

Application reference: 22/2417/FUL
WEST TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
02.08.2022	02.08.2022	27.09.2022	27.09.2022

Site:

24 Hampton Road, Twickenham, TW2 5QB,

Proposal:

Erection of 1 no. single storey dwelling and a pair of two storey semi-detached dwellings with associated access, parking and amenity space.

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

APPLICANT NAME

Mr A Davies
24 Hampton Road
Twickenham
TW2 5QB
United Kingdom

AGENT NAME

Ms Karen Clark
Hampton House, 14 Orchard Lea
Drift Road
Winkfield
Windsor
SL4 4RP
United Kingdom

DC Site Notice: printed on and posted on 12.08.2022 and due to expire on 02.09.2022

Consultations:**Internal/External:****Consultee**

14D Urban D
LBRUT Transport
14D POL
14D Urban D
LBRuT Trees Preservation Officer (North)

Expiry Date

18.08.2022
18.08.2022
18.08.2022
18.08.2022
18.08.2022

Neighbours:

Flat 2,86 Hampton Road,Twickenham,TW2 5QS -
Flat 20,Walpole Court,Hampton Road,Twickenham,TW2 5QH -
10 Second Cross Road,Twickenham,TW2 5RF -
19 Second Cross Road,Twickenham,TW2 5QY -
12 Second Cross Road,Twickenham,TW2 5RF -
92 Second Cross Road,Twickenham,TW2 5RA -
14 Second Cross Road,Twickenham,TW2 5RF -
21 Second Cross Road,Twickenham,TW2 5QY -
27 Second Cross Road,Twickenham,TW2 5QY -
29 The Green,Twickenham,TW2 5TU -
3 Second Cross Road,Twickenham,TW2 5QY -
1 Audley Court,Hampton Road,Twickenham,TW2 5QW -

Apartment 3,5 Pouparts Place,Twickenham,TW2 5FR -
11 Spencer Road,Twickenham,TW2 5TH -
80 Gould Road,Twickenham,TW2 6RW -
27D Blandford Road,Teddington,TW11 0LF -
11 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
9 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 1,13 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
13 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 2,13 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 7,15 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 6,15 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 5,15 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 4,15 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 3,15 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 2,15 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
Flat 1,15 Hampton Road,Twickenham,TW2 5QE, - 04.08.2022
11 Second Cross Road,Twickenham,TW2 5QY, - 04.08.2022
Prince Albert,30 Hampton Road,Twickenham,TW2 5QB, - 04.08.2022
22A Hampton Road,Twickenham,TW2 5QB -
22 Hampton Road,Twickenham,TW2 5QB, -
24B Hampton Road,Twickenham,TW2 5QB, - 04.08.2022
24A Hampton Road,Twickenham,TW2 5QB, - 04.08.2022
3 Cortayne Court,Popes Avenue,Twickenham,TW2 5TJ -
Flat 2,38 Hampton Road,Twickenham,TW2 5QB -
37A Staines Road,Twickenham,TW2 5BG -
84 Temple Sheen Road,East Sheen,London,SW14 7RR -
6 Ormond Road,Richmond,TW10 6TH -
4 Broome Road,Hampton,TW12 2PU -
32 Napoleon Road,Twickenham,TW1 3EP -
17 Twining Avenue,Twickenham,TW2 5LL -
7 First Cross Road,Twickenham,TW2 5QA -
1A Second Cross Road,Twickenham,TW2 5QY -
87 Sherland Road,Twickenham,TW1 4HB -
7A Wellington Gardens,Twickenham,TW2 5NY -
12 Denehurst Gardens,Twickenham,TW2 7PY -
Community Centre,13 Rosslyn Road,Twickenham,TW1 2AR -
34 Lyndhurst Avenue,Twickenham,TW2 6BY -
,,TW2 5QB -
14 Hampton Road,Twickenham,TW2 5QB, - 22.08.2022
18 Hampton Road,Twickenham,TW2 5QB, -
20 Hampton Road,Twickenham,TW2 5QB, - 22.08.2022
16 Hampton Road,Twickenham,TW2 5QB, -
3 First Cross Road,Twickenham,TW2 5QA, - 22.08.2022
1 First Cross Road,Twickenham,TW2 5QA - 22.08.2022
Flat 2,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
1A First Cross Road,Twickenham,TW2 5QA - 22.08.2022
Flat 11,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 9,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 7,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 5,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 3,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 1,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 12,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 10,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 8,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 6,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
Flat 4,Grace Court,12 Hampton Road,Twickenham,TW2 5QD, - 22.08.2022
5 First Cross Road,Twickenham,TW2 5QA, -
4 First Cross Road,Twickenham,TW2 5QA -
31 First Cross Road,Twickenham,TW2 5QA -

1 First Cross Road, Twickenham, TW2 5QA -
 33 Walpole Road, Twickenham, TW2 5SN -
 36A Hampton Road, Twickenham, TW2 5QB -
 16 Cornwall Road, Twickenham, TW1 3LS -
 10 Selkirk Road, Twickenham, TW2 6PX -
 13 Second Cross Road, Twickenham, TW2 5QY, -
 4 Talbot Road, Twickenham, TW2 6SJ -
 57 Upper Grotto Road, Twickenham, TW1 4NG -
 Saltburn House, 69 The Green, Twickenham, TW2 5TU -

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

Development Management

Status: GTD Application: 47/8523
 Date: 25/10/1957 Extension of existing building and conversion into two flats and one maisonette.

Development Management

Status: GTD Application: 47/8626
 Date: 29/01/1958 Extension of existing car park.

Development Management

Status: RNO Application: 21/T1003/TCA
 Date: 23/12/2021 As per specification within document attached ref: 41707.

Development Management

Status: REF Application: 21/T1095/TPO
 Date: 23/12/2021 As per specification within document attached ref: 41707. T5 - Euclyptus

Development Management

Status: REF Application: 22/T0063/TPO
 Date: 23/03/2022 T5 Eucalyptus : Crown lift to a height of 4m from ground level - To give sufficient height clearance to enable access around the gardens and to prevent possible damage to the wall beneath the crown. To gain more natural light to the shaded area of land under the crown and reduce damp to the wall.

Development Management

Status: PCO Application: 22/2417/FUL
 Date: Erection of 1 no. single storey dwelling and a pair of two storey semi-detached dwellings with associated access, parking and amenity space.

Building Control

Deposit Date: 24.07.2015 Circuit alteration or addition in a special location Install one or more new circuits Install a replacement consumer unit Partial rewire

Reference: 15/NIC01908/NICEIC

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): EMC

Dated: 16.01.23.

I agree the recommendation:

Head of Development Management

Dated:RDA 09/03/2023.....

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

22/2417/FUL	
Address	Land to the rear of 24 Hampton Road, Twickenham, TW2 5QB
Proposal	Erection of 1no. single storey dwelling and a pair of two storey semi-detached dwellings with associated access, parking and amenity space.
Determination Date	EOT Not Agreed

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 does not comply with relevant Local Plan Policies, the planning officer has visited the site, 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 site is located on the northern side of Hampton Road to the rear of No 24 Hampton Road. No 24 also contains flats no. 24A and 24B. Access to the site is off Hampton Road which is shared with 24 Hampton Road. The site is in the West Twickenham Ward in Twickenham Village. It is subject to the below designations.

