
Town Planning and Affordable Housing Statement

Sion Court, Sion Road, Twickenham, TW1 3DD

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1. Introduction

1.1. This Town Planning Statement is prepared by Savills on behalf of 'Moreland Residential (UK) Limited' ("the Client") to support a full planning application seeking permission for the redevelopment of the land at Sion Court, Sion Road, Twickenham, TW1 3DD ("the Site"). The site sits within the London Borough of Richmond upon Thames.

1.2. The planning application seeks full planning permission for:

"Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide 2, 1-bedroom and 3, 2-bedroom dwellings, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse."

Accompanying Reports

1.3. This statement describes the development proposals and relates them to the relevant planning policy framework. It should be read in conjunction with the accompanying application drawings and following reports:

- Design and Access statement, prepared by Savills;
- Daylight and Sunlight Report (Within Development), prepared by Right of Light Consulting;
- Daylight and Sunlight Report (Neighbouring Properties), prepared by Right of Light Consulting;
- Preliminary Ecological Appraisal, prepared by AESG;
- Energy Statement, prepared by T16 Design;
- Fire Statement – National Requirements, prepared by AESG;
- Fire Statement – London Plan Requirements, prepared by AESG;
- Transport Statement, prepared by Caneparo Associates;
- Flood Risk Assessment, prepared by WHS;
- Arboricultural Impact Assessment, prepared by SJ Stephens Associates;
- Viability Report, prepared by Bailey Venning;
- Sustainability Statement, prepared by T16 Design; and
- Heritage Impact Assessment, prepared by HCUK Group.

Document Structure

1.4. This document comprises the following sections:

- Chapter 1- Introduction (this section);
- Chapter 2- Background;
- Chapter 3- Planning History;
- Chapter 4- The Proposal;
- Chapter 5- Planning Policy Context;
- Chapter 6- Planning Considerations; and
- Chapter 7- Conclusion and Sustainable Development.

2. Site and Surroundings

- 2.1. The site comprises 20 derelict garages and 1 no. flat located to the rear of Sion Court, Sion Road. The site is not locally listed, however is located in Twickenham Riverside Conservation Area. The surrounding area is of a mixed use, however predominantly residential. Twickenham Train Station and Town Centre are within walking distance away (9 minutes' walk).
- 2.2. The existing Sion Court itself is a substantial mansion block which occupies an important position within the surrounding townscape, due in part to its large scale and height in contrast to the generally more modest scale of surrounding buildings and spaces on the fringes of the Town Centre and along the River Thames. The five storey main elements of this courtyard block have been designed to address the surrounding road frontages both in their scale and detailing.
- 2.3. The immediate area is predominately residential in character, with uses along Richmond Road comprising predominantly residential with some mixed uses split between commercial at ground floor with residential uses above. The site has good access to open space, including Marble Hill Park located approx. 500m East, and Ham Lands Nature Reserve approx. 400m to the south.
- 2.4. The site is well-connected to transport routes, benefitting from an excellent PTAL rating of 5, where 0 is the worst and 6b is the best. These transport links include two bus stops within 100m north of the site to provide access to six bus routes; Twickenham Train Station approx. 600m to the north west with access to National Rail routes; and St Margaret's station approx. 800m north.
- 2.5. Within the surrounding area are a number of Buildings of Townscape Merit (BTM) and Listed Buildings. Notably, 19 & 21 Lebanon Park and the adjacent terraces on Ferry Road are designated BTMs.
- 2.6. Part of the application site falls within Flood Zone 2 as defined by the Environment Agency. This affects the single garage block and the southernmost portion of the longer garage block. The site also falls within an Archaeological Priority area.
- 2.7. The site is also situated within Throughflow Catchment Area (Throughflow and Groundwater Policy Zone).

3. Planning History

3.1. There is an extensive planning history related to this site (available on Richmond Council's website for viewing), however the most relevant planning applications include:

- **13/1352/FUL and 13/1482/CAC** - Demolition of an existing dwelling and garage blocks, erection of three new dwellings and cycle stores and associated landscaping (Permission Granted).
- **11/3709/FUL and 11/3710/CAC** - Demolition of an existing dwelling and garage blocks, erection of 4 no. new dwellings and associated landscaping. New balcony and cycle store (Permission Refused and Dismissed on Appeal).
- **03/0380/FUL** - Proposed roof top extension to create 5 additional self-contained residential units (Permission Refused and Dismissed on Appeal). Refused on the 2/04/2003 for the following reasons: the first reason relates design and scale. The second reason relates to the failure to provide adequate parking provision which would generate increased demand for on street car parking.
- **01/1387/FUL** - Conversion of three existing garages into a one bedroom studio flat - Refused on the 26/09/2001 *This application was refused on two grounds, the first being the loss of three garages without acceptable alternative provision. It was considered that the proposal would increase the demand for on-street parking, which would be detrimental to highway safety. The second reason for refusal was the standard of accommodation. The appeal was dismissed on 8.03.2002.* Alongside the above, a number of applications for new shopfronts and signage, as well as change of use of ground floor to other commercial uses, were also approved at the Site between 1971 – 2017.

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- 3.2. Most recently, in December 2023, application ref. 22/1757/FUL was refused and appeal dismissed for the “*demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.*” See Section 6 below for more details.
- 3.3. This application is submitted to response to the recent dismissed appeal decision through a variety of amendments set out in this Statement.

4. The Development Proposal

4.1. The application seeks full planning permission for:

“Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.”

4.2. The proposals comprise the following:

- 5no. residential units comprising a mix of 2 x 1-bedroom and 3 x 2-bedroom dwellings.
- Cycle store to accommodate 28no. cycle parking spaces.
- 527 sqm of landscaped communal amenity space (an uplift of c.193 sqm in communal amenity space).
- 291 sqm of soft landscaping proposed in the new private gardens and green roof.

4.3. Each unit benefits from a private front door onto the courtyard. Entrances are set well back within private front gardens and are step-free from the street. Daily bins refuse/recycling collection for each unit are designed within the private front gardens and are step-free. Accessible parking space for Unit 1 is allocated from Lebanon Park entrance. Cycle storage is step free and easily accessed from front doors.

4.4. Unit 1 is M4(3) compliant and designed to be wheelchair accessible.

5. Planning Policy Context

5.1. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004:

“when making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”

5.2. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act, the Development Plan for the site comprises the following:

- London Plan (2021);
- Richmond Local Plan (2018);
- Policies Map (2018);
- Material considerations include: the National Planning Policy Framework (NPPF) 2023; Planning Practice Guidance (PPG); regional and local supplementary planning guidance / documents (SPD/SPGs) and any other emerging policy and guidance and site specific circumstances.

National Planning Policy Framework

5.3. The NPPF was most recently updated in July 2023. The NPPF sets out the Government policies for England and how these should be applied. The following sections are considered of relevance to this proposal:

- Section 2- Achieving Sustainable Development
- Section 5- Delivering a sufficient supply of homes
- Section 6- Building a strong, competitive economy
- Section 7- Ensuring the vitality of town centres
- Section 11- Making effective use of land

- Section 12- Achieving well-designed places

The London Plan (2021)

5.4. The London Plan was last updated in 2021. The London Plan a Spatial Development Strategy which sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. The following policies are considered of relevance:

- Policy GG2: Making the Best Use of Land
- Policy H1: Increasing Housing Supply
- Policy H2: Small Sites
- Policy H4: Delivering Affordable Housing
- Policy D3: Optimising Site Capacity through the Design-Led Approach
- Policy D4: Delivering Good Design
- Policy D5: Inclusive Design
- Policy D6: Housing Quality and Standards

Policy GG2: Making the Best Use of Land

5.5. Boroughs are encouraged to enable the development of brownfield land as well as utilising small sites.

Policy H1: Increasing Housing Supply

5.6. Boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites.

Policy H2: Small Sites

5.7. Boroughs are encouraged to support well-designed new homes on sites smaller than 0.25ha in size through planning decisions and plan-making.

