

APPENDIX ONE

Environment Directorate

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Our ref: 21/P0316/PREAPP

Contact: Fiona Dyson
Email: fiona.dyson@richmondandwandsworth.gov.uk

Lucy Arrowsmith
4 Eel Pie Island
Twickenham
TW1 3DY

15 February 2022

Dear Lucy Arrowsmith

Location: Sheldon House, Cromwell Road, Teddington

I refer to your submission for pre-application advice received on 31st August 2021 and our subsequent meeting on 10th November 2021.

This response relates to the following pre-application scheme:

Demolition of seven storey building to be replaced with a new-build apartment block of 34 affordable dwellings (17 social rent and the other 17 intermediate tenure) with parking and amenity.

Site and surrounds:

The application site comprises a 1960s, seven-storey block of flats on the corner of Cromwell Road and Fairfax Road. The existing building contains 24 self-contained one-bed flats and studios, together with 17 parking spaces and seven garages, accessed via a crossover from Cromwell Road. The surrounding area is predominantly residential, with the site backing onto a railway line.

The site is subject to a number of Tree Preservation Orders (TPOs) and is designated as an Area susceptible to groundwater flooding. Nos. 4 and 6 Cromwell Road located to the west of the site are Buildings of Townscape Merit (BTMs)

History:

No relevant history

Principle/ Land Use

The principle of providing affordable housing on this site is still very much supported. Richmond has an acute need for affordable housing. The previous borough SHMA identified 964 affordable homes per annum needed between 2014 and 2033. This number has since increased as identified in the draft Local Housing Needs Assessment (LHNA).

London Plan Policies H1 and H2 set the general expectation for increasing housing supply and expect a positive approach to small sites (below 0.25ha - this site is 0.157ha). Paragraph 4.2.4 on incremental intensification expects this in existing residential areas with

PTALs 3-6 or within 800m distance or town centre boundary. This site would fall within this category meaning that the incremental intensification on this site is supported by policy. LP 36 requires sites over 10 units to provide 50% on site affordable housing with a tenure split of 80/20 in favour of affordable rent. This application is providing 100% affordable housing with a tenure split of 50% social rent and 50% intermediate. There could be an argument that the additionality is all intermediate tenure but there is nothing in policy from stopping this and additional affordable homes are welcome. All intermediate units would need to meet the requirements set out in the Council's Intermediate Housing Policy Statement in particular with regard to affordability and priority eligibility criteria.

London Plan Policy H8 requires Registered Provider's, when looking at demolition existing stock, to explore other options, replace existing affordable housing with equivalent floorspace and look to increase the affordable housing on offer. From the pre-application submission it's evident that other options have been explored and affordable housing has been increased. However, existing floorplans would be required in order to determine if the equivalent social rent floorspace has been re-provided.

The Council's Housing officers should be contacted to see if grant funding could be provided in order to switch some of the intermediate tenures to affordable rent, which is the most pressing need. The affordable housing will need to be secured by the way of a legal agreement.

This is a scheme which will provide affordable housing in the borough where there is a defined need and is therefore supported in principle and would accord with Policy LP36 of the Local Plan, subject to further clarification regarding existing floorspace and exploring funding, to ensure the affordable housing offer is maximised to meet local needs.

Residential design standards are required to be met

Design

The surrounding area is a landscape dominated environment with significant gaps between larger buildings. There is a mixture in both age and type of buildings from the adjacent Victorian Buildings of Townscape Merit (BTMs) through to post war flat developments. The existing building dates from the 1960's. Although tall for the area (7 storeys), it is not without some merit in design terms and it is well contained by mature trees.

It is understood that there are structural problems with the existing building however this needs to be expanded in a structural report should you wish for this to be given weight in a future application and included in the site history. Otherwise, there is no objection to the principle of the redevelopment in design terms, and the 6-storey massing of the building is considered to be handled quite well apart from its overall footprint and proximity to the adjoining BTMs.

The proposed building is slightly lower than the existing, but with a wider footprint. The overall height is considered an improvement however the proposed building is moving closer to the adjoining BTMs. A wider gap is required between the development and the BTMs, a similar scale to that gap found on the other side of the BTMs (4-6 Cromwell Road & 2 Cromwell Road) is suggested. The proposal is considered to 'turn the corner' well and adheres to the established building line.

It is noted that there is only an indication of the front elevations at this stage. While the variations in fenestration and balconies are welcome there may be further ways of reducing the impact of scale further by elevational design modifications which could be looked at given that this is a comparatively large building for the location. Any application should include street elevations, as well as views and visuals from various directions.

The use of a mixed stock brick is considered appropriate in principle subject to details, and it is agreed with the submitted design assessment not to try to replicate the brickwork of the adjoining BTMs, which should remain separate. The contrasting finish for the top floor/ roof and for fenestration also seems acceptable.

The existing frontage area is surrounded by car parking and there is a good opportunity to provide positive landscape input here. Resin bound gravel surfacing is also welcome if permeable.

Given the scale of the proposed development, this scheme would be submitted to the Richmond Design Review Panel ahead of submission. Views/ visualisations should be prepared accordingly.

With regard to the roof, a green roof will be required and any roof plant/pv's proposed should be shown on submitted roof plans and elevations

Trees

A significant number of trees within this site are protected by TPO T1090 most of which are confined to the perimeter of the site. Tree protected by TPO are also found on the adjacent Grosvenor Court site.

It is noted the prominence of the trees T16 and T17 fronting onto Fairfax Road and of the overall greening provided by trees within this north west part of Fairfax road and Cromwell Road. The arboreal feel is partly afforded by the current generous space provision between buildings (above and below ground) and large communal gardens both of which will be reduced by the proposal.

The root protection areas within the tree submission have not been modified according to BS5837:2012 and will need to be modified to take account of adjacent influences on rooting morphology (including roads, building foundations, basements etc).

Removal of the following trees is proposed: T1, Silver birch (C category), T2, Yew (C category), T10 and T11 Lawson cypress (C Category), T12, Sweet chestnut (U category), T13, Atlas cedar (C category). It is unclear if T1 is due to stay or go as multiple possibilities have been included within table 1 of the tree report.

The modification of hard standing to soft ground is welcomed and likely of benefit to T14, T16 and T17. The reverse is true of the ground around T3 which is less favourable and in turn less supported. The use of trial excavations to demonstrate the presence/absence of tree roots is welcomed as part of any submission and a useful tool to demonstrate the realities of the specific site.

T13 appears to be a significant tree within the site and its loss is a concern. The current extent of the RPA incursion means the retention of this tree is simply not feasible without a design change.

T9, a mature Sweet chestnut on the adjacent property is very close to the proposed southern corner of the building, a shade arc is important to include within the submission as it currently appears a poor juxtaposition.

T3 appears to have an incursion into its RPA that is not in line with BS5837:2012 recommendations which advise that no more than 20% is appropriate.

The retention of trees within southern communal garden is welcomed but there is little soft ground available that is not below the crown of a tree.

The widening of the entrance from Cromwell Road into the site is also queried by tree officers

Full mitigating for trees removed from site isn't available back on site and so S106 contribution and CAVAT valuation must be considered

Biodiversity

Policy LP15 requires all developments to enhance existing and incorporate new biodiversity features and habitats into the design of buildings themselves as well as in appropriate design and landscaping schemes of new developments with the aim to attract wildlife and promote biodiversity, where possible.

