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Your reference

Our reference

Date

BW/1589
August 2023

Head of Planning
London Borough of Richmond upon
Thames

via Planning Portal
cc deon@deonlombardarchitects.com

BWCP

PROPOSED MAISONNETTES: SITE ON CORNER OF ROSELEIGH CLOSE & CAMBRIDGE PARK, EAST TWICKENHAM, TW1 2JT



View of the Site from the west looking across Roseleigh Close

Planning Statement

This is a planning statement and covering submission in support of this development proposal.

We have had the benefit of a very thorough pre-application report by Andrew Vaughan to which I refer now and which is included with the application.

The application responds to the extensive validation checklist of 33 items listed in that report and covers all of those which are relevant. The matter of affordable housing contribution to be covered by a s106 Agreement is dealt with separately.

Policies of the NPPF, London Plan and Local Plan as well as SPD guidance are listed in the pre-application report and I do not repeat these here. Nor the site description.

However I do list as a footnote policies which I consider have a particular relevance to this case.

The report sets out the relatively recent planning history. The refusal dated 20th September 2004, includes a reason for refusal number 4, which was withdrawn by letter and should therefore not be relevant to the new application, which is of a comparable volume: it says *“by reason of its positioning with neighbouring residential gardens represent an overbearing and unneighbourly form of development, prejudicial to the amenities of neighbouring residents”* it goes on that the proposed building would substantially reduce the contribution which the site now makes to the character of the estate. *“Its openness would be considerably reduced and views across it would be restricted.”* Given the strong boundary of large trees, and otherwise being enclosed by buildings, it is not now reasonable to refer to views across the site or indeed openness beyond its boundaries.

It goes on: *“The land is regarded by local residents as a communal amenity space and is actively used as such...”* It was disputed at the time that assertions by local residents that they used this

land for recreation or amenity, and the allegation was withdrawn in writing when challenged at the appeal hearing. The site being privately owned has been fenced for more than 15 years, and so this argument, which was never valid in the first place, cannot be upheld.

The claim is made that the site is ‘greenfield’ and not previously developed land. First, local plan at para 9.1.7 recognises that the majority of greenfield land in the borough is covered by protective designations, but that is not the case in this instance – the site is not formally recognised as local green space. There has also been the claim that the site clearly was designated as part of the estate to have this purpose, the purpose referred to being that “*small pockets of green space, such as this have the ability to play a part in the green network and give a sense of space and visual amenity*”.

If the history and planning history of the site before that itemised in the pre-application report is considered, there must be doubt that this is a greenfield site at all.

I reproduce an OS map from 1935 (*RIGHT*) which shows the site in red lining as part of Cumberland House fronting onto Cambridge Park with Roseleigh Close superimposed. The area of the two Cedar trees which fronted Cumberland House within its carriage drive were within its curtilage and so the site should be considered PDL - previously developed land, rather than ‘greenfield’. Our Heritage Statement shows a map of 1893 where the same house is named Roseneath and illustrates the same carriage drive. It also shows drawings of the planning application for maisonettes at Cambridge Park dated 1956, from the LBRuT archives. It points out that it is because of the trees that this corner site was not developed with a building similar to that illustrated.



Cambridge Park Court, a large 3-storey mansion block opposite the site on Cambridge Park



OS Map from 1935 with later buildings shown shaded in ‘green’ and site superimposed to show location of the two Deodar Cedars located parallel to the front of Cumberland House on the edge of the carriage drive

The trees were protected (TPO 1957) at the time of the redevelopment of the Cambridge Park Estate, for which reason it was not possible to complete the composition of the new cul-de-sac by building on this site in the way which is now proposed. The cedar trees have long since died and this site would have been developed along with the others around 1960 had it not been for these protected trees. There is no evidence of any other intention but this obvious one. The proposal includes the planting of two new native trees along the western boundary of the site.

The Heritage Statement points out that the site is excluded from the Cambridge Park conservation area and says it has no intrinsic heritage value.

It also says “*the site of the proposed development does not markedly contribute to the setting of the flats, but nor does it detract from it*”. The only designated heritage asset in the vicinity of the site is the Cambridge Park conservation area and, it says: “*the proposed development is in keeping with the prevailing height, bulk, materiality and character of its immediate neighbours, and in townscape terms, it will provide a positive element at the corner of Roseleigh Close. It will not detract from the setting or significance of the conservation area or the nearby Building of Townscape Merit, Cambridge Park Court*”.

It concludes that “*the proposed development will have no direct impact on any heritage assets,*

and only an indirect effect on the conservation area... and that there will be no harm to the heritage significance of Cambridge Park court, and the overall impact is neutral. The proposal complies with the policy test of the local plan, the London plan and the NPPF. There is no reason in Heritage terms were planning permission, should not be granted.”