Policy H4: Delivering Affordable Housing

- 5.8. This policy sets out a strategic target of 50% affordable new homes across London, and requires affordable homes to be provided on site. Cash-in-lieu contributions are only accepted in exceptional circumstances. The policy highlights affordable housing contributions are triggered on sites providing 10 or more units.

Policy D3: Optimising Site Capacity through the Design-led Approach

- 5.9. This policy outlines a design-led approach to achieving optimal site capacity should be taken. This should take site context, capacity for growth, and existing and planned infrastructure into consideration. Incremental intensification can be achieved through small sites, while highest density developments should be located in the most sustainable locations, with good connections, and access to jobs, services and infrastructure.
- 5.10. Design is also an important factor to consider in determining density. Development proposals must enhance local context and positively respond to local distinctiveness through building form, scale and appearance. Development must also prioritise safety, inclusivity and residential amenity to achieve a positive experience for occupants.

Policy D5: Inclusive Design

- 5.11. Accessible and inclusive design should be achieved within all development proposals. This includes creating people-focused spaces, with no disabling barriers, and safe emergency evacuation for all building users.

Policy D6: Housing Quality and Standards

- 5.12. This policy requires developments to be of high quality design, with optimal internal layouts. All habitable rooms should meet the minimum space standards. Dual aspect dwellings must be maximised and there should be no north facing single aspect units. Residential development should allow for sufficient daylight / sunlight, provide adequate waste storage in an easily accessible location and provide external amenity space.

The London Borough of Richmond Upon Thames Local Plan (2018):

5.13. The London Borough of Richmond Upon Thames Local Plan was adopted 3rd July 2018. The Local Plan sets out the Council's vision for the borough until 2033. The following policies are considered of relevance:

- Policy LP1: Local Character and Design Quality
- Policy LP3: Designated Heritage Asset
- Policy LP8: Amenity and Living Conditions
- Policy LP15: Biodiversity
- Policy LP16: Trees, Woodlands and Landscape
- Policy LP17: Green Roofs and Walls
- Policy LP21: Flood Risk and Sustainable Drainage
- Policy LP22: Sustainable Design and Construction
- Policy LP24: Waste Management
- Policy LP34: New Housing
- Policy LP35: Housing Mix and Standards
- Policy LP36: Affordable Housing
- Policy LP39: Infill, Backland and Backgarden Development
- Policy LP44: Sustainable Travel Choices
- Policy LP45: Parking Standards and Servicing

Policy LP1: Local Character and Design Quality

5.14. This policy requires development to be of a high architectural and urban design quality. Urban design must be accessible and inclusive, with high quality landscaping and good design integrated to aid regeneration. Development proposals will have to demonstrate a thorough understanding of the site and how it relates

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

Policy LP3: Designated Heritage Asset

- 5.15. This policy requires to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal. All proposals in Conservation Areas are required to preserve and, where possible, enhance the character or the appearance of the Conservation Area.

Policy LP8: Amenity and Living Conditions

- 5.16. All development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties. The Council will ensure the design and layout of buildings enables good standards of daylight and sunlight to be achieved in new development and in existing properties affected by new development.

Policy LP15: Biodiversity

- 5.17. The Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats. Weighted priority in terms of their importance will be afforded to protected species and priority species and habitats including National Nature Reserves, Sites of Special Scientific Interest (SSSI) and Other Sites of Nature Importance as set out in the Biodiversity Strategy for England, and the London and Richmond upon Thames Biodiversity Action Plans.

Policy LP16: Trees, Woodlands and Landscape

- 5.18. The Council 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.

Policy LP17: Green Roofs and Walls

- 5.19. Green roofs and/or brown roofs should be incorporated into new major developments with roof plate areas of 100sqm or more where technically feasible and subject to considerations of visual impact. The aim should be to use at least 70% of any potential roof plate area as a green / brown roof.

Policy LP21: Flood Risk and Sustainable Drainage

- 5.20. This policy aims to avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.

Policy LP22: Sustainable Design and Construction

- 5.21. Developments will be required to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change.

Policy LP24: Waste Management

- 5.22. The Council will ensure that waste is managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced.

Policy LP34: New Housing

- 5.23. The Borough's target is 3,150 homes for the period 2015-2025 and specifically for Twickenham between is 1000-1050. This has been replaced by the London Plan target for the Borough which is now 4,110.

Policy LP35: Housing Mix and Standards

- 5.24. 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.

Policy LP36: Affordable Housing

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5.25. This policy requires 50% of all housing units will be affordable housing, this 50% will comprise a tenure mix of 40% of the affordable housing for rent and 10% of the affordable intermediate housing. b. the affordable housing mix should reflect the need for larger rented family units and the Council's guidance on tenure and affordability, based on engagement with a Registered Provider to maximise delivery.

Policy LP39: Infill, Backland and Backgarden Development

5.26. All infill and backland development must reflect the character of the surrounding area and protect the amenity and living conditions of neighbours. Development should retain plots of sufficient width for adequate separation between dwellings and result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens.

Policy LP44: Sustainable Travel Choices

5.27. This policy aims to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment

Policy LP45: Parking Standards and Servicing

5.28. This policy requires 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.

6. Planning Considerations

6.1. This Section considers the Proposed Development in relation to relevant planning policy context for the Site and the previous reasons for refusal (application reference 22/1757/FUL) and its subsequent dismissed appeal (reference APP/L5810/W/23/3315130). The key areas of relevance to the development proposals are as follows:

- Consideration of Previous Reasons for Refusal
 - Effect on neighbouring residents
 - Living Conditions
 - Impact on sycamore tree
 - Affordable Housing
 - Flood Risk
- Principle of Development
- Housing Mix (inc. Accessible Housing)
- Housing Design Standards and Quality of Accommodation
- Affordable Housing
- Character, Design and External Appearance
- Residential Amenity
- Transport, Access and Parking
- Flood Risk and Drainage
- Ecology and Biodiversity
- Fire
- Energy

Consideration of Previous Reasons for Refusal and Appeal Dismissal

The reasons for the recent application being refused were:

1. Affordable Housing
2. Standard of Accommodation
3. Trees
4. Flood Risk
5. Residential Amenity
6. Cycle Parking

Affordable Housing Statement

6.2. The first reason for refusal within the Decision Notice for the refused permission states:

“In the absence of a legal agreement to secure an appropriate contribution towards offsite affordable housing, the scheme fails to address the recognised housing need and will be contrary to, in particular, policy LP36 of the Local Plan (2018) and Supplementary Planning Document on Affordable Housing (2018).”

6.3. Policy LP36 of the Local Plan requires contributions to affordable housing from all small sites, further details are set out in the Affordable Housing SPD. Using the Council’s small site calculator a policy compliant financial contribution of around £400k would be required for the proposed development.

6.4. Policy LP36 part D requires that:

6.5. *“Where a reduction to an affordable housing contribution is sought from the requirements in A and B on economic viability grounds, developers should provide a development appraisal to demonstrate that schemes are maximising affordable housing. The developer will be required to underwrite the costs of a Council commissioned economic viability assessment. The Council will rigorously evaluate such appraisals and:*

- a) assess if the maximum reasonable amount of affordable housing is based on delivering the appropriate tenure, unit sizes and types that address local needs.*
- b) consider whether it is necessary to secure provision for re-appraising the viability of a scheme prior to implementation to secure contingent obligations.*
- c) in most circumstances the Existing Use Value plus a premium (EUV+) approach to assessing benchmark land value in development appraisals and viability assessments should form the primary basis for determining the benchmark land value.*

6.6. In accordance with Policy LP35 a Viability Assessment is submitted to support this application.

6.7. The Council’s reason for refusal concerned the absence of satisfactory evidence to justify a non-policy compliant financial contribution, and as such the scheme failed to address the recognised housing need and is contrary to, in particular, policy LP36.