There is some concern that the surveys are at the very end of and outside the survey window, this will need to be fully justified within the report, otherwise further surveys will be required.

There should be no overall loss of soft landscaping and existing and proposed values will be required with any application. Details of external lighting, landscaping, ecological enhancements and green roof would also be required, along with bat emergent surveys.

Transport

Vehicular and Pedestrian Access

The site benefits from an existing bell-mouth access which will stay in place which is from the southern side of Cromwell Road. I have no objection to this. I also have no objection to the proposed new pedestrian access from the western side of Fairfax Road.

Traffic Impact

The applicant has submitted TRICS analysis which shows that the proposed new development would result in a net increase against the current vehicular trips generated of two 2-way vehicular trips in the AM weekday peak hour and 1 x two-way vehicular trip in the PM weekday peak hour. This impact is not significant and will not have an unacceptable impact on the operation of the highway network.

Vehicular Parking

The site has a PTAL of 2 and is not in a controlled parking zone (CPZ). The current site provides 14 off-street spaces for 24 dwellings, a rate of 0.58 spaces per dwelling. The applicant proposes 10 off-street vehicular parking spaces for 34 new dwellings, a rate of 0.3 spaces per dwelling.

Local Plan Policy LP45 states that:

The Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car-based travel including on the operation of the road network and local environment and ensuring making the best use of land. It will achieve this by:

1. Requiring 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. Opportunities to minimise car parking through its shared use will be encouraged.

Appendix 3 of the Local Plan states that the maximum off-street vehicular parking standard for a residential development in an area with a PTAL of 2 would be 1 space per 1 and 2-bedroomed dwelling and 2 spaces per 3-bed dwelling, a total of 38 spaces, meaning that the applicant has provided a shortfall of 28 spaces.

The maximum vehicular parking standard set out in Chapter 10 of the London Plan (2021) states for a residential development in an area with a PTAL of 2 is up to 0.75 spaces per 1-2-bed dwelling and 1 space per 3-bed dwelling. The applicant would need to provide up to 27 off-street vehicular parking spaces to meet this standard. The applicant has a shortfall of 17 spaces.

Table LC4415EW from the Census of 2011 shows the level of car ownership within the Mid-Level Super Output Area of Richmond 022 for households living in flats with either 1 or 2 or more people in them aged 17 or over:

Were these mean averages to be used, households living in flats with at least 1 person in them aged 17 or over would own 0.5 cars per dwelling and households living in flats with at least 2 people in them aged 17 or over would own 1 car per dwelling. If this was applied to the proposed development, households would own a total of 34 vehicles. This would mean that the applicant has a shortfall of 24 spaces.

The applicant will need to complete a vehicular parking stress survey on all streets within 200m walking distance of the site in accordance with the attached supplementary planning guidance. This will allow an assessment to be conducted of the the impact of any overspill parking arising from the development on existing on-street car parking capacity and the likelihood of unsafe on-street parking occurring.

Cycle Parking

The applicant has shown that they intend and have the means to provide on-site secure cycle parking in accordance with the minimum standards set out in the London Plan (2021). This must be built in accordance with the London Cycle Design Standards.

Refuse Collection and Servicing

The applicant has shown that refuse vehicles will be able to stop on the highway on Cromwell Road to service the site, and that they have the means to store 8 x 1,100l Eurobins for household waste and recycling which is the correct amount of storage capacity.

Demolition and Construction Management

The applicant will need to submit a demolition and construction management plan. This must show:

- o Which vehicles will be used
- o How they will access and egress the site (I would expect deliveries and collections to be made off-street
- o How many trips they will make per working day
- o How the whole project will be phased
- o That employees will travel to and from the site by sustainable modes to minimise the impact of employee parking on residents.

Sustainability

The Council's Sustainable Construction Checklist should be completed with any application and an Energy Statement will be required to demonstrate that the scheme will achieve 35% CO2 emissions complying with a Building Regulations 2013 compliant scheme with 20% of energy generated via renewables. In addition, each dwelling should achieve a water efficiency target of 110 litres per person per day.

For proposals constituting a major development, from 2019 a zero-carbon standard should be achieved in line with London Plan policy. A zero-carbon home is one where at least 35% of regulated CO2 emission reductions are achieved on site, with the remaining emissions (up to 100%) to be offset through a contribution into the Council's Carbon Offset Fund. A Post Completion Review will be required to agree the final amount by an independent consultant with Council costs reimbursed by your client.

The proposed development would result in a change of use and an expansion of floor-space of the site. Because of this, surface water run-off volumes and rates could change. A surface water drainage strategy should be submitted which demonstrates that sustainable urban drainage principles have been followed wherever possible and demonstrates that any risk of surface water flooding can be mitigated and managed on site in accordance with the National Planning Policy Framework. The London Sustainable Drainage Proforma and a Statement on Sustainable Urban Drainage Systems including details of the one to be introduced at this development and its long-term management and maintenance plan.

In line with the Council's Strategic Flood Risk Assessment (SFRA), a ground water screening assessment would be required for the proposed basement.

Green Roof

Details are required to demonstrate 70% roof coverage by a green or brown roof, 70% soil / vegetation coverage, a minimum substrate depth of 85 mm, maximum of 30% hard surface and details of the proposed specification and maintenance.

Fire Safety

The new London Plan (2021) has recently been adopted. Of particular relevance is Policy D12 Fire Safety. Policy D12 states that, 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.

All major applications should be submitted with a Fire Safety Statement, which also includes a Fire Safety Strategy. An evacuation lift guidance should be incorporated where the scheme includes a lift.

CIL

Please note that the Mayor of London Community Infrastructure Levy is applicable as is the the Council CIL.

Validation Checklist

Please note that the Council has introduced a local validation checklist which can be found on the Council website:

[local validation checklist for all applications.pdf \(richmond.gov.uk\)](https://www.richmond.gov.uk/local-validation-checklist-for-all-applications.pdf)

Conclusion

The principle of the proposals is considered acceptable. It is recommended that any future application should be a full planning application which would overcome some of the ambiguity regarding details which are still not clear within the pre-application submission.

It is also recommended that the applicant enters into a PPA with the Council given the scale of the development.

As advised on the Council's website, with the issuing of this letter, this pre-application case is now deemed closed. Any further advice sought from officers will either be charged at the hourly rates as outlined on the Council's website or the full pre-application fee, as deemed appropriate by the Local Planning Authority. [Pre-application advice for householders, developers and businesses - London Borough of Richmond upon Thames](#)

Without prejudice

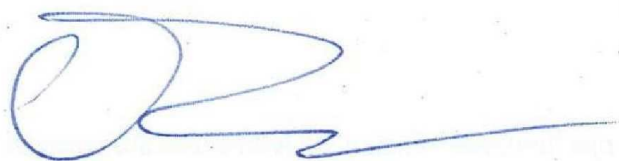
Any advice given by Council officers for pre-application enquiries does not constitute a formal response or decision of the Council with regards to future planning consents. Any views or opinions expressed are given in good faith and to the best of ability without prejudice to formal consideration of any planning application, which was subject to public consultation and ultimately decided by the Council. You should therefore be aware that

officers cannot give guarantees about the final form or decision that will be made on your planning or related applications.

Although the advice note will be brought to the attention of the Planning Committee or an officer acting under delegated powers, it cannot be guaranteed that it will be followed in the determination of future related planning applications and in any event circumstances may change or come to light that could alter the position. It should be noted that if there has been a material change in circumstances or new information has come to light after the date of the advice being issued then less weight may be given to the content of the Council's pre-application advice of schemes. You are also advised to refer to local and national validation checklist on the Council's website.