- Area of Mixed Use
- Area Susceptible To Groundwater Flood - Environment Agency Superficial Deposits Flooding - >= 50% <75% - SSA Pool ID: 338
- Article 4 Direction B1 to C3 Restricting B1 To C3 - Hampton Road
- Article 4 Direction Basements
- Building of Townscape Merit Site: 24 Hampton Road Twickenham Middlesex TW2 5QB
- Conservation Area CA9 Twickenham Green
- Critical Drainage Area - Environment Agency Strawberry Hill [Richmond]
- Increased Potential Elevated Groundwater GLA Drain London
- Key Office Area Hampton Road, Twickenham
- Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency RoFSW Extent 1 In 1000 year chance - SSA Pool ID: 36121

- Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency
- Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency
- Take Away Management Zone
- Throughflow Catchment Area
- Village Twickenham Village
- Twickenham Green Village Character Area 9 & Conservation Area 9 Twickenham Village Planning Guidance

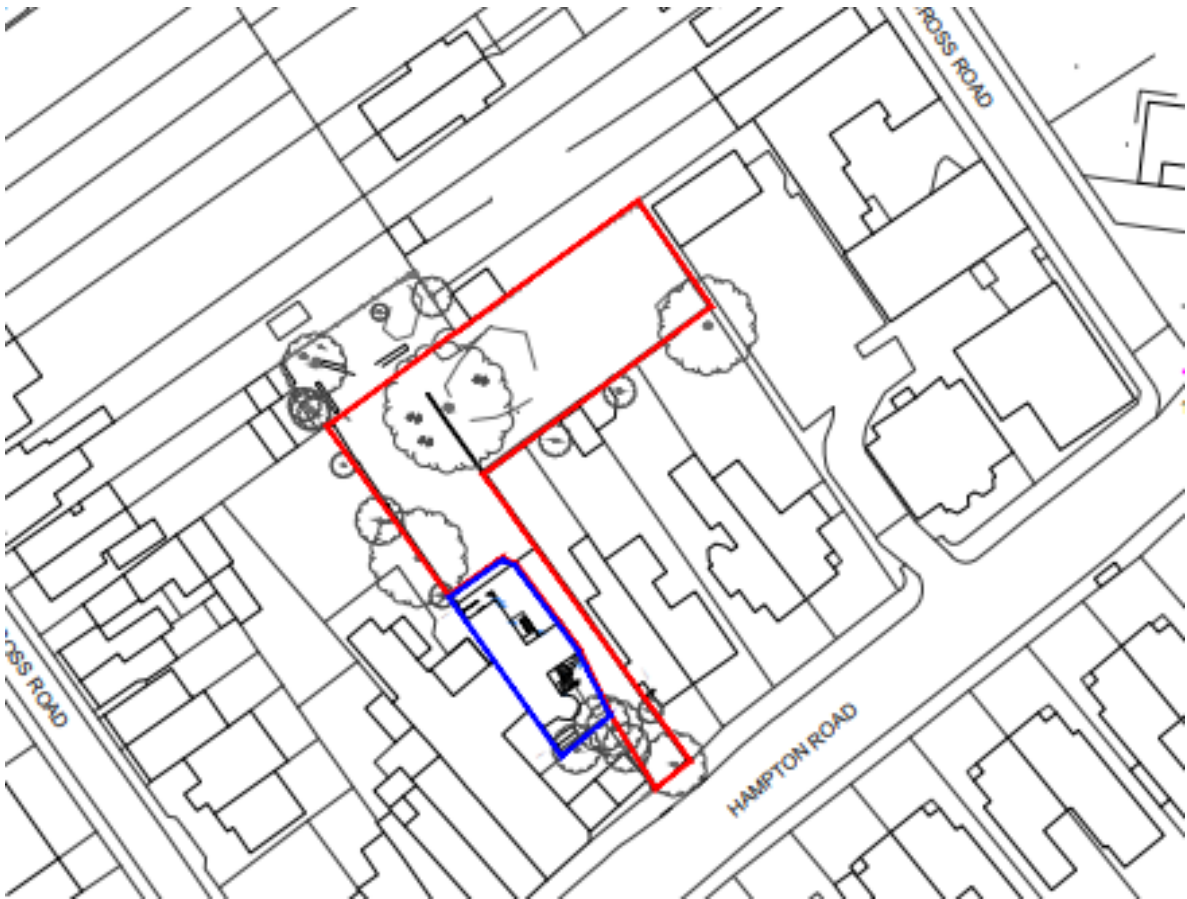


Figure 1. Site Plan

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Planning
24 Hampton Road

47/8626	Extension of existing car park.	Granted Permission	29/01/1958
47/8523	Extension of existing building and conversion into two flats and one maisonette.	Granted Permission	25/10/1957

Conditions

(a) Strike out if unconditional consent issued.

(a) Subject to the following conditions:—

1. That adequate visibility be provided and maintained to the public highway at the existing point of access at a height of 3ft. 6ins. above footpath level and for a distance of 7ft. 6ins. on each side of such access to the satisfaction of the Local Planning Authority.
2. That the land required for highway purposes be excluded from the proposed development.
3. That within 3 months of the commencement of any other part of the approved development or such longer period as may be approved by the Local Planning Authority, adequate parking and turning space be constructed within the curtilage of the site to the satisfaction of and in accordance with details approved by the Local Planning Authority and thereafter be maintained to the satisfaction of the Local Planning Authority.

(b) Strike out if unconditional consent issued.

(b) The reasons why the conditions are imposed are as follows: satisfaction of the Local Planning Authority.

To ensure that the proposed development does not prejudice the free flow of traffic or the conditions of general safety along the neighbouring highway. (Applicable to Conditions 1 and 3).
 Part of the land, which will be indicated on application to the Highway Authority, is required for highway purposes. (Applicable to Condition 2).

Land Rear Of 16-22 Hampton Road Twickenham

96/2504/CAC	Demolition Of Part Of Existing Wall (to Provide Vehicular Access From Adjoining Land)	Refused	01/10/1996	Appeal	09/12/1996
96/1121/FUL	Erection Of Two Three Bedroom Houses	Refused			24/04/1998
	Appeal				09/12/1996

Heritage & Design

7. I can see no objection to the style of the proposed dwellings and the materials to be used which have been carefully designed and selected to reflect cottages in First and Second Cross Roads. My main concern is that the scheme would represent a further encroachment of development into this extensive open area of gardens, an important feature of the conservation area which the Council seeks to protect. Over two-thirds of the site would be taken up with building and hard surfaced car parking and the back gardens would be significantly smaller than most gardens in the vicinity.

10. I conclude on the first issue that, taking all the above matters into account and having regard to the requirement of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as criteria in UDP policy ENV 10, both the development and

Neighbour Amenity

14. In conclusion, I find the combined impact on neighbours' living conditions of visual intrusion, loss of privacy and noise and disturbance in this backland setting sufficient to render the scheme unacceptable on this second issue also. Consequently, the development would not accord with UDP policy ENV 26.

13. To my mind, 2 houses would also bring with them an increased level of domestic activity and noise on a daily basis into this quiet backland area, over and above that experienced when the site was in use as a single garden. There would be noise and fumes from the comings and goings of 7 cars which, in my view, could be as much as 30 movements a day whereas there is none at present. Residents of Willow Court too would be affected by additional vehicular movements associated with the 5 car spaces to be provided for the dwellings, as well as by occasional deliveries. However, since vehicles would use the existing access at one side of the flats which have been designed with this in mind, the added effect of noise would not be serious.

14. In conclusion, I find the combined impact on neighbours' living conditions of visual intrusion, loss of privacy and noise and disturbance in this backland setting sufficient to render the scheme unacceptable on this second issue also. Consequently, the development would not accord with UDP policy ENV 26.