The proposed development completes the composition of Roseleigh Close

The principle of development

The pre-application report discusses the principle of development. It says the main issues would be to overcome previous concerns about developing the site which was considered by an appeals inspector to be a greenfield site and to provide informal open space and recreation. The second of those concerns has been shown to be invalid. And there has to be considerable doubt about the first as argued above.

The report discusses the promotion of ‘Brownfield’ land, and the need for housing in the borough.

The criteria for “infill development” in Policy LP 39, and the small and medium housing sites SPD are satisfied, and there is generous provision of open space for recreation in the vicinity of the site. These are demonstrated both in the very thorough design and access statement forming part of this application and a plethora of technical studies also supporting it.

The pre-application report concludes: *“In design terms and without prejudice to the LPA’s position that the openness of the site contributes to visual amenity, the site could potentially accept a modest further building which would not look out of place in relation to the overall layout of the development”*. Some reservations of detail were made but have been addressed in this revised proposal.

Affordable housing policy

I wrote on 7 August by email to Andrew Vaughan in these terms:

In anticipation of the Full planning application.

Dear Andrew we are submitting a full application which accommodates your thoughtful and full advice in the pre-application report.

I am writing to seek your advice in relation to the affordable housing contribution.

I attach the calculator spreadsheet and would ask you or a colleague to let me know whether this has been filled correctly and whether the contribution calculated is correct.

The applicant has commissioned an affordable housing expert Dr Andrew Golland who has used contemporary market value evidence and current construction cost advice. His report demonstrates that the scheme is not viable.

Notwithstanding this, the applicant is willing to make a contribution towards the affordable housing fund, and to enter into a legal agreement before a decision is taken on the application.

A draft of the borough's standard Agreement would be helpful.

The application will include a copy of this message.

I look forward to your early advice please.

With Best regards,

Yours

Brian

Brian Waters MA RIBA MRTPI ACArch FRSA

The case for granting consent

Context and circumstances have changed in the last nearly 20 years. A decision maker will have to weigh up the benefits of the additional housing by a small developer as supported by current government and London Plan policy at all levels on what should be properly considered a ‘Brownfield’ site, against any harm that is still considered to be relevant in reducing the limited openness afforded by the site.

The reality is that the close line of magnificent horse chestnut trees along Cambridge Park greatly reduces any continuing sense of openness which may have been there in the 1960s when the trees were smaller and there were substantial Cedar trees within the site itself.

To the extent that developing an open site can be considered harmful, completing the form of the Close is to me as an architect and planner an offsetting benefit. Putting this on the scales with the additional housing should offset any perceived harm.

Development inevitably represents change, and it is understandable if local residents resist change, but we are not in a world where we can stand still and resist all development.

Yours faithfully



Brian Waters

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Planning policy relevant extracts [footnote]

NPPF [at April 2022]

11. Making effective use of land

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions...

120. Planning policies and decisions should: ...

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively ...

121. Planning policies and decisions need to reflect changes in the demand for land. ...

a) it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and

b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.

Achieving appropriate densities

124. Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places. ...

125. ... Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible...

c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

Table 4.1 - 10 year targets for net housing completions (2019/20 -2028/29)

Richmond 4,110

London Plan 2021

Policy H1 Increasing housing supply

•A Table 4.1 sets the ten-year targets for net housing completions that each local planning authority should plan for. Boroughs must include these targets in their Development Plan Documents.

•B To ensure that ten-year housing targets are achieved, boroughs should:

1) prepare delivery-focused Development Plans ...

- b) encourage development on other appropriate windfall sites not identified in Development Plans through the Plan period ...
- 4.1.1 The Mayor has carried out a London-wide Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA). The SHMA has identified need for 66,000 additional homes per year. ...
- 4.1.4 In particular, the London Housing Strategy sets out the Mayor's proposals for working with boroughs and other partners to deliver the step change in housing supply required, through: ... more support for small and medium-sized builders ...

RICHMOND adopted local plan interim

4.1 Local Character and Design Quality

A. The Council will require all development to be of high architectural and urban design quality. The high quality character and heritage of the borough and its villages will need to be maintained and

Advertisements and hoardings

enhanced where opportunities arise. Development proposals will have to demonstrate a thorough

C. The Council will exercise strict control over the design and siting of

understanding of the site and how it relates to its existing context, including character and

advertisements and hoardings to ensure the character of individual buildings

appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:

1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing;
2. sustainable design and construction, including adaptability, subject to aesthetic considerations;
3. layout, siting and access, including making best use of land;
4. space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features;
5. inclusive design, connectivity, permeability (as such gated developments will not be permitted), natural surveillance and orientation; and
6. suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.