I hope this is of assistance.

Kind Regards

A handwritten signature in blue ink, appearing to be 'Chris Tankard', with a long horizontal flourish extending to the right.

Chris Tankard
Team Manager - Development Management (Richmond – North)

APPENDIX TWO

**Richmond
Design Review Panel
C/o Richmond Council**

Environment and Community Services
Department
Civic Centre
44 York Street
Twickenham TW1 3BZ

Please ask for/reply to:
Telephone: 020 8891 1411
Direct Line: 020 8871 7564

Email:
barry.sellers@richmondandwandsworth.gov.uk
Web: www.richmond.gov.uk

Our ref: ECS/
Your ref:
Date: 28 September 2022

Rob Cummins
RHP
8 Waldegrave Rd
Teddington
TW11 8GT

Dear Rob

Richmond Design Review Panel: Sheldon House, Teddington, TW11 9EJ

The Panel is grateful to you and your development team for submitting your proposal to the Richmond Design Review Panel (RDRP) on Wednesday 7 September 2022. The DRP was held online on this occasion and the Panel provided feedback in a virtual open session with the applicant present to hear the Panel's views. We therefore thank the team, in particular Clive Chapman Architects, for their presentation of the proposals for the redevelopment of Sheldon House. This letter will remain confidential until a formal planning application has been submitted, whereupon it will appear alongside the information provided.

The Scheme

Sheldon House is a seven-storey red-brick clad 1960s building located at the junction of Fairfax Road and Cromwell Road, Teddington. The existing building comprises 24 self-contained residential flats with 7 undercroft garages and 17 parking spaces at grade. There are a number of mature trees within the site boundary and on neighbouring sites, which are protected by Tree Preservation Orders (TPOs).

Sheldon House is situated within easy walking distance of Teddington town centre and mainline railway station as well as a range of public services and local facilities. It is not situated within a conservation area or other designated area of environmental significance. The site backs onto the railway line running between Teddington and Hampton Wick which is designated as a Green Corridor.

The surrounding context is predominantly residential, with a mix both in scale and historic character. To the west of the site is a pair of imposing 3 storey Victorian villas at numbers 4 and 6 Cromwell Road. No. 4 has been subdivided into flats, whilst No. 6 is a family house, with a range of contemporary rear extensions and garage. Both properties are designated as Buildings of Townscape Merit (BTMs).

The building is sited not far from Udney Park playing fields, which is designated as Other Open Land of Townscape Importance (OOLTI), Local Green Space and Asset of Community Value.

The existing block of flats, designed by renowned local architects Manning & Clamp, has some architectural merit, however it is understood that it has structural problems besides poor thermal and sound insulation and inappropriate floor to ceiling heights for modern standards, which would preclude its restoration and upgrading.

The proposals seek the demolition of the building and replacement with a new-build 6 storey apartment block of 30 affordable dwellings with parking and amenity.

General Approach

Brief

- We welcome this proposal as the building will comprise a totally affordable housing scheme to which the existing residents are invited to return if wished.

Conceptual Approach

- The building was designed by renowned local architects Manning & Clamp, and in light of the zero-carbon agenda promoted by the Council, we question the need to demolish the existing structure. We understand however that the existing building would not meet modern regulations, has small room sizes, and inadequate thermal insulation. Consequently, an upgrade of the existing building has been deemed not viable. Nonetheless a stronger justification is needed in terms of embodied energy.
- We support the proposed conceptual approach and building typology presented. The mansion block seems appropriate in this context. The Panel suggests further development of the concept to better respond to the surrounding context in terms of layout, height and elevational treatment.
- We are pleased about the high number of dual aspect flats and flexible layouts.

Siting

- Given the proximity of the site to Teddington Station (a few minutes' walk away) we encourage the team to challenge the number of car parking spaces. A reduction would enable a positive change to how the building sits within the context at ground floor level and adjacencies to the neighbouring properties. We suggest providing more groundscape views which would help to gauge the impact of the massing on the approach from both sides – particularly with regards to the refinement of the roofscape. A wider context section would further help demonstrate the appropriateness of the scale.

Community Engagement

- We encourage the team to engage with the community as soon as possible as the scheme is quite developed and this will provide an opportunity for neighbours to raise any concerns, and these be addressed prior to a planning application being submitted.

Height, Massing and Design Response

General Approach

- The Panel is broadly supportive of the design response for the scheme. The contemporary mansion block typology chosen for the building seems successful, but we feel the strong initial concept has been compromised through the various requirements and technical constraints. The clear narrative which successfully picked up the rhythm of the street, is now difficult to read.
- The building could be more interesting and relatable to the surrounding context. Further analysis is required of the existing building to understand how it relates to its context to inform the design of the proposed building. We think for example that the existing building exhibits clear articulation and rhythm picked up from the historic proportion of the adjacent buildings.
- We also encourage the team to find elements from the surrounding context to inform the design that will help create a high-quality building in this corner, rather than something that could be located anywhere.
- We encourage the team to look at ways for mansion blocks to overcome their massing and find more elegant solutions with elements of delight.
- The front entrance has been lost, whereas before it was at the 'knuckle'. This should be more celebrated.
- We think locating bins and cycle storage on the northern projection of the corner is a missed opportunity. The legibility of a route into the building is lost through inactive flanks and should be reviewed.

Roofscape

- The Panel is not convinced of the form and massing of the roofscape. The extension of the brick lift shaft through the tiered roof is jarring and overall, this feels too complex with the double-step and slightly tall in comparison with the adjoining properties. We think it could be rationalised and be more sculptural, simplicity is the key. We feel some earlier diagrams were more convincing.
- Ensure the added bulk due to PVs and access point are designed in and the parapet is an integral part of the building envelop.

Ground Floor

- Significant further work is needed on the arrangement and articulation of the ground floor particularly in terms of active frontages, waste storage, access, and proximity to the carparking.
- Consider reviewing the quality of accommodation for the ground floor and rear facing units in terms of both outlook and daylight provision. These have poor outlook onto the carpark and the bay overhang may compromise the provision of good quality natural lighting.
- The undercroft is not successful. Given the proximity to No.6 Cromwell Road, a Building of Townscape Merit, greater analysis is needed to ensure a better transition. This would help with tightening the footprint which seems very broad.

M&E

- We encourage the team to ensure technical coordination with structure and M&E undertaken as this will impact on the design and scale of the building.

Materiality

- The Panel supports the choice of materiality based on the options tested, these show a good understanding of the site. We welcome the precedents considered, which have all a clear and strong concept.
- Brickwork and roof detailing will be important, and we strongly encourage to give detailing much consideration.

Costing

- Consider the financial implication that corners and build outs have. Simplifying the structure would help keeping unnecessary costs at bay and allow for higher internal specification and high-quality landscape treatment.

Landscape

General Approach

- We acknowledge there is overall no loss of landscape, but the site is ringed with mature trees of varying conditions, some of which are TPOs. We are pleased the trees fronting Cromwell Road and Fairfax Road will be largely retained, linking to the wooded setting of the area.
- There is need for high quality public realm and amenity space and we strongly encourage the team to invite a landscape architect on board to bring forward a clear strategy for the site.

Playspace

- Ensure playspace is adequately located within the perimeter of the grounds, at present its location is compromised by the carparking.