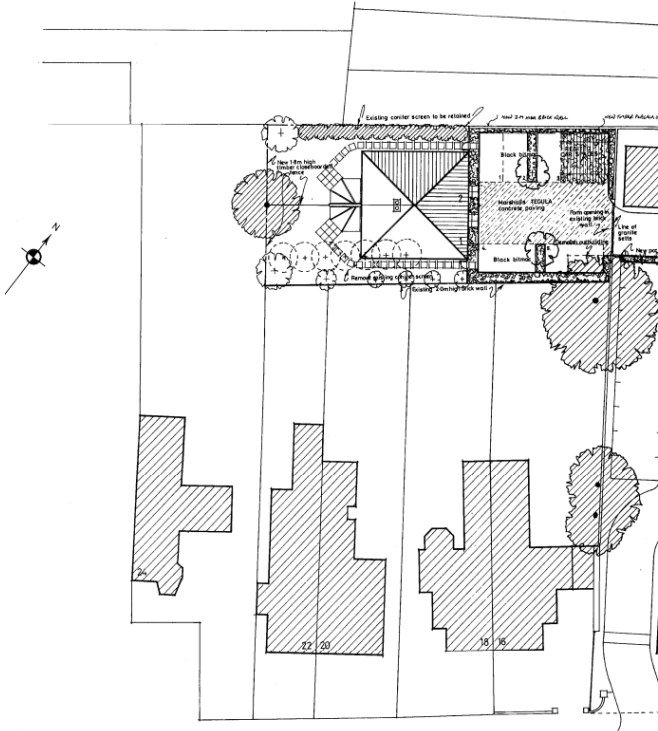


Figure 2. Site Plan 96/1121/FUL



Figure 3. Proposed Elevations

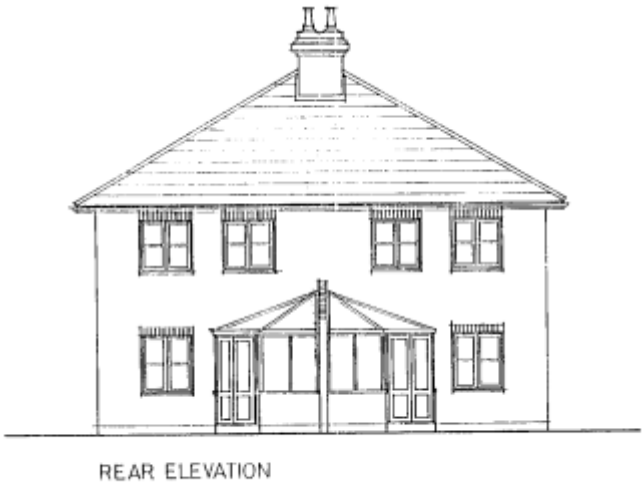


Figure 4. Proposed Rear Elevations

4. CONSULTATIONS CARRIED OUT

Consultees	Consultee Comment
LBRUT Conservation	Objection. The proposals fail to preserve the character or appearance of the conservation area and the historic setting of BTM and fail to accord with the statutory duty of the 1990 Act, paras 199, 200, 202 and 203 of the NPPF as well as LP1, LP3, LP4 and LP39 (on basis that the area is considered garden land).
LBRUT Transport	Access and car parking levels are tolerable. The site is subject to an existing crossover. Amendments to it are not proposed. No

	objection. The proposed parking and cycle spaces are acceptable. Details of any displaced car parking serving no. 24 Hampton Road should be provided.
LBRUT Ecology	Objection. Potential adverse impact on biodiversity, in particular bats and hedgehogs. Insufficient information.
LBRUT Trees	Objection. The proposals will result in damage to a protected tree considered to be of amenity value, in contravention of LP16 Trees and Woodlands section 1, 2 and 5.
LBRUT Policy	The proposed scheme is viable and could provide an affordable housing contribution.
LLFA	Efforts should be made to manage surface water as a result of the development to prevent flood risk and added pressure to the existing surface water drainage network. Greenfield runoff rates post-development should be sought through the utilisation of sustainable drainage systems (SuDS).

Key properties include the following: No. 24 Hampton Road. Flats 24A & 24 are adjacent to the site to the west. Nos, 16 - 22 and 22A are sited to adjacent to the South. Nos 14 Hampton Road and Flats 1 – 6 Grace Court are adjacent to the east. No. 3 First Cross Road, 11 & 13 Second Cross Road adjoin to the north.

The following properties have been consulted. A site notice has also been erected.

1. 11 Hampton Road, Twickenham TW2 5QE
2. 9 Hampton Road, Twickenham TW2 5QE
3. Flat 1, 13 Hampton Road Twickenham TW2 5QE
4. 13 Hampton Road, Twickenham TW2 5QE
5. Flat 2, 13 Hampton Road Twickenham TW2 5QE
6. Flat 7, 15 Hampton Road Twickenham TW2 5QE
7. Flat 6, 15 Hampton Road Twickenham TW2 5QE
8. Flat 5, 15 Hampton Road Twickenham TW2 5QE
9. Flat 4, 15 Hampton Road Twickenham TW2 5QE
10. Flat 3, 15 Hampton Road Twickenham TW2 5QE
11. Flat 2, 15 Hampton Road Twickenham TW2 5QE
12. Flat 1, 15 Hampton Road Twickenham TW2 5QE
13. 11 Second Cross Road, Twickenham TW2 5QY
14. Prince Albert, 30 Hampton Road Twickenham TW2 5QB
15. 22A Hampton Road, Twickenham TW2 5QB
16. 22 Hampton Road, Twickenham TW2 5QB
17. 24B Hampton Road, Twickenham TW2 5QB
18. 24A Hampton Road, Twickenham TW2 5QB
19. 13 Second Cross Road, Twickenham TW2 5QY
1. 14 Hampton Road, Twickenham TW2 5QB
2. 18 Hampton Road, Twickenham TW2 5QB
3. 20 Hampton Road, Twickenham TW2 5QB
4. 16 Hampton Road, Twickenham TW2 5QB
5. 3 First Cross Road, Twickenham TW2 5QA

- 6. 1 First Cross Road, Twickenham TW2 5QA
- 7. Flat 2, Grace Court 12 Hampton Road Twickenham
- 8. 1A First Cross Road, Twickenham TW2 5QA
- 9. Flat 11, Grace Court 12 Hampton Road Twickenham
- 10. Flat 9, Grace Court 12 Hampton Road Twickenham
- 11. Flat 7, Grace Court 12 Hampton Road Twickenham
- 12. Flat 5, Grace Court 12 Hampton Road Twickenham
- 13. Flat 3, Grace Court 12 Hampton Road Twickenham
- 14. Flat 1, Grace Court 12 Hampton Road Twickenham
- 15. Flat 12, Grace Court 12 Hampton Road Twickenham
- 16. Flat 10, Grace Court 12 Hampton Road Twickenham
- 17. Flat 8, Grace Court 12 Hampton Road Twickenham
- 18. Flat 6, Grace Court 12 Hampton Road Twickenham
- 19. Flat 4, Grace Court 12 Hampton Road Twickenham

The application has received 57 public objections have been received by 51 third parties. The planning matters are summarised below:

Public Objections	Officer Response
Insufficient access/egress for parking/loading/turning/emergency vehicles (i.e. Fire or Flood vehicles)	It is noted that emergency vehicles would not be able to enter or turn within the site as the single access has been constrained. Please see the 'Transport' section below.
Insufficient pedestrian access	The access to the rear of the site is a private driveway leading to 3 units. The Council can't impose any requirements on private driveways. Please see the 'Transport' section below.
Access too close to the bus stop & junction at the Twickenham Green	No changes are being made to the existing access to the site.
Unacceptable increase in Vehicle Traffic/Congestion especially given there are 2 schools nearby.	The implications of the development on the car parking serving the existing site, have not been provided. Please see the 'Transport' section below.
Insufficient Car Parking	The proposed car parking meets the requirements of the London Plan (2021). However, there are concerns about the implications of the proposal on the existing car parking. See the 'transport' section below.
Insufficient width of vehicle entrance	No changes are being propose to the existing crossover of vehicle entrance in this application. Please see the 'Transport' section below.
Overlooking especially on Nos 3 & 4 First Cross Rad & Nos 18 & 20 Hampton Road	It is not considered that the proposal would result in overlooking or be overbearing on neighbours to warrant a refusal. Please se the 'Neighbour Amenity' section below.
Loss of privacy & light	It is not considered that the proposal would result in a loss of light upon surrounding neighbours to warrant a refusal. Please see the neighbour amenity section below.
Loss of visual amenity	It is not considered that the proposal would result in a loss of 'visual amenity' upon