- 6.8. The Inspector confirmed that the submitted Viability Report to support the scheme and the Council's revise of this had differing assumptions including with regard to the scheme value, build costs and the benchmark land value.
- 6.9. The Inspector found that the Council's approach to valuation was unrealistic and did not fully take account for full likely build cost and as the approach to determining likely values of the scheme was based upon asking prices of comparable properties, with adjustments, rather than actual sale prices.
- 6.10. A key dispute between the Council and Applicant was with regard to Benchmark Land Value having regard to the existing context of the site. Further detail on this are provided within the submitted Viability Report to support this application.

Standard of Accommodation

- 6.11. The second reason for refusal within the Decision Notice states:
- "2. Standard of Accommodation- The development, by reason of its layout, design and in the absence of satisfactory evidence to demonstrate the new units will benefit from adequate daylight, represents over-intensification and over-development of the site that would result in sub-standard living conditions and environment, to the detriment of the amenities of future occupiers and thus is contrary to local plan policy LP35, London Plan Policy D6, Supplementary Planning Document 'Residential Development Standards' and 'Design Quality' and the Technical Housing Standards - Nationally Described Space Standard (March 2015)."*
- 6.12. With regard to the first part of this reason for refusal relating to adequate daylight an updated Daylight and Sunlight Assessment was submitted along side the appeal. Subsequently the Council accepted that the additional information and revisions submitted with the appeal were acceptable with regard to first part of the above reason for refusal.

6.13. With regard to the second aspect of the above reason for refusal the Inspector expressed concerns with Unit 1 with regard to the living space being at the rear of the dwelling and the bedroom having a long outlook across the shared amenity space. In response to this, the internal arrangement of Unit 1 has been altered within this revised application. The living space is now at the front of the dwelling with the bedroom at the rear. To improve the light provided into this room and to respond to other refusal comments around amenity, the rear wall of Unit 1 has been moved inwards, creating a private amenity space and creating more daylight in the habitable room. The levels of daylight are supported by the submitted Daylight and Sunlight assessment.

Trees

6.14. The third reason for refusal within the Decision Notice states:

“3. Trees- In the absence of satisfactory arboricultural reports, lack of mitigation planting for removed trees and a poor site design and layout that fails to provide design separation space for tree and building to coexist, the scheme is considered to adversely impact on the health and longevity of existing trees and fails to comply with Local Plan (2018) policies LP3, LP15 and LP 16 and London Plan (2021) Policy G7.”

6.15. The development is sited close to a large sycamore tree that is protected by a Tree Preservation Order the value of which is not disputed. Owing to recent growth of the protected tree the tree would over-sail part of the proposed development and it is acknowledged in the Inspector’s Report that *“some pruning would be required, although such works do not form part of this proposals. The evidence shows that the tree has been managed as a pollard in the past and there is no indication that this has affected its health or longevity”*.

6.16. In response to the reason for refusal and the Inspector’s comments an updated Arboricultural Impact Assessment has been prepared and is submitted alongside this application. Within this report pruning of the protected tree is proposed. As it is acknowledged that pruning of the protected tree may adversely impact on residential amenity and local character. As a result substantial replacement planting, including provision of semi-mature trees, are proposed to mitigate against the proposed pruning.

6.17. In comparison to the existing context of the site, having regard to the 193 sqm increase in communal amenity space and 291sqm of private gardens and green roofs, which includes significant vegetation and tree planting, on balance the pruning of the protected tree is considered to be justified and in accordance with Policy LP16.

Flood Risk

6.18. The fourth reason for refusal within the Decision Notice states:

“4. Flood Risk- In the absence of insufficient details to demonstrate the scheme will not increase risk of flooding in the locality, the scheme fails to comply with Local Plan (2018) Policy LP21 and London Plan (2021) Policies SI12 and SI13.”

6.19. A revised Flood Risk Assessment was completed as part of the appeal and has subsequently updated and submitted to support this revised application.

6.20. The Inspector concluded that through utilising the proposed attenuation tank it is demonstrated that the requested maximum discharge rate of 2 l/s, the 100 year plus climate change greenfield equivalent is achieved. The Inspector concluded that the proposals would not increase flood risk and that the previous reason for refusal has been resolved. The proposals therefore comply with Local Plan Policy LP21 and London Plan Policies SI12 and SI13.

Residential Amenity

6.21. The fifth reason for refusal within the Decision Notice states:

“5. Residential Amenity- The proposed development, by reason of its combined siting, height and width will result in a visually intrusive and overbearing form of development that will adversely impact on the residential amenity of nearby occupants, in particular, the ground floor flat in Sion Court and no. 19 Lebanon Park thus fail to comply with Local Plan (2018) Policy LP8.”

6.22. Within the appeal decision, the Inspector firstly dismissed any harmful impact of the proposal on the ground floor flat in Sion Court. It was also established that the effect on No 25 Ferry Road would be less significant as this property has a larger and more open-feeling garden, so the additional enclosure, while appreciable, would not result in harmful living conditions.

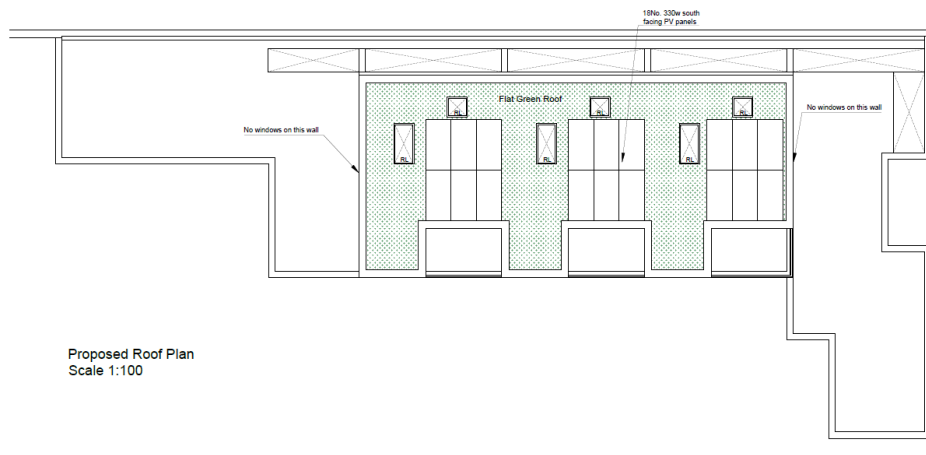
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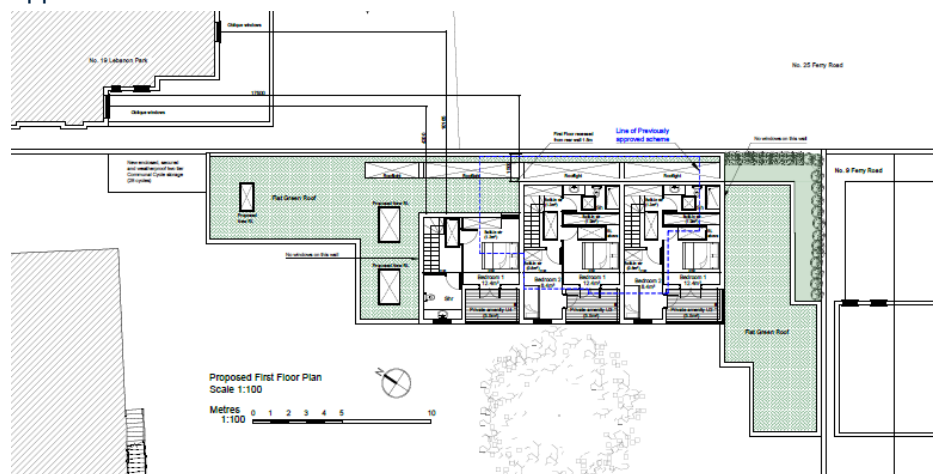


6.23. The Inspector agreed that the proposed development would enclose the garden of No 19 Lebanon Park and that there would also be an impact on No 9 Ferry Road. In order to respond to these concerns issues raised in the refusal and dismissal of the appeal, this revised application has set back the first floor of the development adjacent to No 19 Lebanon Park's Garden and the ground floor of Unit 1 along No 9 Ferry Road, as seen below.