Parking

- Consider reviewing the relationship to the carpark. We suggest challenging the requirements as reducing the number of vehicles on site will give you more flexibility in site layout. Putting car parking in the rear garden space is inappropriate in terms of loss of green space and quality of outlook for residents and neighbours.

Moving Forward

The Panel is pleased to see the scheme at this stage in the planning process. We are broadly supportive with the concept presented, the mansion block typology seems appropriate, but this is subject to more refinement in both scale and articulation to ensure the building is making a positive contribution to this corner in this residential surrounding area. In particular, we feel the scale and massing of the roof requires particular attention and a simplicity of form is advocated. If the car parking can be reduced this will help free up the ground floor arrangement as indicated above.

We would appreciate seeing the scheme again once further refinements have been made.

Yours sincerely



Craig Sheach
Partner, PRP
Chair, Richmond Design Review Panel

Panel Members

Brendan Tracey	Director, Phillips Tracey Architects
Beatrix Young	Director, Weston Williamson + Partners
Amanda Whittington	Partner, Feilden Clegg Bradley Studios

Panel Admin

Barry Sellers	Principal Planner, Panel Secretary
Daniela Lucchese	Senior Urban Designer, Panel Coordinator

Applicant Team

Rob Cummins	RHP	Client/Developer
John Dwyer	RHP	Client/Developer
Andrew Gilbert	Clive Chapman Architects	Architects
Robin Harper	Harper Planning	Planning Consultant
Keith Ashby	Airey Miller	Employers Agent

Attendees (invited to observe)

Fiona Dyson	Senior Planner
Marc Wolfe-Cowen	Principal Urban Design Officer

Cllr Martin Elengorn
Cllr Robin Brown
Cllr Petra Fleming

APPENDIX THREE

Sheldon House Consultation



RHP is preparing to submit a planning application for the redevelopment of our site at Sheldon House, 8 Cromwell Road, Teddington, TW11 9EJ.

The new scheme will comprise 27 new homes on the existing site. The homes will vary in size and tenure and will help provide an increase of much needed accommodation space for our existing customers living there, and for future customers too.

The project has been through a design process with a locally based architectural practice, Clive Chapman Architects, together with several specialist consultants to make sure the submission is the most appropriate design for our customers, both existing and new, ensuring the scheme is designed to stand the test of time. We have sought advice through a pre-application process, held a meeting with the London Borough of Richmond upon Thames Design Review Panel, worked with the planning department, and would now welcome your thoughts and feedback on the proposals.

Prior to a planning submission, you are therefore invited to our public consultation event to be held at RHP's offices at: **8 Waldegrave Road, Teddington, TW11 8GT** on the **30th November between 6-7:30PM.**

About RHP

Our aim is to provide people with a place they're proud to call home, along with services that make lives easier. We currently own and manage around 10,000 good quality, affordable homes to meet the needs of people who cannot otherwise afford to live locally across west London. These include homes for social rent and shared ownership. We plan to impact even more people, with the aim to build nearly 700 more homes by 2023.

We were formed in 2000, and over the years have gradually extended our reach. Today we're proud to operate across the boroughs of Richmond, Hounslow and Kingston.

For the past twenty years we've been passionate about providing excellent service and our vision has remained the same: to be one of the best service providers in the UK and an excellent employer. You can find out more about us at www.rhp.org.uk



16th November 2022

Dear Neighbours,

Sheldon House Regeneration – Public Consultation

RHP is preparing to submit a planning application for the redevelopment of our site at Sheldon House, 8 Cromwell Road, Teddington, TW11 9EJ.

The new scheme will comprise 27 new homes on the existing site. The homes will vary in size and tenure and will help provide an increase of much needed accommodation space for our existing customers living there, and for future customers too.

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We were formed in 2000, and over the years have gradually extended our reach. Today we're proud to operate across the boroughs of Richmond, Hounslow and Kingston.

For the past twenty years we've been passionate about providing excellent service and our vision has remained the same: to be one of the best service providers in the UK and an excellent employer. You can find out more about us at www.rhp.org.uk.

We hope to see you there.

Kind Regards,

John Dwyer
New Business Project Manager, RHP.



Sheldon House Consultation 30 November 2022

Feedback form

We will review and consider all views and ideas expressed by you today as part of continuing to develop the design proposals

1. Are you a resident of Teddington? Yes No

If Yes, are you a resident of Sheldon House Yes No

If Yes, are you a Tenant or a Leaseholder of RHP? Yes No

If No, are you a Private Tenant? Yes No

If No, where are you resident? _____

- **Section 1** is to please be completed by RHP tenants and Leaseholders currently and previously living at Sheldon House only.
- **Section 2** is to please be completed by all attendees.

SECTION 1

RHP TENANTS AND LEASEHOLDERS CURRENTLY AND PREVIOUSLY LIVING AT SHELDON HOUSE ONLY

2. How would you see yourself using the outside communal space?

Gardening Food growing Children's play Picnicking Quiet

space to sit Other: _____



3. How do you feel about the internal private spaces?

SECTION 2

4. Do you support the provision of new affordable homes to meet local need?

Yes No

5. Do you support the proposal scheme to be lower than the existing building?

Yes No

6. Do you consider the scheme should reflect the prevailing building design of Fairfax and Cromwell Road?

Yes No



7. Do you support the proposal to protect existing trees and provide new trees and landscaping?

Yes No

8. Do you agree that the scheme should provide sustainable energy efficient homes?

Yes No

9. **Do you have any further feedback or comments?:**

Once completed, please return this form to a member of the team. Thank you.

APPENDIX FOUR

Application reference: 08/0057/HOT
TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
04.01.2008	09.01.2008	05.03.2008	05.03.2008

Site:

6 Cromwell Road, Teddington, Middlesex, TW11 9EH

Proposal:

Replacement of garage with first floor extension over, new extensions to the rear to replace existing conservatory and single storey extension

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

APPLICANT NAME

Ms S J Brooksbank
6 Cromwell Road
Teddington
Middlesex
TW11 9EH

AGENT NAME

Michael D Morris Architects
32 Ennerdale Road
Kew
TW9 3PF

DC Site Notice: printed on

Consultations:

Internal/External:

Consultee

Expiry Date

Neighbours:

- 11 Cromwell Road, Teddington, Middlesex, TW11 9EQ, - 16.01.2008
- 2 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 4 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 5 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 7 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 9 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 11 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 13 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 15 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 17 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 19 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 21 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 23 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 24 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
- 1 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 3 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 6 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 8 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 10 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 12 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 14 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
- 16 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008

18 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
 20 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
 22 Sheldon House, Cromwell Road, Teddington, Middlesex, TW11 9EJ, - 16.01.2008
 4 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 1,4 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 2,4 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 3,4 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 4A Cromwell Road, Teddington, Middlesex, TW11 9EH - 16.01.2008
 Flat 1,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 2,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 3,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 4,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 5,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 6,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 7,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 8,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008
 Flat 9,2 Cromwell Road, Teddington, Middlesex, TW11 9EH, - 16.01.2008

History:

Ref No	Description	Status	Date
08/0057/HOT	<ul style="list-style-type: none"> Replacement of garage with first floor extension over, new extensions to the rear to replace existing conservatory and single storey extension 	PCO	

Constraints:

BTM

BLT 4, 11, 15 & 16

Site and Proposal

Large 3 storey s/d Victorian house with original 2 storey outwings and single storey conservatory and other outhouses to the rear. There is also a timber garage at the side of the property. All these structures appear to have been built prior to the introduction of planning controls. The property was designated a building of townscape merit in 1988 but is not in a conservation area.