	surrounding neighbours to warrant a refusal. Please see the 'Neighbour Amenity' section below.
Detrimental impact on trees including a TPO Tree.	The site would result in a detrimental impact on trees.
Adverse impact on ecology/biodiversity/bats. Not in keeping the Borough's Biodiversity Action Plan.	There is insufficient information on ecology. Please see the 'Ecology section' below.
Fire Safety	A Fire Safety Statement has been prepared. It is not considered that the proposal would detrimentally impact on Fire Safety.
Planting Plan Insufficient	Were this application to be acceptable further details of a planting plan would be secured by a condition.
Disabled Person Access	Disabled access is not a statutory requirement on a development this scale. Building Regulations M(2) would be secured by a condition.
Loss of natural vista from Twickenham Green	The site is not subject to any protected views.
Overdevelopment of the site/Intensification	The proposal of 3 units across two buildings would be overdevelopment of the site. Please see the 'Character and Design' sections below.
Excessive Height & Poor Design	The design of the proposal is not considered acceptable. See the 'Character & Design' section below.
Design & materials unsympathetic to the surrounding properties.	The design of the proposal is not considered acceptable. See the 'Character & Design' section below.
Unacceptable levels of noise, pollution and congestion during construction	Were the application to be acceptable, it would be subject to a Construction Management Plan.
Detrimental impacts on the Conservation Area/Listed Buildings	The proposed development would have an adverse impact on the Conservation Area. See the 'Character, Heritage & Design' section below.
Insufficient supporting infrastructure to support a development of this case.	No in principle objection here. See 'In Principle' section below.
Insufficient drainage	The LLFA have been consulted. The application is not of a scale that is their remit to comment. However, they note drainage information should be supplied.
Unacceptable loss of garden/inappropriate backland development	There is no in principle objection to a development there, subject to all of the requirements so Local Plan (2018) being met. See the 'Principle of Development' section below.
The site has been cleared of biodiversity and vegetation prior to this application.	Not a planning matter. All the trees on the site are protected as it is in a Conservation Area. The illegal felling of trees has been reported to the Council's Trees Department.

Safety and security from intruders.	No evidence that the development would make the area a higher risk from intruders.
Party Wall disputes	Not within the scope of this applicaion.
Buttress to the wall has been removed. Walls surrounding the site have been com unstable and should be sensitively rebuilt.	Not within the scope of this application
Ecology Report insufficient/ Biodiversity Net Gain does not recognise the ecological value of the site	The applicaion is not considered acceptable on ecology grounds. See the 'Biodiversity' section below.

In addition to the above,
1 objection has also been received by Habitats and Heritage Charity; and
1 objection was received by Nature Connected Neighbourhoods Community Interest
Company.

The planning matters are summarised below:

Habitats and Heritage	Officer Response
In 2021, H&H deployed a static bat detector facing into the Backlands between 14th to 23rd August which gathered a staggering 1772 records of bat activity, all of which were externally verified by a bat expert to ensure their accuracy. This data shows an abundance of Common Pipistrelle activity (1480 records) from early evening (earliest 8:20pm) through to dawn, the former indicating there could likely to be a nearby maternity roost. Other species recorded were Soprano Pipistrelle (283), Daubenton's (3), Leisler's Bat (3) and Noctule (3). We would like to see the application heard by the Planning Committee with the planning to be refused and the space left to nature, which will quickly start to recolonise over the next few years.	The ecology evidence is not considered to be acceptable. Please see the 'Ecology' section below.
The wildlife corridor should not be lost. These are important to ensure that we tackle climate change.	Our ecology officer has been consulted. There are no objections.

The application has received 2 observations. The planning matters are summarised below:

Public Observations	Officer Response
In adequate parking/loading and turning	
Inadequate disabled persons access	
Impacts on nature conservation.	
Lack of sustainable design and renewable technology.	Disabled access is not a statutory requirement on a development this scale. Building Regulations M(2) would be secured by a condition.

One observation was received by Ward Councillor Piers Allen has requested if this application has the recommendation for approval that it should be determined at Committee.

Councillor Richard Bennett also made the above request.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

The key chapters applying to the site are:

- 2. Achieving sustainable development Paragraphs 7 to 14
- 3. Plan-making Paragraphs 15 to 37
- 4. Decision-making Paragraphs 38 to 59
- 5. Delivering a sufficient supply of homes Paragraphs 60 to 80
- 6. Building a strong, competitive economy Paragraphs 81 to 8
- 9. Promoting sustainable transport Paragraphs 104 to 113
- 11. Making effective use of land Paragraphs 119 to 125
- 12. Achieving well-designed places Paragraphs 126 to 136
- 14. Meeting the challenge of climate change, flooding and coastal change Paragraphs 152 to 173
- 15. Conserving and enhancing the natural environment Paragraphs 174 to 188
- 16. Conserving and enhancing the historic environment Paragraphs 189 to 208

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:

- GG1 Building strong and Inclusive communities
- GG2 Making the best use of land
- GG4 Delivering the homes Londoners need
- D3 Optimising site capacity through design-led approach
- D4 Delivering good design
- D5 Inclusive Design
- D6 Housing quality and standards
- D7 Accessible Housing
- D12 Fire Safety
- H1 Increasing Housing supply
- H2 Small sites
- H4 Delivering Affordable housing
- H6 Affordable Housing tenure
- H7 Monitoring affordable housing
- H8 Loss of existing housing and estate redevelopment
- H10 housing size mix

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
Local Character and Design Quality	LP1
Designated Heritage Assets	LP3

Non Designated Heritage Assets	LP4
Amenity and Living Conditions	LP8
Local Environmental impact, Pollution and Land Contamination	LP10
Biodiversity	LP15
Trees, Woodland and Landscape	LP16
Climate Change Adaptation	LP20
Flood Risk and Sustainable Drainage	LP21
Sustainable Design and Construction	LP22
Waste Management	LP24
New Housing	LP34
Housing Mix and Standards	LP35
Affordable Housing	LP36
Sustainable Travel Choices	LP44
Parking Standards and Servicing	LP45
Parking Standards	Appendix 3

These policies can be found at https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Supplementary Planning Documents

- Twickenham Village Planning Guidance SPD (2018)
- Government’s Nationally Described Space Standard
- Design Quality SPD
- Planning Obligation Strategy SPD
- Sustainable Construction Checklist
- Residential Development Standards SPD (Incorporating Nationally Described Space Standards)
- Transport SPD
- Refuse and Recycling Dec 2022
- Refuse and Recycling Storage Requirements SPD

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:

Determining applications affecting a Listed Building

Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant listed building consent for any works, or whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm.

To give effect to this duty decisions of the court have confirmed that a decision-maker should accord “considerable importance and weight” to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does

not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.

6. AMENDMENTS

The Council notes receipt of the following documents which were uploaded to the case file on 06 March 2023:

- Agent Rebuttal Conservation 23rd February 2023
- Agent Rebuttal Letter dated 23rd Feb 2023 Letter
- Agriculture Report Rebuttal dated 6th Feb 2023
- Rebuttal Affordable Housing dated 20th Feb 2023

7. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- Principle of Development
- Heritage, Character and Design
- Neighbour Amenity
- Flood Risk
- Affordable Housing
- Housing Mix
- Residential Standards
- Amenity Space
- Highways and Parking
- Biodiversity
- Trees
- Sustainability
- Waste
- Fire Safety
- Representations

Principle of Development

The planning history shows that there was a consent '47/8626 Extension of existing car park. Granted Permission 29/01/1958' however it is not clear what the area of this entailed.

The application 'Land Rear Of 16-22 Hampton Road Twickenham' which is confirmed at this site for '96/1121/FUL Erection Of Two Three Bedroom Houses Refused 24/04/1998 Appeal 09/12/1996' is pertinent. The principle of the development on this backland site in the Conservation Area was not accepted as evidenced in the Inspector's report. Whilst this is an historic consent dating back to 1996, it is key as it the most recent and relevant planning history here. It was considered that the development would result in an unacceptable encroachment into the rear garden land was is an important feature of the Conservation Area. The development at that time would have resulted in hard surfacing of much of the rear open space creating a residential scheme with garden land much smaller than most of the gardens in the vicinity.

While this application is assessed under the local Plan (2018), the site remains a Conservation Area and the policy position to protect its character and appearance remains (policies LP1 Character and Design and LP3 Designated Heritage Assets & LP4 Non Designated Heritage Assets). Moreover, the protection of garden land and unsympathetic backland development is set out under LP39.