Refused Application:



Revised Application:

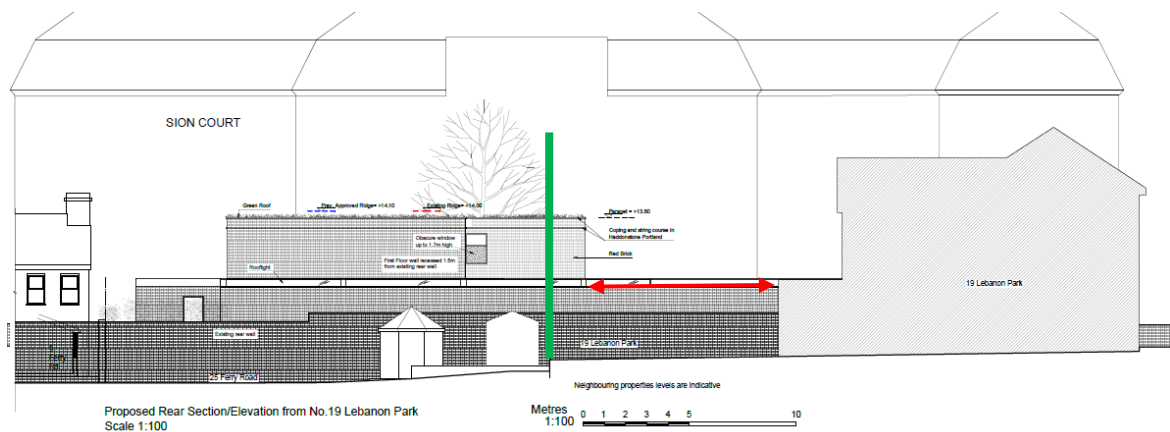


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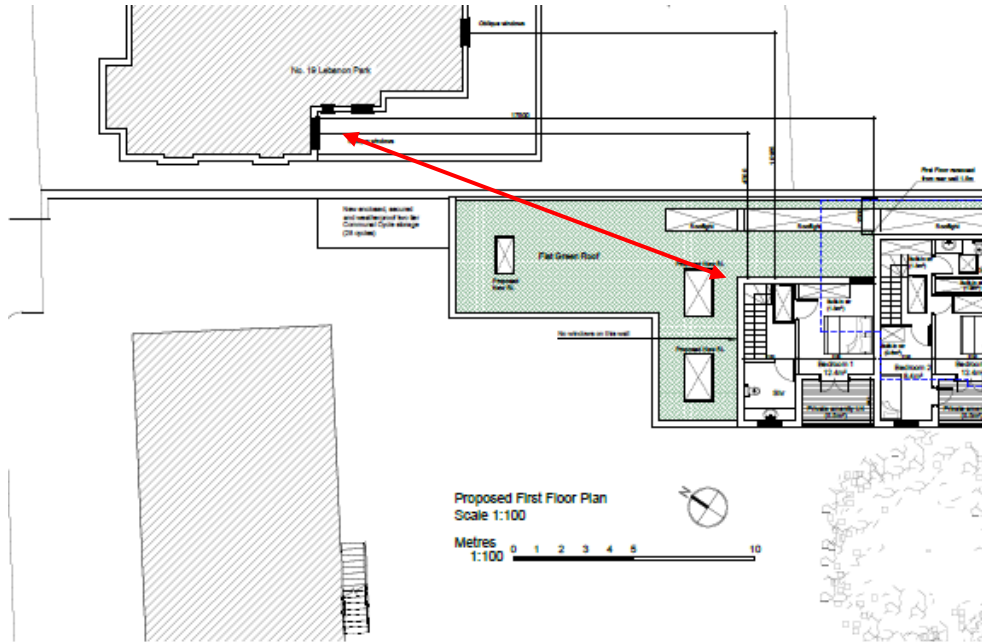


6.24. As is evident from the above at first floor level the updated proposals are both significantly set back from the boundary with 19 Lebanon Park and at its closest point are located further south. At an obscure angle a separation distance of between 18-23m now exists and there are no facing windows at first floor level. It is acknowledged in the Inspector's report that the distance between neighbouring windows and the proposed development is sufficient to avoid harmful overlooking. It is considered that the set back of the proposals, by circa 1.75m and the fact that there is now only a minor encroachment from the garden of 19 Lebanon Park to the south-west (the rear boundary treatment of 19 Lebanon Park is depicted by the green line below), addresses comments raised by the Inspector concerning the sense of enclosure to the garden of 19 Lebanon Park and results in an enhanced situation in comparison to the previously approved and existing building.