All proposals, including extensions, alterations and shopfronts, will be assessed against

contained within a neighbourhood plan where applicable, and the advice set out in the relevant Village Planning Guidance and other SPDs relating to character and design. ...

Design quality and character

4.1.3 This policy requires developers and applicants to take a sensitive approach to the architectural design of new buildings, extensions and modifications to existing buildings, as well as landscape proposals. The Council does not wish to encourage a particular architectural style or approach but expects each scheme to be to a high quality, with very high quality expected within Conservation Areas. Schemes should be based on a sound understanding of the site and its context, following the locally specific guidance set out in the Village Planning Guidance SPDs.

4.1.4 Given the built up nature of the borough it is anticipated that most new buildings will be as a result of redevelopment where compatibility with the existing urban fabric is a key consideration. The purpose is to maintain, reinforce and where possible enhance the local character and features that give the area its distinctive and clear identity. Opportunities should be taken to improve the general level of design of an area where appropriate. New development should respect existing street and development patterns.

Materials - Relationship to other buildings and public realm

4.1.5 The Council will expect the use of high quality materials and planting reflecting the local character and distinctiveness of an area in all schemes where this contributes positively to the appearance and character of an area.

5.5 Trees, Woodlands and Landscape

Policy LP 16 Trees, Woodlands and Landscape

Trees and Woodlands

A. The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.

B. To ensure development protects, respects, contributes to and enhances trees and landscapes, the Council, when assessing development proposals, will:

1. resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling is for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;
2. resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;
3. require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT);
4. require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;
5. require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations).

The Council may serve Tree Preservation Orders or attach planning conditions to protect trees considered to be of value to the townscape and amenity and which are threatened by development.

Landscape

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

6.1 Climate Change Adaptation

Policy LP 20 Climate Change Adaption

1. minimise internal heat generation through energy efficient design

3. manage the heat within the building through exposed internal thermal mass and high ceilings
4. passive ventilation
5. mechanical ventilation
6. active cooling systems (ensuring they are the lowest carbon options).

A. The Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.

B. New development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption in accordance with the following cooling hierarchy:

2. reduce the amount of heat entering a building in summer through shading, reducing solar reflectance, fenestration, insulation and green roofs and walls

C. Opportunities to adapt existing buildings, places and spaces to the likely effects of climate change should be maximised and will be supported.

6.3 Sustainable Design and Construction

Policy LP 22 Sustainable Design and Construction

A. Developments will be required to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change. Applicants will be required to complete the following:

1. Development of 1 dwelling unit or more, or 100sqm or more of non-residential floor space (including extensions) will be required to complete the Sustainable Construction Checklist SPD. A completed Checklist has to be submitted as part of the planning application.

2. Development that results in a new residential dwelling, including conversions, change of use, and extensions that result in a new dwelling unit, will be required to incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day for homes (including an allowance of 5 litres or less per person per day for external water consumption).

9.1 New Housing

Policy LP 34 New Housing

B. The following amounts of housing are indicative ranges in these broad areas of the borough to 2025:

A. The Borough's target is 3,150 homes for the period 2015-2025. This target will be rolled forward until it is replaced by a revised London Plan target. The Council will exceed the minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.

Area Wards Approx. No of units ...

Twickenham Twickenham Riverside; St Margarets and North Twickenham; 1000-1050 South Twickenham; West Twickenham

9.2 Housing Mix and Standards

Policy LP 35 Housing Mix and Standards

A. Development should generally provide family sized accommodation, except within the five main centres and Areas of Mixed Use where a higher proportion of small units would be appropriate. The housing mix should be appropriate to the site-specifics of the location.

B. All new housing development, including conversions, are required to comply with the Nationally Described Space Standard.

C. All new housing development, including conversions, should provide adequate external space. Purpose built, well designed and positioned balconies or terraces are encouraged where new residential units are on upper floors, if they comply with policy LP8 Amenity and Living Conditions. Regard should be had to the Council's Residential Development Standards SPD as appropriate.

D. Amenity space for all new dwellings, including conversions, should be:

- a. private, usable, functional and safe;
- b. easily accessible from living areas;
- c. orientated to take account of need for sunlight and shading;
- d. of a sufficient size to meet the needs of the likely number of occupiers; and

e. accommodation likely to be occupied by families with young children should have direct and easy access to adequate private amenity space.

E. 90% of all new build housing is required to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings' and 10% of all new build housing is required to meet Building Regulation Requirement M4 (3) 'wheelchair user dwellings'.

9.6 Infill, Backland and Backgarden Development

Policy LP 39 Infill, Backland and Backgarden Development

Infill and Backland Development

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;

9. Provide adequate servicing, recycling and refuse storage as well as cycle parking;

Backgarden 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:

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;

10. Result in no unacceptable impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.

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