bedroom/ensuite shower room accommodation.

Reference: 12/0075/FP

Building Control

Deposit Date: 07.01.2021

Internal alterations and to external elevations including raising parapet height for new roof construction. Replacement windows and external wall insulation (see exclusions**)

Reference: 21/0024/IN

Application Number	21/3911/HOT
Address	46 Ailsa Road Twickenham TW1 1QW
Proposal	Alterations to front boundary wall including raising height to highest point of existing wall, installation of dropbox and new gates.
Contact Officer	JMO - Jack Morris
Target Determination Date	10/03/2022

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer has considered the information submitted with the application, any previous relevant applications, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The property is a detached three storey single family unit.

The application site is situated within Twickenham and is designated as:

- Area Benefiting Flood Defence - Environment Agency (Areas Benefiting from Defences)
- Article 4 Direction Basements (Article 4 Direction - Basements / Ref: ART4/BASEMENTS / Effective from: 18/04/2018)
- Building of Townscape Merit (Site: 46 Ailsa Road Twickenham Middlesex TW1 1QW)
- Community Infrastructure Levy Band (Higher)
- Conservation Area (CA19 St Margaret's)
- Floodzone 2 (Fluvial / Tidal Models)
- Floodzone 3 (Tidal Models)
- SFRA Zone 3a High Probability (Flood Zone 3)
- Strategic Flood Risk Assessment Zone 2 Medium Probability ()
- Surface Water Flooding (Area Less Susceptible to) - Environment Agency ()

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

The proposal seeks to raise the height of the front boundary wall, install a new inward opening vehicle gate, move the pedestrian entrance, and install a new post box.

The most recent history is as follows:

Development Management

Status: GTD

Date:19/10/2020

Application:20/1430/HOT

Internal remodelling, minor alterations to external elevations including raising parapet height for new roof construction. Replacement windows and external wall insulation.

4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above.

The St Margaret's Resident's Association submitted a letter of objection to the Council. The content of which has been summarised below:

- SMERA was broadly supportive of previous application (20/1430/HOT) to renovate the property.
- However, we did raise concerns regarding proposed changes to the front wall, which were subsequently removed from that application, so we are concerned to see them re-surfacing in this latest application.
- The stepped front wall is an important and distinctive Deco feature and must be retained.
- The replacement of the existing pedestrian gate with one of zigzag design to match the front door is in keeping and acceptable.
- However, the re-positioning of gates is not. While a feature of Bauhaus architecture is visual balance through asymmetry, the proposed changes, in our view, cause an imbalance and are therefore detrimental to the street scene.
- While SMERA welcomes the restoration work currently nearing completion, this latest Planning Application, if approved, will be detrimental.

The council's conservation officer was contacted to comment on the case and left the following comments which have been summarised below:

- The front boundary wall forms an important part of this character, and I am concerned that the levelling off of the front boundary wall would detract from this character- this aspect of the proposals would not be acceptable, and the front pedestrian gate should be retained.
- They are a part of the essential character of the BTM. The existing wall height relates well to neighbouring property. Alterations to the front boundary was previously proposed under 20/1430/HOT, this aspect being subsequently withdrawn.

- The proposed vehicle gate (& dropbox) would be acceptable, subject to further details, and in this case could improve the frontage appearance.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places

These policies can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

London Plan (2021)

The main policies applying to the site are:

- D4 Delivering good design
- D12 Fire Safety
- HC1 Heritage conservation and growth

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	No
Impact on Designated Heritage Assets	LP3	Yes	No
Impact on Non-Designated Heritage Assets	LP4	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	No

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Supplementary Planning Documents

- Buildings of Townscape Merit
- House Extension and External Alterations
- Transport
- Village Plan – St Margaret’s and East Twickenham

These policies can be found

at: https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

- St Margaret’s Conservation Area Statement
- St Margaret’s Conservation Area Study

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on neighbour amenity
- iii Fire Risk
- iv Flood Risk

i Design and impact on heritage assets

Policy LP1 of the Local Plan 2018 seeks to maintain and, where possible, enhance the high architectural and urban design quality which contributes to the character and heritage of the area. Proposals should demonstrate an understanding of the site and its context when considering the design including layout, siting and access and the compatibility of the works to the neighbouring uses.

The proposal seeks to demolish the property's original art-deco stepped wall front wall from its current design to be a single height, alter the position of the pedestrian gate, add a new vehicle gate, and add a drop box.

The property is situated to the northern end of Eliza Road making up part of the St Margaret's Conservation Area. The village planning guidance describes the area to be made up of Grandiose detached villas - in a mixture of styles including Gothic and Italianate, varying brick type including London Stock, gault, yellow or red, slate, pantiles, render, spacious character, mature gardens, green space, strong boundary definition, third floors uncommon; accommodation is contained within gabled roof spaces. Despite this, however, the host dwelling is an exception to the majority as it is a modernist property built in the Bauhaus style finished in white render and set under flat roofs set behind parapet walls. The dwelling enjoys a greater height than that of its immediate neighbours with part of the property raising to three storeys. As a result of this, it has been designated a BTM and is visually dominant, so any change to the host dwelling is thought to be especially noticeable.