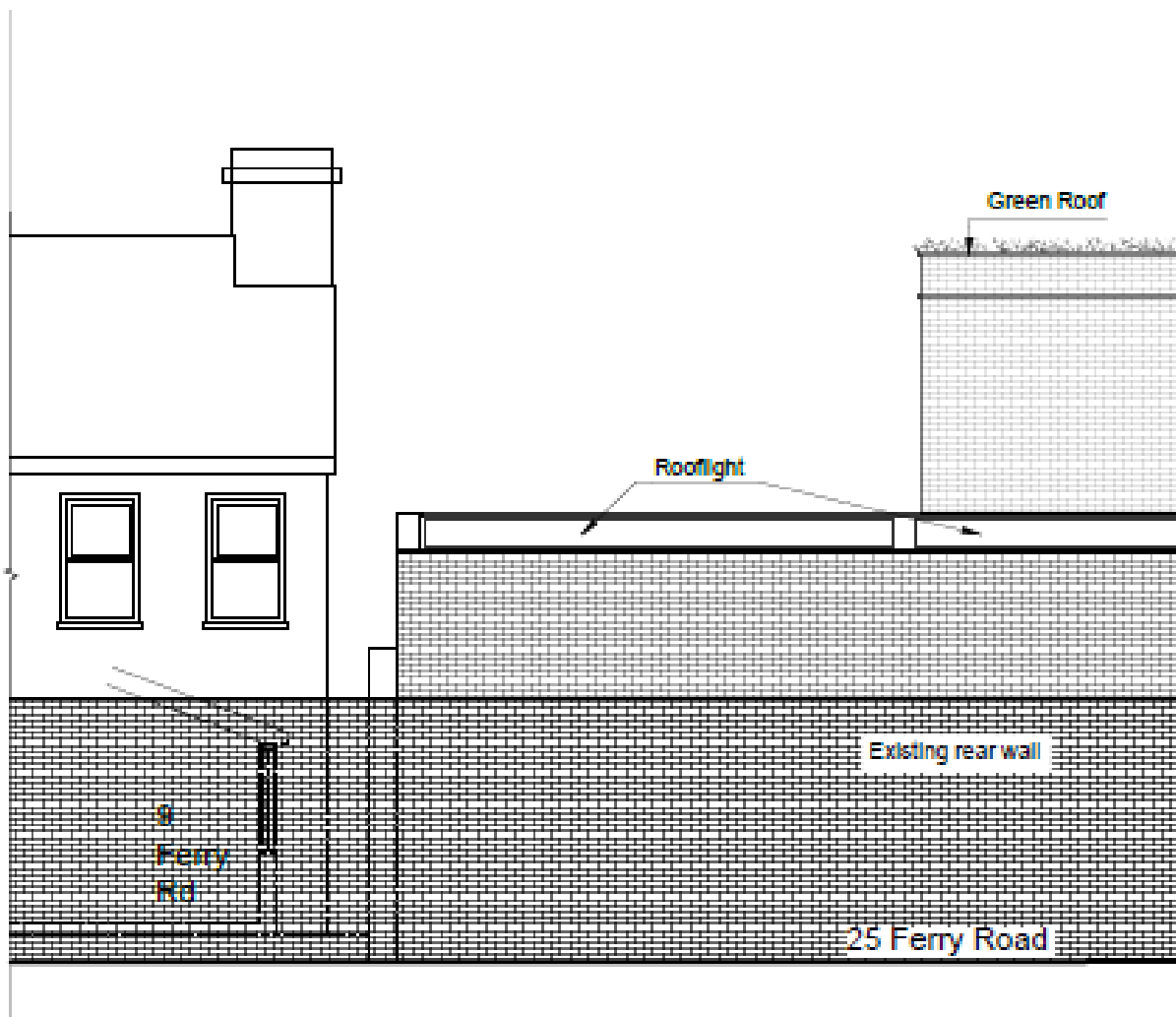


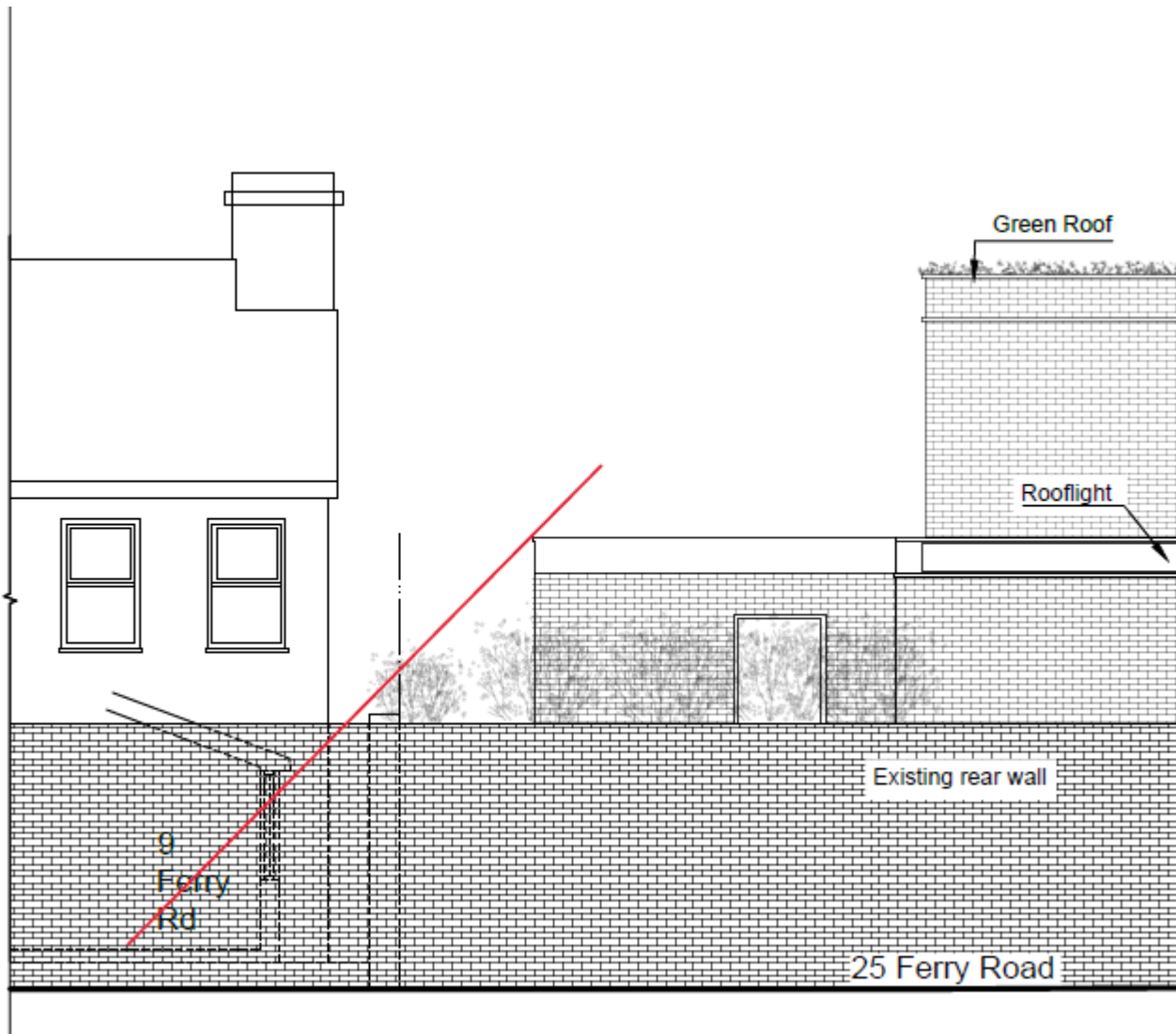
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- 6.25. The set backs proposed to the rear of Unit 1 result in a separation distance between the site boundary similar to that of No.9 Ferry Road. As a result the proposals are considered to result in an enhanced situation to the existing garages set behind a large boundary wall which remains.
- 6.26. Within the Inspectors report it is acknowledged that given the proximity of the refused scheme to the rear windows of 9 Ferry Road that the additional boundary height would harm the outlook from the rear window of No.9. The below section drawing (see red line on proposed drawings) shows that the updated proposals will be not be visible from the rear window of No. 9 as a result these comments made by the Inspector has been addressed. To further ensure privacy is maintained the facing bathroom window of Unit 1 is proposed to be obscured.





6.27. In summary it is considered that the proposed design by reason of its combined siting, height and width will not result in a visually intrusive and overbearing form of development. It will adversely not impact on the residential amenity of nearby occupants and therefore complies with Local Plan Policy LP8.

Cycle Parking

6.28. The sixth reason for refusal within the Decision Notice states:

“6. Cycle Parking- In the absence of details of existing on site cycle parking arrangements or justification for the absence of replacement cycle parking facilities, the loss of the garages, and absence of satisfactory replacement of existing on-site cycle parking spaces, the scheme fails to represent a sustainable form of development in this highly accessible location and would undermine the ability of residents to make sustainable travel choices and cycle use contrary to the aims and objectives of Local Plan (2018) policy LP44 and London Plan (2021) Policy T5.”

6.29. During the appeal process, the Council withdrew their reason for refusal relating to an insufficient provision of cycle parking. The Inspector stated there was no substantive evidence upon which to disagree with their position that no harm would arise in this regard.

6.30. The remaining planning considerations that were considered as acceptable by Officers in determining the previous application on the site are detailed below.

Principle of Development

6.31. The proposals comprise the demolition of the existing garages, extending at the rear of Sion Court. The proposed development intends to construct 5 dwellings on the site in replacement of the garages. The most recent refusal was of a larger footprint than that within this application. As stated in the Officer Report for application ref. 22/1757/FUL:

“The benefits arising from the contribution of additional residential units would be generally in accordance with Policy LP34 and London Plan policy H2 which proactively supports new homes on small sites. The supporting text to that policy states that “For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and planmaking”.”

The text continues to note that “Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London’s needs.” The site benefits from PTAL 5 and thus is within an area supported for incremental intensification and the net addition to the housing stock must be attributed weight as a benefit of the scheme.”