The application as originally submitted involved demolition of the timber garage at the side and the erection of a 2 storey ^{stack} brick and render extension with a lean to roof set back 0.8m from the front boundary to provide a garage extending to the side over. At the rear the existing conservatory and outhouses were to be demolished and ~~added to~~ added to and replaced by ~~replaced and~~ flat roof ~~extensions~~ single storey extensions generally ~~to the rear~~ to the side boundary ^{with} Sheldon House a 6 storey block of flats and would be built in stock brick walls of the extensions would be clad in horizontal chestnut slat cladding and would have an irregular plan form at an angle to existing building. The applicant's architect considers these extensions would not increase the volume of the original dwelling above 70m³.

Public and Other Representations

None received.

Amendments

The applicant's architect was informed that the proposed 2 storey extension, set so far forward and extending out to the boundary would not comply with the Council's SPG on house extensions and would detract from the character and appearance of the building of townscape merit. A number of alternative proposals were explored and ~~the~~ ~~revised~~ revised drawings have been submitted. These show:-

- ① The side extension is now principally single storey ^{3.85m} high with a flat roof providing a replacement garage with timber garage doors. The garage would be set back 0.9m behind the front main wall and built in yellow stock bricks.
- ② The 1st floor extension would be ~~a~~ much smaller than previously proposed and would be set back 7.75m behind the front wall of the main house. It would be 6.5m long 2.6m wide set in 0.4m from the side boundary and 4.5m long projecting 2.8m beyond the rear wall of the main house and ~~not~~ cranked to follow the line of the ^{side} boundary. This building would be finished in horizontal chestnut timber slats with a 0.35m glazed link to the main building on the front elevation.
- ③ The plan form of the single storey rear garden extensions remains as before but the design of the rear most element which

is built up against the flank at rear walls of the 2 storey addition to No 4 Cromwell Road has been amended from a flat roof structure to a copper ^{sheet} clad lean to form with an 'eaves' height of 3.5m and a max height at the side of 7m and at the rear of 6m. This element is to be lattice ~~used~~ to allow a Russian vine to be grown over it. The works include reinstatement of the existing running stades on the side elevation of the main building, alterations and additional fenestration to the rear elevation and outrigger and the provision of railings and ~~wood~~ gates to a ~~restored~~ front boundary wall in gault brickwork.

Reconsultation

None required.

Professional Comments

The proposed side extension now complies with the Council's SPG on house extensions with the set backs at ground and 1st floors. The use of ~~horizontal~~ timber slats for the rear 1st floor extension is considered an appropriate design approach, preserving the visual integrity of the original Victorian building. There are no public views of the rear elevations of the building and the original design ^{of the rear extension} is orientated towards the garden rather than ~~the~~ ^{the} house is a legitimate approach given the secluded nature of the site.

The proposed extensions would have no adverse impact upon adjoining properties; No 4 has a 2 storey blank wall rear extension ~~that~~ built up to the side ad rear boundaries which totally screens ~~the~~ ~~adjoining~~ ~~property~~ from view from the rest of the property. The flank wall of the side ad rear extensions is adjacent to the parking area of Sheldon House a 6 storey block of 24 flats built in the 60s. There are views from the street across the car park area of the flank wall of No 6 but the rear portion is screened by a large yew tree and other evergreen vegetation growing in the Sheldon House grounds.

Overall the proposals would preserve the character and appearance of the building of townscape merit and the locality, and would not detract from the residential amenities of adjoining residential properties.

I recommend permission.

Recommendation:

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

I therefore recommend the following:

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

Case Officer (Initials): *AB*

Dated: *13/5/08*

I agree the recommendation:

[Signature]

Team Leader/Development Control Manager

Dated: *13/5/08*

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

Development Control Manager:

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:	

ADDITIONAL NOTES CONTINUED FROM ABOVE:

Notes of Telephone calls/discussions/meetings

DATE		ACTION
3/3	Spoke to architect a said 2 story side extension not acceptable - does not comply with SPG - too far forward and too close to side boundary and design not compatible with BTM	
20/3	CB3 commented on alternative proposals for side extension. Flat roof extension preferred by UD with big set back at 1st floor. Architect will explore other alternatives	
1/5	Asked architect to send in list of things he wants considered + copies of said drawings as we have a number of alternative proposals on file.	

6 Cromwell Road Teddington Middlesex TW11 9EH

UPRN: 100022321990
Area: 847.474 m²

ORN: 000PNPKAPV000
Perimeter: 164.015 m

Ward: Teddington
BC Area:
DC Area:

Conservation Area: None

Shopping Frontage: None

Listed Buildings & BTMs:
1 BTM Approved: 20/09/1988 6

Tree Preservation Orders: None

UDP Overlays and Constraints:
POS Deficient Part Only

Report Ends.

APPENDIX FIVE



Appeal Decision

Site visit made on 6 June 2006

by **J B Pybus** DipTP MRTPI

an Inspector appointed by the Secretary of State for
Communities and Local Government

The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
☎ 0117 372 6372
e-mail: enquiries@planning-inspectorate.gsi.gov.uk
Date 15 June 2006

Appeal Ref: APP/L5810/A/06/2009078/NWF

2 Cromwell Road and adjoining land, Teddington, TW11 9EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Oppidan (Cromwell Road) Ltd against the decision of the Council of the London Borough of Richmond Upon Thames.
- The application ref: 05/2675/FUL, dated 5 September 2005, was refused on 6 December 2005.
- The proposed development is the demolition of existing bungalow and detached garages, clearance of site, and construction of 5 x 1 bedroom, 3 x 2 bedroom and 1 x 3 bedroom flats, including site hard and soft landscaping.

Summary of Decision: The appeal is allowed and planning permission is granted subject to the conditions set out in the Formal Decision

Main Issues

1. I consider that the main issues in this appeal are the effects of the proposal on:
 - a) The character and appearance of the area, and
 - b) The living conditions of the occupants of neighbouring residential properties in terms of visual impact, privacy, daylight and sunlight.

Planning Policy

2. The development plan is *The London Plan* and the *London Borough of Richmond Upon Thames Unitary Development Plan* (UDP). Policy 4B.1 of the London Plan states that developments should maximise the potential of sites, respect local context, and be attractive to look at. UDP policy BLT 4 aims to protect Buildings of Townscape Merit and policy BLT 11 seeks a high standard of design in all development. Policy BLT 16 aims to avoid unneighbourly development and HSG 11 provides that in considering the appropriate density and mix of residential development, the Council will take into account the need to use land as intensively as is compatible with the character and amenity of the area. Developments will be expected to provide a reasonable number of small units appropriate to the site. Policy IMP 3 establishes the basis for seeking planning advantages where necessary to make an application acceptable in land use planning terms.
 3. My attention has been drawn to two Supplementary Planning Documents, entitled *Design Quality* and *Small and Medium Housing Sites*. I am unclear as to whether they have now been adopted by the Council and therefore I can accord them only limited weight. The first document sets the context for achieving a high standard of design in
-

the Borough. The second defines residential character and aims to ensure that development recognises the character of the local area

4. Planning Policy Guidance Note 3 *Housing* (PPG3) is concerned with achieving an adequate supply of housing. This includes concentrating most development in urban areas, maximising the re-use of previously developed land, and there is encouragement for a greater density of development generally and especially at places with good accessibility. PPG3 also stresses that parking standards in the past have been too demanding, and advises maximum rather than minimum parking standards.
5. The Building Research Establishment document *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* (BRE) provides guidance on daylight and sunlight standards to be achieved in new development.