Policy LP 39 Infill, Backland and Backgarden Development Infill and Backland Development A. All infill and backland development must reflect the character of the surrounding area and protect the amenity and living conditions of neighbours. In considering applications for infill and 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 LP 2 Building Heights;*
- 5. Enhance the street frontage (where applicable) taking account of local character;*
- 6. Incorporate or reflect materials and detailing on existing dwellings, in accordance with policy LP 1 Local Character and Design Quality;*
- 7. Retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP 16 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 LP 8 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.*

Backgarden Development

B. There is a presumption against loss of back gardens due to the need to maintain local character, amenity space and biodiversity. Back garden land which contributes either individually or as part of a larger swathe of green space to amenity of residents or provides wildlife habitats must be retained. In some cases a limited scale of backgarden development may be considered acceptable if it complies with the factors set out in above. Development on backgarden sites must be more intimate in scale and lower than frontage properties.

Following the assessment of this scheme there is an objection in principle to the development. It is larger in scale to the refused application 96/1121/FUL. It would be overdevelopment of this backland site, to the detriment of the character and appearance of its setting and the Conservation Area contrary to LP1, LP3 and LP4 (see the Character and Design Section below). Additionally, the proposal fails to comply with LP39 in particular parts 1, 2 in terms of the proposed building's footprint and design; part 7 in relation to the impact on trees and part 9 in terms of provision of waste and part B in relation to the unacceptable loss of backgarden land.

Heritage, Character and Design

NPPF (2021) Paragraph 134 sets out that "development that is not well designed should be refused, especially where it fails to reflect local design policies."

NPPF 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'.

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'.

London Plan Policy D3 Optimising site capacity through the design-led approach seeks to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy. It outlines that developments should "respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character." Furthermore, developments should be "be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan."

The London Plan (2021) Policy HC1 sets out that "development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings."

Local Plan 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. In order to achieve this, the following criteria must be assessed:

- *Compatibility with local character*
- *Sustainable design and construction*
- *Layout, siting and access*
- *Space between buildings*
- *Inclusive design, connectivity, permeability (as such gated developments will not be permitted)*
- *natural surveillance and orientation*
- *Suitability and compatibility of uses*

Local Plan LP39 sets out that infill developments should meet the following criteria: Retain plots of sufficient width for adequate separation between dwellings; Retain similar spacing between new buildings to any established spacing; Respect the local context, in accordance with policy LP 2 Building Heights; Enhance the street frontage (where applicable) taking account of local character; and Incorporate or reflect materials and detailing on existing dwellings, in accordance with policy LP 1 Local Character and Design Quality;

Local Plan LP 3 also states that "all proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area."

Local Plan Policy LP 4 Non-Designated Heritage Assets sets out that "the Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features."

Twickenham Green Conservation Area Statement 9 sets out that "on the West side tightly packed terraces of modest two storey brick cottages and houses lie behind small front gardens and boundary treatments. These largely unspoilt houses enjoy a more intimate

relationship with the green. The PH to the North and no.69 to the South terminate the views along this road. The older cottages on First Cross and Second Cross Roads both have distinctive historic long narrow gardens plots.”

Twickenham Village Planning Guidance (2018) describes the Twickenham Green Conservation Area “Red brick Victorian villas continue to frame the Green on the southern side. The materials, style and scale of buildings along Hampton Road is varied, and include no.24 with its distinctive dutch gable and castellation and the ornate Victorian ‘The Albert’ public house. Holy Trinity Church is a Grade II listed building built in 1840-1 and of Gothic revival design, conceived by George Basevi. It is a distinctive local landmark.”

A Heritage Statement , by GDM Architects 25 July 2022 has been supplied. A Design and Access Statement, by GDM Architects 25 July 2002 has also been submitted.



Figure 5. Proposed Elevations



Figure 6. Proposed Elevations

The application site forms an L-shaped parcel of open land to the rear of 24 Hampton Road. The area directly to the rear of 24 Hampton Road historically formed its large rear garden with the rectangular open piece of land directly to the rear of 16-22 Hampton Road appearing to form a separate space in some historic maps. From viewing the site it is clear that it in fact forms part its rear garden as clearly evidenced by the presence of an historic brick boundary wall surrounding most of the site. It has remained an open space with only a small single storey building in the south-east corner being shown on historic maps, remains of which are present on the site. The site is situated within the Twickenham Green Conservation Area and many buildings which surround it are designated BTMs. This includes no. 24 and the Prince Albert PH.

No. 24 is a particularly grand detached villa, which despite being set back from the street and behind the garden of the pub, forms an important feature of the conservation area, being three storeys and retaining some distinctive features such as Dutch gables castellations. It forms an important element of the late Victorian development of the area around the distinctive triangular green. The size of the historic garden of the property reflects its grandeur and forms an important open space within the conservation area. Of particular importance is the large trees which are highly visible from Hampton Road and provide a verdant feel to this part of the conservation area which forms a contrast to the busy thoroughfare of Hampton Road. The boundary wall surrounding the site is also an important historic feature and allows appreciation of the original garden setting of this BTM. Its current slightly rundown and overgrown appearance is somewhat detracting to the CA and the setting of the BTM and the introduction of fencing between no. 24 and the rest of the site introduces a visual truncating effect to its historic setting.

Proposals seek to introduce 1 single storey dwelling and 2 semi-detached dwellings on the site. It is important to note that an application was submitted for 2 semi-detached dwellings on the site in 1996 which was refused and dismissed at appeal. While this decision is historic, the comments of the Inspector do remain valid in relation to the impact on the CA. The Inspector states that, "the main feature of the conservation area is the triangular-shaped

Twickenham Green surrounded by building frontages generally low in scale and having a mixture of pleasing architectural styles... The south-western part of the conservation area embraces housing beyond the Green which features an extensive area of rear gardens within which the appeal site lies... From my visit, I gained the strong impression that the whole of this extensive area of back gardens form on continuous open landscaped space". The Inspector therefore considered the space to form garden land and there has been no change to the site since this appeal decision with no further applications submitted for the site to establish development.

It is considered that the space acts as a significant pocket of greenery and open space which contributes to the character of the conservation area. As such, the development of the space would cause less than substantial harm to the significance of the conservation area and indeed the historic setting of no. 24 would be substantially truncated, causing harm to its local significance. This is regardless of the layout, form and style of the development proposed on the site. Not only are there two dwellings proposed in the area to the east of no. 24, but a large single storey building will be sited almost directly to the rear of the building. The design of this building is totally out of character with the conservation area, reading more as a long industrial style building which will be pushed up hard against the boundary of the houses on 2nd Cross Road. There is also a concern regarding the impact of this building on the large tree in the centre of the site as well as other large trees which form positive features of the space.

It is important to note that the previous 1996 application only included 2 houses in the western part, with this part of the site remaining open and part of the garden of no. 24. As such, this application results in greater development and loss of important open space, which is considered to gross over development of the site, even if the principle of development were to be accepted.

The two semi-detached dwellings in the western part of the site are also overly large and the design is poor quality with little detailing. Except for their form, the buildings bare little relationship with the surrounding high quality Victorian development. When comparing the proposals to the 1996 application, the houses are larger and of a much lesser quality in terms of design and therefore fail to mitigate the harm caused by the development of the site in principle.

An agent's rebuttal to the Council's concerns in regard to Heritage, Character and Design was received on 23 February 2023 and uploaded to the case file on 06 March 2023. The applicant's view that the proposal would not cause harm on the conservation area is not accepted.

The current site forms part of the historic large rear garden of no. 24 as evidenced in historic maps and the retention of the historic brick boundary wall surrounding most of the site. It is also considered to form an important historic open space which contributes to the special character and appearance of the conservation area and the setting of the locally designated no. 24 (BTM). As such, there would be averse to accepting any form of development on the site unless significant public benefits were to outweigh the less than substantial harm caused by development on these heritage assets. Furthermore, the proposals result in a grossly over developed site with not only the space to the west developed, but also the area to the north of no. 24, resulting in almost total removal of its historic garden. A previous application for just 2 dwellings was refused and dismissed at appeal in 1996 and despite being historic, the character of this space has not changed, and the proposals present an even more densely developed site with the addition of the single storey dwelling. The form and size of the dwellings is out of character with the conservation area and the surrounding BTMs and represent a poor-quality of design. It is not considered that there are any heritage benefits that could be considered as part of the balancing exercise requirements by the NPPF. As

such, the proposals fail to preserve the character or appearance of the conservation area and the historic setting of BTM and fail to accord with the statutory duty of the 1990 Act, paras 199, 200, 202 and 203 of the NPPF as well as LP1, LP3, LP4 and LP39 (on basis that the area is considered garden land).