6.32. It is therefore established that the principle of development is accepted.

Housing Mix (incl. Accessible Housing)

6.33. Policy LP35 of the Local Plan 2018 requires a mix of housing types and sizes in development schemes.

The proposal includes the following housing mix:

Unit	Beds/Persons	GIA
Unit 1 (M4(3))	1 bed 2 person	55 sqm
Unit 2	2 bed 3 person	77 sqm
Units 3	2 bed 3 person	77 sqm
Unit 4	2 bed 3 person	77 sqm
Unit 5	2 bed 3 person	65 sqm

6.34. The Unit mix has been amended in terms of Unit 1 becoming a 1 bed 2 person unit. This was due to objections of the unit layout which have been resolved but resulted in the loss of a single bedroom. The proposed layout of unit 1 meets the requirements of both the Local Plan and London Plan whilst still delivering a M4(3) unit.

Housing Design Standards and Quality of Accommodation

6.35. London Plan Policy D6 places a significant focus on internal space standards for dwellings. The purpose of the policy is to ensure that all new homes are fit for purpose and offer the potential to be occupied over time by households of all tenures. Local Plan Policies LP8 and LP35 seek to ensure that all housing development is provided to a satisfactory quality.

Internal Space Standards

6.36. All 5 units proposed meet the Nationally Described Space Standard and therefore are compliant with Policy LP35 of the Local Plan and Policy D6 of the London Plan.

Unit	Beds/Persons	GIA	NDSS
Unit 1 (M4(3))	1 bed 2 person (one storey)	55 sqm	50 sqm
Unit 2	2 bed 3 person (two storey)	77 sqm	70 sqm
Units 3	2 bed 3 person (two storey)	77 sqm	70 sqm
Unit 4	2 bed 3 person (two storey)	77 sqm	70 sqm
Unit 5	2 bed 3 person (one storey)	65 sqm	61 sqm

6.37. As demonstrated above, each unit meets or exceeds the minimum internal floorspace standards of London Plan Policy D6 and the Nationally Described Space Standards (2015) and are therefore acceptable in this regard.

Amenity Space

6.38. External amenity space has already been considered under application reference 22/1757/FUL. The Case Officer stated the following:

“The units appear to have adequate private amenity space albeit the useability and quality of the amenity space is questionable given the front siting and exposed nature of the site. Although this is far from ideal it is recognised that the lack of privacy to the amenity areas could be accepted, as per the logic in approved application 13/1352/FUL, subject to appropriate landscaping. This could be secured by condition. On this basis, the quality of outdoor amenity space is considered acceptable and would not warrant sufficient reason for refusal.”

6.39. The proposed private amenity has remained unchanged from the previous application other than within Unit 1. This is due to the rear wall of Unit one being brought in and therefore creating additional amenity space to the rear of the dwelling.

Daylight / Sunlight

6.40. The submitted Daylight and Sunlight Assessment sets out an assessment using Target Daylight Factor (TDF) to assess internal light levels. It takes into account such factors as window size, number of windows available to the room, room size and layout, room surface reflectance, and the angle of visible sky reaching the window. It confirms the new residential units will benefit from daylight levels in excess of the requirements. As such, the proposals will provide a healthy day-lit environment for future occupants in accordance with Policy LP8 of the Local Plan.

Viability

6.41. The viability appraisal exercise has been undertaken using the latest appraisal Argus toolkit and utilises up to date build costs provided by the applicant's surveyor and up to date sales values and follows the latest published RICS guidance on viability in planning.

6.42. The supporting viability statement assesses the economic viability, when measured against the benchmark land value established from the existing use value of the site plus a premium, and including the required level of CIL payments, the residual land value in the appraisal is positive and would be capable of accommodating an affordable housing or other Section 106 obligation.

Character, Design and External Appearance

6.43. The character and design of the development has already been established through the previous application. The contemporary design compared to the surrounding development, is considered to be appropriate in design terms and mass.

6.44. The massing has in fact been reduced within this application and therefore is considered

Residential Amenity

- 6.45. Supporting paragraph 4.8.8 of Policy LP8 and the Council's SPD on Small and Medium Housing Sites states that in order to make sure that the privacy of occupiers is respected, the window-to-window distance should preferably be no less than 20m apart. Where principal windows face a wall that contains no windows separation distances can be reduced to 13.5 metres.
- 6.46. Regarding separation distances at the ground floor level, the proposed site plan submitted in support of this Appeal overlays the previously approved scheme. This plan demonstrates through the blue line boundary (showing the extent of the previously approved proposals) that there are no reductions in the facing separation distances of the proposed scheme from this previous approval. The 50cm difference in separation distance as stated in the Officers Report is therefore disputed by the Appellant.
- 6.47. As set out in sections 6.19 – 6.22, the proposed development has been reduced in terms of the first floor and ground floor of Unit 1. This significantly reduces the impact on No 19 Lebanon Park and No 9 Ferry Rod, making the harm less than substantial. The refusal for the most recent application referred to other neighbouring dwellings be caused harm by the development but these were dismissed by the Inspector at appeal.

Transport, Access and Parking

- 6.48. Car parking will not be provided for the 4 additional residential units and the Applicant is willing to accept a permit-free agreement for these dwellings to prevent new residents from parking their vehicles on-street.
- 6.49. A total of 14 two tier racks (28 spaces) will be provided for the new residential units and visitors to the Site, which is in accordance with London Plan minimum cycle parking standards. These will be located within a secure, enclosed and weatherproof storage area located external to the residential units.
- 6.50. It has been calculated that during the worst-case scenario peak hour, up to 4 trips will be made to and from the proposed units. It is anticipated that the majority of trips will be made by public transport modes, with a small proportion also undertaken by walking and cycling. It is therefore considered that the impact of the proposals on the public transport network will be minimal.

- 6.51. All servicing and refuse collection for the proposed units will continue to be undertaken on street as per the existing situation. Each of the residential units will be provided with internal refuse storage and site management personnel will transport waste from the residential units to the allocated refuse store as part of the waste management regime.
- 6.52. The proposals are therefore acceptable and in accordance with the aims and objectives of Local Plan (2018) policy LP44 and London Plan (2021) Policy T5.

Flood Risk and Drainage

- 6.53. As stated in sections 6.16 – 6.18, the Inspector concluded that the Flood Risk would not be increased by the proposed development and that a reduction to greenfield run-off rates is achieved where feasible.
- 6.54. The attenuation that is provided would reduce the likelihood of this happening in most rainfall events and there would, therefore, be significant betterment over the existing situation. While it may be desirable for all rainfall to be fully accommodated on site in all foreseeable events, the proposal would not increase flood risk and would, therefore, comply with the general aims of Policy LP21 of the Local Plan and Policies SI12 and SI13 of the London Plan.

Ecology and Biodiversity

- 6.55. A Preliminary Ecological Appraisal (including a biodiversity net gain calculation) has been submitted in support of this application.
- 6.56. This survey aimed to establish the ecological value of this site and the presence/likely absence of notable and/or legally protected species - particularly bats - to inform appropriate mitigation, compensation, and enhancement actions regarding a proposed renovation.
- 6.57. It is recommended that the Sycamore tree and the Birch trees to be retained as part of the proposed plans are protected in accordance with 'BS 5837' which is in line with the proposal.