Reasons

Issue a) Character and appearance

6. The appeal site is an irregularly shaped area of land which comprises the curtilage of 2 Cromwell Road, an unoccupied bungalow, plus a small fenced area which includes two garages. There is considerable vegetation on the site, both at the front where there are three significant trees, and also in the rear garden. The site is on a bend in Cromwell Road, close to the junction with Bolton Gardens, and the rear boundary borders a railway line. To the immediate east of the site is a pair of imposing Victorian villas, 4 and 6 Cromwell Road, one in use as flats, and designated as Buildings of Townscape Merit.
7. Next to 4 and 6 Cromwell Road is a seven-storey block of flats known as Sheldon House, and on the adjacent site is an extensive part three and part four-storey flat complex known as Grosvenor Court, fronting Fairfax Road. Redlands, also three and four storey, is on the other side of the Fairfax Road junction. Further to the east in Cromwell Road is modern three-storey housing with basements. Opposite the appeal site is a small group of modern two-storey chalet style dwellings and Bolton Gardens comprises for the most part attractive early 20th century dwellings, both detached and semi-detached.
8. Overall, therefore, the character of the residential area in the vicinity of the appeal site is very varied. It appears to me that what is required is not a building which copies the style of one or more existing buildings, but is a distinctive modern building which respects its general context and sits well with neighbouring buildings. Furthermore, given the PPG3 and UDP objectives of maximising the use of previously developed land for housing purposes and achieving higher densities, this will inevitably result in a greater mass of building than exists on the site at present.
9. In its form and scale, I find that the proposed building would relate well overall with surrounding buildings. With its flat roof and height of four storeys it would be lower than 4 and 6 Cromwell Road, and given its similar building line, a distance of 7m between the two buildings and the recessed third floor, I do not consider that the proposed building would be overwhelming or so dominate these adjacent buildings as to materially harm their setting. I agree with the appellant that the asymmetry of the proposed building would not detract from the symmetrical appearance of these

buildings. It would be of lesser scale and mass than Sheldon House, Redlands or Grosvenor Court, but I find that to be to its credit.

10. The shape of the site has afforded what is in effect a second front elevation, and from the north westerly direction along Station Road the building would not only form a focal point but would have some presence. From the station and the railway, and from the footbridge over the railway line, given that some existing vegetation would be removed during construction, there would be a view of much of the rear of the building, but I do not find that its form or its south elevation would be unprepossessing. From the north and the area around the junction with Bolton Gardens, the front of the building would be a strong focal point, but I do not consider that its general profile would be unsympathetic to the general character of the area.
11. In the detailed design of the building, I find that thought has gone into the modelling of the elevations, the design and proportions of the fenestration, and the use of varied external materials, the latter in some measure to compliment surrounding buildings. Overall, I find that the building although of individual appearance, is well designed and in its form, scale and detail would fit in well with its surroundings.
12. I am aware of the considerable local objection to the form of development proposed, and the objections of the Council. However, given the thrust of PPG3 and the dictum of UDP policy HSG 11, it is wholly unrealistic to expect that the site would be redeveloped with individual dwellings, when there is the potential to produce a visually acceptable form of development which is also a more efficient and effective use of the site. The key question is how a scheme for more intensive development relates to its immediate context. I consider, for the reasons given, that the proposed scheme would relate well in these terms.
13. The proposal aims to ensure the retention of existing tree planting vegetation where possible, which I agree is important. At the rear of the site, some would be lost as a result of the siting of the recycling and refuse facilities and the cycle storage, but some could be retained near the rear boundary of the shared amenity space. Along the site frontage planting would be lost with the construction of the access and parking/manoeuvring area. However, some vegetation could be retained along this frontage, including the three most substantial trees, and if supplemented with new planting, this would enhance the setting of the development.
14. I conclude on issue a) that subject to the retention of a reasonable proportion of the existing vegetation and with appropriate new planting, the proposal would have no materially harmful effect on the character and appearance of the area. There would therefore be no conflict with policy 4B.1 of the London Plan, or with UDP policies BLT 4, BLT 11 and HSG 11.

Issue b) Living Conditions

15. I am satisfied that the occupants of the nearest properties on the opposite side of Cromwell Road would not be adversely affected by the development. No 44 Bolton Gardens is on the corner and would be 43m away, with its garden 34m. No 11 Cromwell Road would be 21m away at its closest. Given that the proposed building would be about 11m high, there would be no unacceptable overshadowing or

detrimental impact. Both properties would be in excess of the 20m minimum which the Council normally requires to achieve satisfactory privacy.

16. The only property potentially adversely affected is 4 Cromwell Road, in occupation as three flats, one on each floor. There is also a two-storey cottage to the rear of the building. There are only two windows on the facing side elevation of No 4, bedroom and living room/kitchen windows on the ground floor to flat 1. The application of the BRE standards indicates that in the case of the bedroom window, the calculated vertical sky component, used in the measure of daylight to a room, would be 27.5%, in excess of the ideal requirement of 27%. This room would also receive above normal sunlight hours. With regard to the living room/kitchen window, the vertical sky component would be 25.5%, less than the ideal requirement. An average daylight factor calculation, which demonstrates internal luminance, indicates a figure of 9.3%, more than the minimum requirement for either a bedroom or kitchen. Given that this window is not the only window to the room in question, the room would receive adequate daylight. Sunlight achieved in this room would also be in excess of the guidance.
17. The location of the cottage and its distance away from the proposed building would be such that its occupants would not suffer a material loss of privacy, sunlight or daylight. There is concern that the shape of the proposed building with something of a projection at the rear would affect the field of vision and views from rear windows of the flats at No 4. However, I consider that the angle of this rear projection would be too wide for this part of the building to have any significant effect on the outlook from these windows. Windows on the side elevation facing No 4 Cromwell Road are secondary windows to living/dining rooms and are shown to be obscure glazed. Aside from the issues of daylight, sunlight and privacy, I do not consider that the building would have an overly dominant or oppressive effect on the occupants of any of these neighbouring flats.
18. Concern is expressed about the potential use of a roof terrace by the occupants of any of the flats and their guests, and the effect on the flats and garden of 4 Cromwell Road. The submitted plans, however, show no means of access to a flat area outside the living/dining area and bedroom 3 of the third floor flat.
19. I conclude on issue b) that there would be no materially adverse effect on the living conditions of the occupants of any neighbouring flats or dwellings. The proposal would not therefore conflict with UDP policy BLT 16. Further concerns about statutory rights of light are not planning considerations.

Other Matters

20. Concern is expressed by local residents about highway safety and potential parking problems associated with the proposed development, exacerbated by the parking restrictions in the area, including outside the appeal property. I accept that for vehicles moving south-west along Station Road there is difficulty in seeing adequately traffic emerging from Bolton Gardens. The access, positioned slightly to the east of this junction, would be visible to traffic and pedestrians from all directions, and I am not persuaded that it would have any material effect on the safety of vehicle and pedestrian movements at this junction. In this respect I take full account of the observations about rush hour periods and the location of local schools.