Neighbour Amenity

Local Plan 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.

Local Plan LP 39 sets out that developments should: 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 and result in no unacceptable impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.

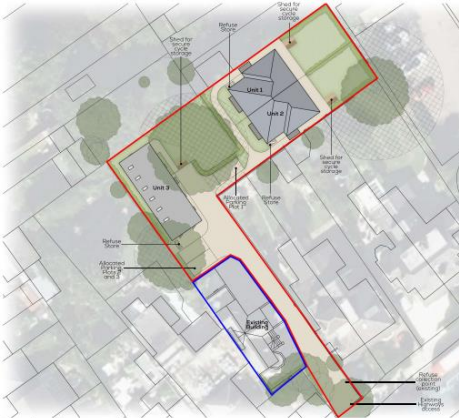


Figure 7. Proposed Site Plan

No. 24 Hampton Road

No. 24 Hampton Road contains 3 registered units Nos. 24, 24A and 24B. These were consented in 1957 via 47/8523. Unit 3 is a single storey structure located to the north of the rear of these flats. No. 24 contains a rear projection with a first-floor rear window and roof terrace. The main building also contains a third-floor rear window. The property contains a small rear amenity space at the back. Unit 3 as proposed would contain 2 small bedroom windows facing out onto the rear of No. 24. The sites would be separated by car parking spaces. Given the degree of separation, it is not considered that the proposal would generate mutual overlooking to an unacceptable degree. Given the proposal is a single storey it is not considered that it would cause overshadowing upon the rear windows of No. 24 to warrant a refusal.

The intensification on the site would cause some disturbance. The shared access would be used by 3 additional cars and the car parking area would be directly across from the rear windows of the property.

The introduction of 3 formal car parking spaces (2 at the rear of the site) would generate some noise and disturbance. The site was visited and cars were parked on the site, thought to be serving the existing 3 residential units. The past consents on the rear of the land, date back to the late 1950's. There is no current restriction on cars parking here.

The parking serving the existing 3 flats appears to be all removed. More clarification on this should be provided. The plans do not show any additional car parking on the site. Based on the supplied drawings, the total net increase of car parking on the site, comparable to the existing arrangement would not warrant a refusal on neighbour amenity grounds.

Additional information should however be supplied on the car parking situation for the existing 3 C3 units at No. 24 Hampton Road. This aspect of the proposal is discussed more in the Transport section below.

No. 16 – 22 Hampton Road

The nearest property would be no. 16 Hampton Road. This benefits from a rear garden of circa 13m. Nos 16 – 22 Hampton Road are located to the south. The application site would back onto their rear gardens. Given the degree of separation between the proposed flank wall of unit 2 and the rear walls of these properties it is not considered that the proposal would generate overshadowing such that would warrant a refusal.

The proposal would impact on the views from the rear windows of the property. Their outlook is currently an open site. The area is largely residential in character with long to medium views onto other residential dwellings being commonplace. There would be a material change in the outlook here, and a lower height would be preferred, however this would not be such that would warrant a refusal on visual amenity grounds.

The flank windows of the south elevation which would face Nos 16 – 22 contains 2 ground floor flank windows. These would serve a bathroom and a toilet. On the first floor the two side windows would serve bathrooms. As such overlooking impacts are not anticipated.

No. 22 Hampton Road

No 22 contains 3 ground floor windows serving a kitchen and bedroom. The ground floor also contains a living room with two side doors. There is one first floor side window serving a bedroom. The above fenestrations border the vehicle entrance into the site. The proposal to introduce car parking by 3 spaces, in addition to the 3 flats current present at No. 24 Hampton Road, is deemed excessive. The additional movements would generate disturbance and noise to an unacceptable degree. It is considered that the proposal would be contrary to LP8 and LP39 in this regard.

No 14 Hampton Road

No 14 Hampton Road is located to the east of the site. The consented use is commercial. The site is subject to the planning application: 79/0292 Erection of a single storey car showroom and alterations to existing shop and office premises to form ancillary reception and office area.: Granted Permission on 10/10/1979. The rear windows of units 1 & 2 would be separated by a back garden. The site is also bordered by a brick wall. As such overlooking would not be incurred to an unacceptable degree here.

3 First Cross Road

No. 3 First Cross Road is located to the north. It contains a garden room at the end of its garden. The rear wall of the property is some distance away at circa 15m. Owing to its siting it is not considered that it would be subject to detrimental neighbour amenity impacts here.

Nos. 11 & 13 Second Cross Road

Nos. 11 & 13 Second Cross Road are located adjacent to the site to the north west. Unit 3w which is a single storey house is proposed to border their gardens to the north. This would not contain rear windows. The rear walls of these properties are sufficient set away from the proposed development. It is not considered that the development would lead to an unacceptable degree of overshadowing or overlooking.

Flats 1 – 6 Grace Court

Flats No 1 – 6 Grace Court are sited to the east of the proposal. Owing to their siting along Hampton Road, they would not be detrimentally impact from the development.

Flood Risk

London Plan Policy SI 13 Sustainable drainage outlines that “B Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy: 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation) 2) rainwater infiltration to ground at or close to source 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens) 4) rainwater discharge direct to a watercourse (unless not appropriate) 5) controlled rainwater discharge to a surface water sewer or drain 6) controlled rainwater discharge to a combined sewer. C Development proposals for impermeable surfacing should normally be resisted unless they can be shown to be unavoidable, including on small surfaces such as front gardens and driveways. D Drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.”

Local Plan LP 21 Flood Risk and Sustainable Drainage outlines that “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.”

The site is in an Area Susceptible to Groundwater Flooding, a Critical Drainage Area and area of Increased Potential Elevated Groundwater. The site is in Flood Zone 1. The site is at Risk of Flooding from Surface Water 1 in 1000 chance - Environment Agency. A Flood Risk Assessment, Drainage Strategy or Statement of Sustainable Drainage have not been supplied to demonstrate that the site would not cause an unacceptable impact on flood risk or drainage. The proposal would change the permeable area of land comparable to what is there at present significantly.

The LLFA have been consulted. They have set out that the application should provide drainage information in line with the above referenced flood risk policies, Defra's Non-Statutory Technical Standards for SuDs London Plan and Richmond's Level 2 Strategic Flood Risk Assessment. Efforts should be made to manage surface water as a result of the development to prevent flood risk and added pressure to the existing surface water drainage network. Greenfield runoff rates post-development should be sought through the utilisation of sustainable drainage systems (SuDS). In this instance, it is considered that insufficient information has been provided in order to meet the requirements of SI12, SI 13 and LP21.

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. The contribution that would be sought would be discounted to represent 8% affordable housing, given the proposal is for two units created predominantly by conversion.

Viability evidence by James Brown was submitted which concluded the scheme cannot sustain any affordable housing contribution. It was necessary for the Council to review the assumptions and values are appropriate. A review was undertaken by the Council's assessors (Bespoke) (November 2022) which found the proposed scheme is viable and could provide an affordable housing contribution.

A rebuttal (by James Brown) was received in 23 December 2022. The Council's assessors (Bespoke) produced a letter (15 February 2023) reviewing the relevant inputs of their appraisal, including adjustment to sales values and build costs. This resulted in an updated appraisal by Bespoke which still finds the scheme is in surplus, and suggest an affordable housing contribution of £197,918 (slightly adjusted to reflect the adjusted sales values). This amount should 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), to accord with Policy LP36.

A further rebuttal has been submitted to the Council on 20 February 23 by James R Brown. The Council's Viability assessor Bespoke have advised the Council that position the scheme remains viable for £197,918

This figure has not been agreed by the applicant. As such, the application is deemed contrary to LP36.