The proposed wall would be of a single height of approximately 1.5m with a width of 12.8m stretching the full width between the common boundary with nos. 44 and 48 Ailsa Road. The wall would be covered in a white render and feature new Art Deco style vehicle and pedestrian gates, and a drop box for parcel delivery.

A similar scheme was included within a previous application for planning permission under the ref: 20/1430/HOT. Under this application, however, alterations to the front wall were omitted from the plans after the officer for the case requested they be altered to improve visibility splays and the proposal gained opposition from the St Margaret's Estate Resident's Association.

The Council's SPD broadly advises, where possible, to utilise materials to match those already used on the rest of the property to enable any scheme to integrate to the existing character and heritage of the site. It is considered that the proposed use of render to the wall would suitably ensure that the proposed wall would match that of the rest of the host dwelling. Furthermore, the Council's conservation officer found the design of the proposed vehicle and pedestrian gate to suitably reflect the Art Deco design of the property, subject to further details.

While this is so, it is also considered that the scheme would fail to preserve the character of the property within the reasons set out below.

Firstly, it is considered that the deco style stepped wall height is a key aspect of the property's character, and the stepped height enables the wall to be of a greater height towards the centre, whilst not exceeding the height of the neighbouring front wall, ensuring the property's wall maintains a relationship with its surroundings. The proposed wall would exceed the neighbouring wall at no.44 by approx. 0.3m which would appear to be an unbalanced and unsympathetic addition when viewed from the streetscape and would diminish the property's relationship with its neighbour.

An email was sent to the agent for the case on 09/03/2022 outlining the conservation officer's comments and to offer an opportunity to amend plans to make them acceptable, however, there was no response.

Paragraph 199 of the NPPF states 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 202 of the NPPF states 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'. In this instance, it is considered that due to the minor nature of the works and the application of materials which aid its integration to the property and wider area, the proposal has a neutral impact upon the conservation area.

Paragraph 203 of the NPPF states 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'. The Council's SPD on buildings of townscape merit notes that *the removal of original or characteristic features, or the introduction of unsympathetic windows, doors or materials can not only destroy the visual quality of one building but erode the entire character and interest of an area.*

It is considered that while the proposal would result in the alteration of a more minor aspect of the overall property, the proposed wall would amount to an unsympathetic and highly visual alteration when viewed from the streetscape, eroding the architectural integrity of the property when viewed as a whole.

In view of the above, the proposal fails to comply with the aims and objections of policies LP1, LP3 and LP4 of the Local Plan.

ii Impact on neighbour amenity

Policy LP8 states that development must protect the amenity and living conditions of existing, adjoining and neighbouring occupants. Design must allow for good daylight standards, avoid overlooking or noise disturbance, avoid visual intrusion, overbearing impacts or harm to the reasonable enjoyment of the uses of buildings and gardens. Harm may arise from various impacts such as noise, air pollution, odours or vibration.

While it is considered that the proposed boundary wall and railings would be visible from the neighbouring properties, it is not considered to cause demonstrable harm to the living conditions of the inhabitants due to its nature, size, scale, and siting.

iii Fire Safety

London Plan policy D12 requires the submission of a Fire Safety Statement on all planning applications. The Fire Safety Statement should be presented as a standalone document with a clear structure that addresses the criteria set out in London Plan Policy D12 part A. The submitted drawings should address the requirements set out at paragraphs 3.12.3 and 3.12.4 of the London Plan. Where the applicant considers parts of or the whole policy do not apply, this should be justified in a Reasonable Exception Statement (RES).

A reasonable exemption statement was submitted on the 13th of January 2022. This stated that the nature of the works do not necessitate any specific requirements under the policy. It notes that the nature of the works do not affect the main dwelling, so all fire safety measures remain as existing.

This is considered to satisfy the requirements of policy D12, and as such the development is considered exempt from the policy requirements above.

Flood Risk

It is noted that the property falls into flood zone 3a and is less susceptible to surface water flooding. Due to the nature of the proposal, it is not considered that the proposal would materially increase the flood risk to the surrounding area as it would not increase the level of impermeable surface within the property as the wall would largely share the same footing as the existing front wall. As such, the proposal is not thought to detrimentally impact the flood risk meeting policy LP21 of the Local Plan.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team.

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process.

For the reasons set out above, it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF (2021) and Development Plan, when taken as a whole.

Refuse planning permission for the following reason

The proposed works, by virtue of their unsympathetic design and relationship to the neighbouring properties when viewed from the streetscape, would fail to preserve or enhance the setting, character and appearance of the host Building of Townscape Merit and the Conservation Area, contrary to Policy LP1, LP3 and LP4 of the Local Plan (2018), St Margaret's Conservation Area Statement, and paragraphs 199 and 202 of the National Planning Policy Framework (NPPF).

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): JMO

Dated: 31/05/2022

I agree the recommendation:

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

Dated:DYF 08/06/2022.....

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

U0063923	NPPF REFUSAL- Para. 38-42
U0063926	Drawings