21. With regard to on-site parking provision, nine spaces are proposed, including two for disabled persons. Given the thrust of government policy to discourage the use of the private motor car and the advice in PPG3 concerning parking provision, and taking into account that some of the proposed accommodation would be attractive to persons without cars, I consider that this provision is adequate. I note that on matters relating to traffic generation and on-site parking provision, there is no objection to the proposal from the Highway Authority.
22. Other concerns relate to the noise and disturbance that it is claimed would occur from the concentration of a number of new residents, but whilst the presence of new occupants and their activities would be noticeable, there is no evidence to suggest that there would be material harm to existing residents' living conditions.
23. There appears to be agreement between the parties concerning contributions towards provision for additional school places directly related to the development (two primary and one secondary). Policy IMP 3 of the UDP provides for a planning advantage involving the provision of facilities to satisfy the need for additional education resources which the development may generate. I am satisfied that such an advantage is appropriate in this case, and although there is no Agreement or Unilateral Undertaking in place, I consider that the matter could be dealt with by an appropriate condition.

Conclusions

24. I have taken into account all other matters raised in written representations, but none of these is of such significance as to outweigh the considerations which have led to my conclusions on the main issues.
25. For the reasons given above, I consider that the appeal should succeed.

Conditions

26. The Council has commended a number of conditions. In the interests of preserving the character and appearance of the area, conditions are required to deal with external materials and the landscaping of the site, including the retention of existing vegetation. In the interests of highway convenience and safety and sustainable development objectives, conditions are required to deal with the construction of the access and cycle storage. To safeguard public health, a condition is required concerning the provision of facilities for refuse and recycling, and in the interests of protecting the privacy of neighbouring residents, obscure glazed windows are required on certain windows. Although not suggested by the Council, I consider that for the same reason a condition is required prohibiting works that would facilitate access on to the flat external area on the east side of the building adjacent to the third floor flat. A condition is also required to deal with the planning advantage matter referred to in paragraph 23 above.

Formal Decision

27. I allow the appeal and grant planning permission for the demolition of existing bungalow and detached garages, clearance of site, and construction of 5 x 1 bedroom, 3 x 2 bedroom and 1 x 3 bedroom flats, including site hard and soft landscaping, at 2 Cromwell Road and adjoining land, Teddington, TW11 9EH, in accordance with the application ref: 05/2675/FUL, dated 5 September 2005, and the plans submitted therewith, subject to the following conditions:

- 1) The development to which this permission relates must be begun before the expiration of three years from the date of this permission.
- 2) Before any development of the site takes place, details of all materials to be used on the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials.
- 3) Before any development of the site takes place, a scheme for both the hard and soft landscaping of the site, which shall provide for the retention of existing trees along the site frontage and the retention of other vegetation on the site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a programme to be approved in writing by the Local Planning Authority.
- 4) Any trees or shrubs planted pursuant to the scheme referred to in condition 3 which die or otherwise fail within 5 years of the date of planting shall be replaced by another tree or shrub as may be approved in writing by the Local Planning Authority.
- 5) The windows annotated *obscure* as shown on Plan No TP1016 *Proposed East & West Elevations* shall be permanently of obscure fixed glazing below a minimum height of 1.75m above the relevant floor level.
- 6) No works of any kind shall be undertaken to the building which would facilitate access by persons to the open area on the east side of the building adjacent to the third floor flat.
- 7) No development of the site shall take place until details of the proposed vehicular access to the site, which shall show the provision of visibility splays on either side of the junction with Cromwell Road, have been submitted to and approved in writing by the Local Planning Authority. No flat hereby permitted shall be occupied until the access has been constructed in accordance with the approved details, and the turning area and parking spaces have been completed as shown on Plan No TP1010 Revision A (03/11/05) *Proposed Ground Floor Plan*, and are available for use.
- 8) Before any development of the site takes place, details of the arrangements to be made for the storage of cycles on site shall have been submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented before any flat is first occupied, and the facilities shall be permanently available thereafter.
- 9) Before any development of the site takes place, details of the provision to be made for the storage on site of refuse and materials to be recycled shall have been submitted to and approved in writing by the Local Planning Authority. The provision approved shall be available for use before any flat is first occupied and shall be permanently available thereafter.
- 10) No development of the site shall take place until details of a scheme for the provision of educational infrastructure to meet the needs of the development, in accordance with policy IMP 3 of the Unitary Development Plan, namely the addition of two primary and one secondary school places, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for its implementation and shall be carried out in accordance with the approved details.



INSPECTOR



The Planning Inspectorate

An Executive Agency in the Office of the Deputy Prime
Minister and the National Assembly for Wales

Challenging the Decision in the High Court

Challenging the decision

Appeal decisions are legal documents and, with the exception of very minor slips, we cannot amend or change them once they have been issued. Therefore a decision is final and cannot be reconsidered unless it is successfully challenged in the High Court. If a challenge is successful, we will consider the decision afresh.

Grounds for challenging the decision

A decision cannot be challenged merely because someone disagrees with the Inspector's judgement. For a challenge to be successful you would have to show that the Inspector misinterpreted the law or, for instance, that the inquiry, hearing, site visit or other appeal procedures were not carried out properly, leading to, say, unfair treatment. If a mistake has been made and the Court considers it might have affected the outcome of the appeal it will return the case to us for re-consideration.

Different appeal types

High Court challenges proceed under different legislation depending on the type of appeal and the period allowed for making a challenge varies accordingly. Some important differences are explained below:

Challenges to planning appeal decisions

These are normally applications under Section 288 of the Town & Country Planning Act 1990 to quash decisions into appeals for planning permission (including enforcement appeals allowed under ground (a), deemed application decisions or lawful development certificate appeal decisions and advertisement appeals.). For listed building or conservation area consent appeal decisions, challenges are made under Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990. **Challenges must be received by the Administrative Court within 42 days (6 weeks) of the date of the decision - this period cannot be extended.**

Challenges to enforcement appeal decisions

Enforcement appeal decisions under all grounds [see our booklet 'Making Your Enforcement Appeal'] can be challenged under Section 289 of the Town & Country Planning Act 1990. Listed building or conservation area enforcement appeal decisions can be challenged under Section 65 of the Planning (Listed Buildings and Conservation Areas) Act 1990. To challenge an enforcement decision under Section 289 or Section 65 you must first get the permission of the Court. However, if the Court does not consider that there is an arguable case, it can refuse permission. **Applications for permission to make a challenge must be received by the Administrative Court within 28 days of the date of the decision, unless the Court extends this period.**

Important Note - This leaflet is intended for guidance only. Because High Court challenges can involve complicated legal proceedings, you may wish to consider taking legal advice from a qualified person such as a solicitor if you intend to proceed or are unsure about any of the guidance in this leaflet. Further information is available from the Administrative Court (see overleaf).

Frequently asked questions

"Who can make a challenge?" – In planning cases, anyone aggrieved by the decision may do so. This can include third parties as well as appellants and councils. In enforcement cases, a challenge can only be made by the appellant, the council or other people with a legal interest in the land – other aggrieved people must apply promptly for judicial review by the Courts (the Administrative Court can tell you more about how to do this – see Further Information).

"How much is it likely to cost me?" – A relatively small administrative charge is made by the Court for processing your challenge (the Administrative Court should be able to give you advice on current fees – see 'Further information'). The legal costs involved in preparing and presenting your case in Court can be considerable though, and if the challenge fails you will usually have to pay our costs as well as your own. However, if the challenge is successful we will normally meet your reasonable legal costs.