Housing Mix

Local Plan Policy LP35 states that “development should generally provide family sized accommodation, except within town centres where a higher proportion of small units would be appropriate. Generally, the housing mix should be appropriate to the location.”

The appropriate mix should be considered on a site by site basis, having regard to its location, the existing stock in the locality and the character of an area and take account of existing infrastructure capacity such as schools and transport. From a housing perspective, the mix of 2 bed and 3 bed units would support families and this is supported.

Residential Standards

London Plan Policy D6 sets out that “housing development should be of high quality design and provide adequately-sized rooms (with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.”

Local Plan Policy LP 35 (B) requires new housing to comply with the nationally described space standard.

These are set out in the London plan Table 3.1 and the NDSS. It states the Council will only grant planning permission for new dwellings that provide adequate internal space and appropriate external private and/or communal amenity space to meet the needs generated by the development. 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
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

- Units 1: 3 bed x 5 person unit
- Unit 2: 3 bed x 5 person unit
- Unit 3: 2 bed 4 person unit

The 1 & 2 bed units would be approximately 123 sqm which would exceed the size requirement for 3 bed, 5 person dwellings over 2 floors. Unit 3 is approximately 89 sqm which exceeds the size requirement for a 2 bed, 1 storey 4 person unit.

An Access Statement was supplied on 02 August 2022 by GDM Architects. Policy LP35 sets out that “90% of all new build housing is required to meet Building Regulation Requirement M4 (2) ‘accessible and adaptable dwellings’. A condition will be applied to secure this. There are no objections here.

Amenity Space

The requirements of Local Plan Policy LP35 Housing Mix and Standards and the Residential Development Standards SPD continue to apply to external 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 and an additional 1sqm for each additional occupant. Policy LP 35(D) notes that amenity space for new dwellings, including conversions should be;

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

Units 1 & 2 contain rear gardens which would meet the above size requirement for amenity space. Unit 3 would contain the adequate quantum of open space in the front garden as shown on the site plan 4257/P100. It is important that this space is usable and functional. Were this application to be acceptable, a condition would be applied securing landscaping details.

Highway and Parking

Local Plan Policy LP44 states that in part D. that the Council should “ensure that new development does not have a severe impact on the operation, safety or accessibility to the local or strategic highway networks.”

Local Plan LP45 sets out that “new development to provide for car, cycle, 2 wheel and, where applicable, lorry parking and electric vehicle charging points, in accordance with the standards set out in Appendix 3.”

Para. 11.2.3 also states “*developers may only provide fewer parking spaces, including car free schemes, if they can demonstrate as part of a Transport Statement or Transport Assessment with supporting survey information and technical assessment that there would be no unacceptable adverse impact on on-street parking availability, amenity, street scene, road safety or emergency access in the surrounding area, as a result of the generation of unacceptable overspill of on-street parking in the vicinity.*”

Local Plan Policy LP 39 sets out that developments should “result in no unacceptable impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.”

Access

The site benefits from an existing crossover off Hampton Road. There is a single lane gravel pathway leading to the site which also serves an existing 3 flats. The application does not propose alterations to the existing crossover. The application may involve some intensification of use of this accessway, where the application to be supported. However, the use is not considered to warrant reason for refusal. This application proposes 3 car parking spaces only. Though not formally allocated the existing site contain 3 flats. As such, were this application to be granted, the intensification of use would not be significant over and above the existing scenario. There would be very limited space for any additional cars to be parked on the site.

Car Parking

The PTAL Rating is 3. The site is in a Controlled Parking Zone SH/WT - Strawberry Hill/West Twickenham. Monday to Saturday 8:30am to 6:30pm (Bank and Public Holidays free).

In accordance with policy LP 45 of the Local Plan developments and redevelopments have to demonstrate that the new scheme provides an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.

The applicant has supplied a Highways Technical Note by Motion, 25 July 2022. According to the London Plan (2021) Policy T6 and Car Parking Table 10.3 the proposal should provide up to 1 space for units 1 & 2, and 0.75 spaces for unit 3 equating to 2.75 spaces. Three spaces have been proposed which is acceptable.

However, the application and the supporting evidence does not clarify the parking arrangement for the existing flat (to which this site shares an access) and how the proposal would affect this. It is appreciated that No. 24 Hampton Road is an adjacent site, outside the red line boundary, however it is a material consideration in this assessment. The existing building on the site No 24 Hampton Road contains 3 flats and is served by the same access off Hampton Road. It is not known what car parking is allocated to these flats and how they would be impacted by the proposal. The site does currently offer space for cars to be parked at the rear. Consideration should be given to the existing residential units on the site and how the proposal would displace the any current parking serving these.



Figure 8. Aerial View Existing Site

Confirmation of the existing car parking arrangements serving the 3 flats at No 24 Hampton Road, and the implications of any future application (which introduces another 3 residential units) should be clearly shown. Where existing or future C3 units would not have allocated parking, an assessment of their impact on the off-street parking in the immediate locality should be given.

Cycle Parking

London Plan Policy T5 Cycling sets out that “developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2.”

Local Plan Policy LP45 states that new development should provide appropriate cycle access and sufficient, secure cycle parking facilities.

The proposal should provide 2 cycle spaces per unit equating to 6 spaces. Sheds for cycle storage have been provided for each unit would be sufficient to serve 2 bikes per unit. Where this application to be acceptable, the details would be secured by a condition.

Construction

In order to demonstrate the development would not have an unacceptable impact on the public highway and neighbours, the applicant must submit a detailed Construction Management Plan for the project, using the LBRuT pro-forma document, available here https://www.richmond.gov.uk/media/22165/construction_management_plan_guidance_notes.pdf This would be secured by a condition, where the application is acceptable.

Biodiversity

Local Plan Policy LP 15 Biodiversity sets out that the “Council will protect and enhance the borough’s biodiversity. This will be achieved 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.”

“LP39 Retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP 16 Trees and Landscape.”

It is thought that the site could have historically been a good nesting area for bats. A Preliminary Ecology Appraisal by Vicky Potts was received on July 2022. This states that pre-existing records indicate that bats likely roost nearby. There is also a large TPO tree on

site. The presence of amphibians and reptiles was also suggested. Follow on emergent surveys should be carried out, particularly on the potential presence of bats.

The development has the potential to significantly negatively impact on a number of Priority Species listed in the Biodiversity Action Plan, including bats and hedgehogs. A very high volume of bat activity was recorded on site during August 2021, prior to the unmitigated vegetation clearance which has more recently taken place on site, and the introduction of further hard landscaping and artificial lighting would further curtail the use of the site and surrounding area by bats. It has not been demonstrated how these impacts can be avoided, adequately mitigated or compensated for. Bats require an urban gradient of less than 60% of built or lit surfaces in order to move freely, as referenced in the Richmond Bat Species Action Plan. It is anticipated that the proposed development will contribute to a significant cumulative increase within the local urban gradient if planning proposals of this nature are to be approved.

Insufficient information has been supplied on ecology (bats and hedgehogs in particular) to demonstrate that the development will not have a detrimental impact on ecology/biodiversity. As such, this application cannot be supported. The development is considered to be contrary to LP15 and LP39 in this regard.

Trees

Local Plan policy LP16, subsection 5 requires "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 (2012)."

Local Plan Policy LP39 also sets out that infill developments should retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP 16 Trees and Landscape.

The applicant has supplied an Arboriculture Tree Survey and Impacts Assessment Report BS5837:2021 and Tree Survey carried out in April/May 2022 by Fellgrove Environmental Consultants.

The site is within CA9 Twickenham Green and TPO T1098 was recently served on the Eucalyptus T6. The Eucalyptus is the most significant constraint on the site which is noted as 18m height with a crown spread of 5m in all directions. The structural and physiological condition of the are noted as good which we support and indicate the remaining contribution is likely to exceed the 20 years category in the report. The tree has significant further growth potential.