- 6.58. Given the light levels already present in the area, the appraisal provides light mitigation methods that should be used within the proposal such as the use of low-UV warm-white LED bulbs with directional, downward facing and shielded lights.
- 6.59. All trees on site were assessed for roosting potential from ground level. No features of value to roosting bats were identified and therefore no further surveys are required.
- 6.60. Biodiverse Green Roofs with PV panels are proposed on the top roof of the proposed building. These roofs will combine the vegetation underneath the PV panels (biosolar). The substrate used for the biosolar roof should be nutrient-poor, and compose of recycled material.
- 6.61. The proposed development will retain the majority of the existing ecological features whilst enhancing the communal and private landscaped areas as well as the provision of a number of new trees and intensive green roofs on flat roofs of the proposed apartments.
- 6.62. After inputting the baseline ecology elements onto the biodiversity metric 3.1 calculator as well as the proposed layout with the new features, a biodiversity net gain of 28.5% is achieved, with a net gain in hedgerow units of 36.04%. Appendix B shows screen shots of the biodiversity metric tool calculator habitat baseline and habitat creation values as well as the results. As a result, the proposal is compliant with Policies LP15, LP16 and LP17 of the Local Plan.

Energy and Sustainability

- 6.63. A supporting Energy Statement has been submitted. The report assesses the predicted energy performance and carbon dioxide emissions of the proposed development in the context of local and Londonwide policy requirements and best practice methods.
- 6.64. The findings of the report show how the site will meet the policy requirement of achieving a 35% reduction in emissions through the Be Lean, Be Clean, Be Green hierarchy.
- 6.65. Alongside the submitted Sustainability Statement, the required sustainable construction checklist has also been completed for the development. This scored a total of 53.5, giving it a rating of B, meaning it helps significantly improve the Borough's stock of sustainable developments.

Town Planning and Affordable Housing Statement

Sion Court, Sion Road, Twickenham, TW1 3DD



6.66. Measures to be included within the design cover areas such as reductions in potable water use, resource efficiency and pollution reduction both through the build process and post-occupation,

7. Conclusion

- 7.1. This Town Planning Statement has been prepared on behalf of Moreland Residential (UK) Limited' to support a full planning application for the development of Sion Court, Sion Road, Twickenham, to deliver a high quality development of 5 new dwellings.
- 7.2. The 6 reasons for refusal of the previous planning application have been addressed, and amendments have been made to the proposed development to resolve the reasons for the dismissal of the Appeal.
- 7.3. This Town Planning Statement has assessed the Proposed Development against the prevailing planning policy framework, having regard to material considerations. It demonstrates that the Proposed Development is acceptable in planning terms, noting its compliance with Development Plan policies, and having regard to the Planning Guidance SPD, the NPPF and having addressed the reasons for refusal and dismissal of the previous application.
- 7.4. Paragraph 11 of the NPPF states that in applying the presumption in favour of sustainable development, for decision-taking, this means approving development proposals that accord with an up-to-date Development Plan without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in NPPF as a whole. Furthermore, the presumption in favour of development is applicable in the borough. This means that the 'tilted-balance' should be applied in assessing this application, such that the delivery of new homes should be given significant weight. Given that the proposal does not adversely affect any protected areas or assets of particular importance as defined in the NPPF (habitat sites, sites of special scientific interest, green belt, local green space, areas of outstanding natural beauty, national parks, heritage coats, irreplaceable habitats, designated heritage assets and areas at risk of coastal change), and that it has been demonstrated to be acceptable in flood risk terms, planning permission should be granted. Furthermore, there would not be any adverse impacts of granting planning permission, which would demonstrably outweigh the benefits of the development when assessed against the policies in the NPPF as a whole.

Town Planning and Affordable Housing Statement

Sion Court, Sion Road, Twickenham, TW1 3DD



7.5. This Statement, and supporting application documents, has demonstrated that the proposal does not adversely affect any protected areas or assets of particular importance as defined in the NPPF. Furthermore, there would not be any adverse impacts of granting planning permission, which would demonstrably outweigh the benefits of the development as outlined below:

- The proposals will optimise the potential of a sustainably located site, with excellent links to public transport and access to local facilities and services, which comprises existing poor architectural quality;
- The proposals will deliver 5 new homes, including a wheelchair homes which all meet or exceed space standards and provide private and communal amenity space;
- Car-free development which promotes travel by sustainable travel modes, such as walking, cycling and public transport.

7.6. The quality of residential development has been considered, and improved, throughout the design process. The scale, massing and external appearance have also been designed with consideration to the site's local context, and townscape views. The impact on neighbouring residents has been largely considered within the proposal and major amends completed since the recent dismissed appeal.

7.7. The proposed development therefore complies fully with the Development Plan and the objectives of the NPPF. Therefore the optimisation of the Site to deliver new homes should therefore be strongly supported and the presumption in favour of sustainable development should be applied such that planning permission is granted without delay.



Appendix 1 Officer's Report

Application reference: 22/1757/FUL TWICKENHAM RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
30.05.2022	30.05.2022	25.07.2022	25.07.2022

Site:

Sion Court, Sion Road, Twickenham, TW1 3DD

Proposal:

Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.

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

APPLICANT NAME

Mr. C/O Agent C/O Agent
C/O Agent
London
EC2A 4NE

AGENT NAME

Mr Jon Murch
86-90 Paul Street
London
EC2A 4NE

DC Site Notice: printed on 06.06.2022 and posted on 17.06.2022 and due to expire on 08.07.2022

Consultations:

Internal/External:

Consultee

14D POL
LBRUT Transport
LBRuT Trees Preservation Officer (North)
LBRuT Waste Services
LBRuT Non-Commercial Environmental Health Noise Issues
14D Urban D
LBRuT Lead Local Flood Authority

Expiry Date

20.06.2022
20.06.2022
20.06.2022
20.06.2022
20.06.2022
20.06.2022
20.06.2022

Neighbours:

34 Lebanon Park, Twickenham, TW1 3DG, - 06.06.2022
41 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
17 Old Deer Park Gardens, Richmond, TW9 2TN, -
331 Keizersgracht, Amsterdam, 1016EG - 06.06.2022
32 Lebanon Park, Twickenham, TW1 3DG, - 06.06.2022
28 Lebanon Park, Twickenham, TW1 3DG, - 06.06.2022
38 Lebanon Park, Twickenham, TW1 3DG, - 06.06.2022
1A Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
18 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
14 Sion Road, Twickenham, TW1 3DR, - 06.06.2022
5 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
1 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
13 Sion Road, Twickenham, TW1 3DR, - 06.06.2022
3 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
23 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
21 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
27 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
15 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
11 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022

19 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
17 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
13 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
9 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
7 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
61 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
59 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, -
57 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
54 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
62 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
60 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
58 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
56 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, -
55 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
53 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
13 Lebanon Park, Twickenham, TW1 3DF, - 06.06.2022
17 Lebanon Park, Twickenham, TW1 3DF, -
15 Lebanon Park, Twickenham, TW1 3DF, -
Flat 4, 29 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
Flat 3, 29 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
Flat 2, 29 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
Flat 1, 29 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
Flat 5, 29 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
31 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
41 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
39 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
47 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
45 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
43 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
37 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
35 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
33 Lebanon Park, Twickenham, TW1 3DH, - 06.06.2022
25 Ferry Road, Twickenham, TW1 3DW, - 06.06.2022
27 Lebanon Park, Twickenham, TW1 3DF, -
25 Lebanon Park, Twickenham, TW1 3DF, - 06.06.2022
23 Lebanon Park, Twickenham, TW1 3DF, - 06.06.2022
21 Lebanon Park, Twickenham, TW1 3DF, - 06.06.2022
19 Lebanon Park, Twickenham, TW1 3DF, - 06.06.2022
34 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
32 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
30 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
28 Zion Court, Zion Road, Twickenham, TW1 3DD, -
3 Rosecroft Gardens, Twickenham, TW2 7PT, - 06.06.2022
25 Lebanon Court, Richmond Road, Twickenham, TW1 3DA, - 06.06.2022
19 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
17 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
15 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
11 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
9 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
7 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
5 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
2 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
12 Zion Court, Zion Road, Twickenham, TW1 3DD - 06.06.2022
36 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
35 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
33 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
31 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
29 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
27 Zion Court, Zion Road, Twickenham, TW1 3DD, -
26 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
25 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
24 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
23 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
22 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
21 Zion Court, Zion Road, Twickenham, TW1 3DD, - 06.06.2022
20 Zion Court, Zion Road, Twickenham, TW1 3DD, -