"How long will it take?" – This can vary considerably. Although many challenges are decided within six months, some can take longer.

"Do I need to get legal advice?" – You do not have to be legally represented in Court but it is normal to do so, as you may have to deal with complex points of law made by our own legal representative.

"Will a successful challenge reverse the decision?" – Not necessarily. The Court can only require us to reconsider the case and an Inspector may come to the same decision again but for different or expanded reasons.

"What can I do if my challenge fails?" – The decision is final. Although it may be possible to take the case to the Court of Appeal, a compelling argument would have to be put to the Court for the judge to grant permission for you to do this.

Inspection of appeal documents

We normally keep appeal files for one year after the decision is issued, after which they are destroyed. You can inspect appeal documents at our Bristol offices by contacting us on our General Enquiries number to make an appointment (see 'Contacting us'). We will then ensure that the file is obtained from our storage facility and is ready for you to view. Alternatively, if visiting Bristol would involve a long or difficult journey it may be more convenient to arrange to view your local planning authority's copy of the file, which should be similar to our own.

Further information

Further advice about making a High Court challenge can be obtained from the Administrative Court at the Royal Courts of Justice, Queen's Bench Division, Strand, London WC2 2LL, telephone 0207 9476655; Website: www.courtservice.gov.uk

Council on tribunals

If you have any comments on appeal procedures you can contact the Council on Tribunals, 81 Chancery Lane, London WC2A 1BQ. Telephone 020 7855 5200; website: <http://www.council-on-tribunals.gov.uk/>. However, it cannot become involved with the merits of individual appeals or change an appeal decision.

Contacting us

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Bristol BS1 6PN

Phone: 0117 372 8962

Website

www.planning-inspectorate.gov.uk

General Enquiries

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Complaints

Phone: 0117 372 8252

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Cardiff Office

The Planning Inspectorate
Room 1-004
Cathays Park
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Phone: 0292 082 3866
E-mail: Wales@pins.gsi.gov.uk

The Parliamentary Ombudsman

Office of the Parliamentary
Commissioner for Administration
Millbank Tower, Millbank
London, SW1P 4QP

Helpline: 0845 0154033

Website: www.ombudsman.org.uk

E-mail: opca-enqu@ombudsman.org.uk



The Planning Inspectorate

An Executive Agency in the Office of the Deputy Prime Minister and the National Assembly for Wales

Our Complaints Procedures

Complaints

We try hard to ensure that everyone who uses the appeal system is satisfied with the service they receive from us. Planning appeals often raise strong feelings and it is inevitable that there will be at least one party who will be disappointed with the outcome of an appeal. This often leads to a complaint, either about the decision itself or the way in which the appeal was handled.

Sometimes complaints arise due to misunderstandings about how the appeal system works. When this happens we will try to explain things as clearly as possible. Sometimes the appellant, the council or a local resident may have difficulty accepting a decision simply because they disagree with it.

Although we cannot re-open an appeal to re-consider its merits or add to what the Inspector has said, we will answer any queries about the decision as fully as we can.

Sometimes a complaint is not one we can deal with (for example, complaints about how the council dealt with another similar application), in which case we will explain why and suggest who may be able to deal with the complaint instead.

How we investigate complaints

Inspectors have no further direct involvement in the case once their decision is issued and it is the job of our Quality Assurance Unit to investigate complaints about decisions or an Inspector's conduct. We appreciate that many of our customers will not be experts on the planning system and for some, it will be their one and only experience of it. We also realise that your opinions are important and may be strongly held.

We therefore do our best to ensure that all complaints are investigated quickly, thoroughly and impartially, and that we reply in clear, straightforward language, avoiding jargon and complicated legal terms.

When investigating a complaint we may need to ask the Inspector or other staff for comments. This helps us to gain as full a picture as possible so that we are better able to decide whether an error has been made. If this is likely to delay our full reply we will quickly let you know.

What we will do if we have made a mistake

Although we aim to give the best service possible, we know that there will unfortunately be times when things go wrong. If a mistake has been made we will write to you explaining what has happened and offer our apologies. The Inspector concerned will be told that the complaint has been upheld.

We also look to see if lessons can be learned from the mistake, such as whether our procedures can be improved upon. Training may also be given so that similar errors can be avoided in future. Minor slips and errors may be corrected under the terms of the Planning & Compulsory Purchase Act 2004 but we cannot amend or change in any way the substance of an Inspector's decision.

Who checks our work?

The Government has said that 99% of our decisions should be free from error and has set up an independent body called the Advisory Panel on Standards (APOS) to report on our performance. APOS regularly examines the way we deal with complaints and we must satisfy it that our procedures are fair, thorough and prompt.

Taking it further

If you are not satisfied with the way we have dealt with your complaint you can contact the Parliamentary Commissioner for Administration (often referred to as The Ombudsman), who can investigate complaints of maladministration against Government Departments or their Executive Agencies. If you decide to go to the Ombudsman you must do so through an MP. Again, the Ombudsman cannot change the decision.

Frequently asked questions

"Can the decision be reviewed if a mistake has happened?" – Although we can rectify minor slips, we cannot reconsider the evidence the Inspector took into account or the reasoning in the decision. This can only be done following a successful High Court challenge. The enclosed High Court leaflet explains more about this.

"If you cannot change a decision, what is the point of complaining?" – We are keen to learn from our mistakes and try to make sure they do not happen again. Complaints are therefore one way of helping us improve the appeals system.

"Why did an appeal succeed when local residents were all against it?" – Local views are important but they are likely to be more persuasive if based on planning reasons, rather than a basic like or dislike of the proposal. Inspectors have to make up their own minds whether these views justify refusing planning permission.

"How can Inspectors know about local feeling or issues if they don't live in the area?" – Using Inspectors who do not live locally ensures that they have no personal interest in any local issues or any ties with the council or its policies. However, Inspectors will be aware of local views from the representations people have submitted.

"I wrote to you with my views, why didn't the Inspector mention this?" – Inspectors must give reasons for their decision and take into account all views submitted but it is not necessary to list every bit of evidence.

"Why did my appeal fail when similar appeals nearby succeeded?" – Although two cases may be similar, there will always be some aspect of a proposal which is unique. Each case must be decided on its own particular merits.

"I've just lost my appeal, is there anything else I can do to get my permission?" – Perhaps you could change some aspect of your proposal to increase its acceptability. For example, if the Inspector thought your extension would look out of place, could it be re-designed to be more in keeping with its surroundings? If so, you can submit a revised application to the council. Talking to its planning officer about this might help you explore your options.

"What can I do if someone is ignoring a planning condition?" – We cannot intervene as it is the council's responsibility to ensure conditions are complied with. It can investigate and has discretionary powers to take action if a condition is being ignored.

Further information

Every year we publish a Business and Corporate Plan which sets out our plans for the following years, how much work we expect to deal with and how we plan to meet the targets which Ministers set for us. At the end of each financial year we publish our Annual Report and Accounts, which reports on our performance against these targets and how we have spent the funds the Government gives us for our work. You can view these and obtain further information by visiting our website (see 'Contacting us'). You can also get booklets which give details about the appeal process by telephoning our enquiries number.

You can find the latest Advisory Panel on Standards report either by visiting our website or on the ODPM website - www.odpm.gov.uk/

Contacting us

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