The RPA area for T6 has been offset, based on trial holes and the presence of a wall and associated foundation. The root protection area has been reduced from 304sqm to approximately 193sqm when it should have been maintained. This represents a loss of approximately 30% of the minimum protected rooting area which has not been justified. When recalculated the RPA is likely to conflict with the proposed dwelling units 1, 2 and 3. Inspection of the trial pit to the southwest of T6 revealed the presence of fibrous roots and larger roots up to 24mm diameter, therefore offsetting the root protection area is inappropriate. Unit 3, the proposed driveway and access encroach into the root protection area and there is no impact assessment or mitigation measures. There is encroachment onto the root protection area to the east of T6 where no ground protection or protective fencing has been specified

Units 1 and 2 are close to the drip line of the canopy. The specimen has not reached its final canopy size with significant further growth potential. The current proposed relationship

between T6 and the buildings is not considered to be reasonable, the design does not account for canopy development, and there is likely to be future pressure to remove the tree.

The RPA for T1 has not been offset for the more substantial boundary walls to the north and south of the tree which is inconsistent with the offsetting carried out for low wall to the west of the tree in spite of being more likely to cause change root morphology. Making these adjustments moves the proposed dwelling into further conflict with the root protection area. The design places unit 3, the driveway and parking space beneath the canopy exposing the residents to season nuisances.

The proposed development has not been designed in accordance with the methods laid out in BS3587. The root protection area has not been calculated in accordance with 4.6.2 and the proposal has not been designed in accordance with section 5. The proposals will result in damage to a protected tree considered to be of amenity value, in contravention of LP16 Trees and Woodlands section 1, 2 and 5.

A rebuttal was sent to the Council dated 6th February 2023. This sets out that there is not evidence that the proposal would have an adverse impact on the RPAs of the protected trees in the Conservation Area. The assessment findings are not supported by the Council. The above concerns remain.

Sustainability

Local Plan Policy LP 22 Sustainable Design and Construction sets out that all development that results in a new residential dwelling or unit including conversions, reversions, change of use and extensions that create one or more new dwellings need to meet the following standards: 35% reduction in CO2 emissions over Building Regulations (2013); submit energy statement; achieve National water standards - 110 l/p/d; and Submit Sustainable Construction Checklist.

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.”

Basic Compliance Reports 1, 2 7 3 were prepared by Elmhurst Energy received in August 2022 show the SAP Rating and Energy Performance of the proposal. An Energy Report by Christopher Bills CSSW has been supplied received on 02 August 2022. Water Efficiency Reports for plots 1, 2 & 3 have been supplied on 02 August 2022.

The development would achieve a 35% reduction in CO2 Emission Rate (DER/TER) 2013. Each unit would not consume more than 105 litres per/day. The Sustainability Checklist shows the proposal would achieve ‘33’ which overall is a score of ‘C’ which is a minimum standard but acceptable none the less. There are no objections on sustainability grounds.

Waste

Local Plan 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.”

Local Plan Policy LP39 also sets out that developments should “provide adequate servicing, recycling and refuse storage as well as cycle parking.”

The Refuse and Recycling Storage Requirements SPD outlines that “kerbside recycling must be presented at the front edge of and within the property boundary and visible from the street on collection day.” As set out in the Refuse and Recycling Storage Requirements SPD, the location of the bin storage area provides access for kerb collection.

Refuse and Recycling Storage Requirements SPD April 2015 sets out that for mixed use developments (i.e. commercial and residential), the commercial and residential waste must be stored and collected separately. The commercial waste storage area should be clearly separate from the storage area for residential waste, with separate access to each.

Policy LP24 and the Refuse and Recycling Storage Requirements SPD require adequate recycling and waste storage to serve each new unit.

- 240l refuse, 3 x 90l dustbins, 2 x 23l food waste containers, 1 x 240l garden waste bin are required per 3 bed unit
- 170l refuse bin, 2 x 90l dustbins, 3 x 55l recycling boxes, 1 x 23l food waste bin and 1 240l garden waste bin.

The application provides waste areas. These appear small compared to the above requirements, however it is acceptable that there is capacity on site to provide for the waste needs of the development. Waste would need to be placed along Hampton Road on collection day as the access into the site is too constrained for waste vehicles to turn.

The waste SPD sets out that “occupants should not have to walk more than 30m from their front doors to deposit waste (excluding vertical distance travelled in lifts).” The gravel pathway is approximately 42m in length. The nearest waste storage area serves unit 3 and is over 3m from Hampton Road.

It is not clear where this area would be and its relationship with the existing 3 units at No. 24 Hampton Road. Insufficient information has been provided on the waste collection and servicing, particularly for the two residential units at the back of the site.

Fire Safety

London Plan Policy D12 requires the submission of a Fire Safety Statement on all planning applications. The need for a fire statement became a policy requirement with the recent adoption of the new London Plan. Policy D12A states:

In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point*
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures*
- 3) are constructed in an appropriate way to minimise the risk of fire spread*
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users*
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in*
- 6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.*

A Fire Safety Statement dated July 2022 has been prepared by GDM Architects. It is considered that this is adequate to meet the requirements of D12A.

The applicant is advised that alterations to existing buildings should comply with the Building Regulations. Where planning permission were to be granted, it would not be a consent under the Building Regulations for which a separate application should be made.

8. 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 considered liable for the Mayoral and Richmond CIL however this is subject to confirmation by the CIL Administration Team.

9. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF.

The applicant's rebuttal letter dated 23 Feb 2023 on topics including heritage, character and design, trees, public consultation is noted. Notwithstanding the points raised 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 reasons

Inappropriate Backland development ~ The proposed 3 residential units would be inappropriate development of this backland site owing to its poor design and unacceptable impact on established spacing, garden space, vehicle access/car parking, wildlife, trees and flood risk. The scheme is therefore contrary to, in particular Policies LP1, LP45, LP39, LP15, LP16 & LP21 of the LBRUT Local Plan (2018) and Twickenham Village Planning Guidance (2018).

Heritage, Character and Design ~ The proposed 3 residential units would be over development of this site. The development would cause less than substantial harm to the CA9 Twickenham Green Conservation Area, and the setting of no. 24 Hampton Road Building of Townscape Merit Public benefits have not been demonstrated to outweigh the less than substantial harm caused by development on these heritage assets. The scheme is therefore contrary to, in particular, NPPF Paragraphs 199, 202 & 203, Policies LP1, LP3, LP4 and LP39 of the LBRUT Local Plan (2018) the aims and objectives in the Design SPD, Twickenham Green Conservation Area Statement, and Twickenham Village Planning Guidance (2018)

Transport - The proposal would share a driveway with No. 24 Hampton Road. The application has failed to demonstrate that the proposed units would not result in an unacceptable impact on parking/highways impacts in the locality contrary to Policy LP44, LP45 & LP39 of the Local Plan (2018).

Biodiversity~ Insufficient evidence has been provided to demonstrate that the development would not generate harm to local biodiversity, in particular bats species in proximity to the application site as well as whether the proposal would be capable of demonstrating a biodiversity net gain. The proposal would therefore be contrary to Paragraph 180 of the NPPF (2021) and LP15 & LP39 of the Local Plan (2018).

Trees~ In the absence of an adequate Tree Survey and/or Arboricultural Impact Assessment as required to demonstrate that the development would not result in the damage or loss of TPO Eucalyptus T6 and that this would be adequately protected throughout the course of development. As such, the proposal would not accord with policy LP16 & LP39 of the Local Plan (2018).

Flood Risk/Drainage~ Insufficient evidence has been provided to demonstrate that the development would not generate an unacceptable impact on drainage/surface water flooding. The applicant has not provided details of how they would comply with the hierarchy of drainage. As a result, the application is considered contrary to London Plan, Policy SI 12, SI 13 and Local Plan (2018) LP 21.

Affordable Housing~ In the absence of a binding obligation securing an appropriate financial contribution towards the provision of affordable housing within the borough, the proposal would be prejudicial to meeting the Council's affordable housing objectives contrary to policy LP36 and the adopted Supplementary Planning Document: Affordable Housing.

Waste~ The application has failed to demonstrate that the scheme would provide adequate servicing, recycling and refuse storage provided contrary to Policy LP22 of the Local Plan (2018) and the Refuse and Recycling: Storage and Access Requirements for New Developments, Dec 2022.