18 Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 16 Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 14 Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 12A Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 10 Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 8 Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 6 Sion Court,Sion Road,Twickenham,TW1 3DD, -
 4 Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 3 Sion Court,Sion Road,Twickenham,TW1 3DD, - 06.06.2022
 47 Lebanon Court,Richmond Road,Twickenham,TW1 3DA, - 06.06.2022
 14 Lebanon Park,Twickenham,TW1 3DG, - 06.06.2022
 3 Lebanon Park,Twickenham,TW1 3DE, - 06.06.2022
 17 Lebanon Court,Richmond Road,Twickenham,TW1 3DA, - 06.06.2022
 30 Lebanon Court,Richmond Road,Twickenham,TW1 3DA, - 06.06.2022
 ,, - 06.06.2022
 32 Thames Eyot,Cross Deep,Twickenham,TW1 4QL, - 06.06.2022
 26 Lebanon Court,Richmond Road,Twickenham,TW1 3DA, -
 40 Lebanon Park,Twickenham,TW1 3DG, - 06.06.2022
 331 Keizersgracht 331,Amsterdam,1016EG - 06.06.2022
 36 Sion Court,Sion Roa,Twickenham,TW1 3DD - 06.06.2022
 FLAT 7,38 ARUNDEL GARDENS,LONDON,W11 2LB - 06.06.2022
 52 Lebanon Park,Twickenham,TW1 3DG, - 06.06.2022
 45 Lebanon Court,Richmond Road,Twickenham,TW1 3DA -

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

Development Management

Status: GTD Application:01/T0532
 Date:08/05/2001 Sycamore - Secondary Crown Lift By 1.5-2m. Crown Thin By 20 .

Development Management

Status: WDN Application:02/0673
 Date:17/07/2002 Replacement Of Existing Escape Staircase To The Rear Of Sion Court.

Development Management

Status: GTD Application:02/2964
 Date:10/01/2003 Replacement Of Existing Escape Staircases To The Rear.

Development Management

Status: REF Application:03/0380/FUL
 Date:02/04/2003 Proposed Roof Top Extension To Create 5 Additional Self Contained Residential Units.

Development Management

Status: WDN Application:11/0582/CAC
 Date:20/05/2011 Demolition of an existing dwelling and garage blocks. erection of 4 no. new dwellings (2 x 1 bed, 2 x 2 bed) and associated landscaping

Development Management

Status: WDN Application:11/0583/FUL
 Date:20/05/2011 Demolition of an existing dwelling and garage blocks. erection of 4 no. new dwellings (2 x 1 bed, 2 x 2 bed) and associated landscaping.

Development Management

Status: REF Application:11/3709/FUL
 Date:06/02/2012 Demolition of an existing dwelling and garage blocks, erection of 4 no. new dwellings and associated landscaping. New balcony and cycle store.

Development Management

Status: REF Application:11/3710/CAC
 Date:06/02/2012 Demolition of an existing dwelling and garage blocks, erection of 4 no. new dwellings and associated landscaping.

Development Management

Status: GTD Application:13/1352/FUL
 Date:29/10/2014 Demolition of an existing dwelling and garage blocks, erection of three new dwellings and cycle stores and associated landscaping.

Development Management

Status: GTD Application:13/1482/CAC
 Date:29/10/2014 Demolition of an existing dwelling and garage blocks, erection of three new dwellings and cycle stores and associated landscaping.

Development Management

Status: RNO Date:27/03/2015	Application:15/T0141/TCA T1 - Sycamore - Reduction/Repollard back to previous pruning points.
<u>Development Management</u> Status: WDN Date:22/06/2016	Application:16/1836/VRC Variation of condition Number U64115 (approved drawings) of planning permission 13/1352/FUL to substitute attached Drawing No.s 916:1058/PL200; PL201; PL203; PL204 to include an additional garage and carport.
<u>Development Management</u> Status: WNA Date:01/12/2017	Application:16/3271/VRC Variation of condition Number U64115 (approved drawings) of planning permission 13/1352/FUL to substitute Drawing No.s 916:1058/PL200 RevA; PL201; PL202; PL203; PL204 to include an additional garage and carport.
<u>Development Management</u> Status: RNO Date:24/09/2018	Application:18/T0527/TCA T1 - Tree of Heaven - Full crown reduction of approx. 25% (2-3m) and raise canopy to approx. 3m height. T2 - Sycamore - Repollard back to previous pruning point. (Approx. 1-1.5m of regrowth) and remove basal growth.
<u>Development Management</u> Status: TPOP Date:14/05/2019	Application:19/T0276/TCA T1 - Sycamore - Fell
<u>Development Management</u> Status: WDN Date:04/02/2022	Application:21/3730/FUL Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.
<u>Development Management</u> Status: PCO Date:	Application:22/1757/FUL Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.
<u>Appeal</u> Validation Date: 27.03.2012 Reference: 12/0062/AP/REF	Demolition of an existing dwelling and garage blocks, erection of 4 no. new dwellings and associated landscaping. New balcony and cycle store.
<u>Appeal</u> Validation Date: 22.03.2012 Reference: 12/0063/AP/REF	Demolition of an existing dwelling and garage blocks, erection of 4 no. new dwellings and associated landscaping.
<u>Enforcement</u> Opened Date: 21.08.1995 Reference: 95/00453/EN	Enforcement Enquiry

Application Number	22/1757/FUL
Address	Sion Court Sion Road Twickenham TW1 3DD
Proposal	Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.
Contact Officer	Wendy Wong Chang
Legal Agreement	No

1. INTRODUCTION

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

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

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

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site relates to 20 derelict garages and 1 no. flat located to the rear of Sion Court, Sion Road. The site is not locally listed, however is located in Twickenham Riverside Conservation Area and Article 4 Direction Area (restrictions to basements under 'permitted development'). The surrounding area is of a mixed use, however predominantly residential and a Twickenham Train Station and Town Centre are within walking distance away.

Sion Court itself is a substantial mansion block which occupies an important position within the surrounding townscape, due in part to its large scale and height in contrast to the generally more modest scale of surrounding buildings and spaces on the fringes of the town centre and down to the river. The five storey main elements of this courtyard block have been designed to address the surrounding road frontages both in their scale and detailing.

Within the environs are a number of Buildings of Townscape Merit and Listed Buildings. Notably, 19 & 21 Lebanon Park and the adjacent terraces on Ferry Road are designated BTMs. Part of the application site falls within Flood Zone 2 as defined by the Environment Agency. This affects the single garage block and the southernmost portion of the longer garage block. The site also falls within an Archaeological Priority area.

The site is also situated within Throughflow Catchment Area (Throughflow and Groundwater Policy Zone).

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.

There is an extensive planning history related to this site (available on the Council's website for viewing), however the most relevant planning applications include:

01/1387/FUL - Conversion of three existing garages into a one bedroom studio flat - Refused on the 26/09/2001 *This application was refused on two grounds, the first being the loss of three garages without acceptable alternative provision. It was considered that the proposal would increase the demand for on-street parking, which would be detrimental to highway safety. The second reason for refusal was the standard of accommodation. The appeal was dismissed on 8.03.2002.*

03/0380/FUL - Proposed roof top extension to create 5 additional self-contained residential units **(Permission Refused and Dismissed on Appeal)**. *Refused on the 2/04/2003 for the following reasons: the first reason relates design and scale. The second reason relates to the failure to provide adequate parking provision which would generate increased demand for on street car parking.*

11/0582/CAC and 11/0583/FUL - Demolition of an existing dwelling and garage blocks. erection of 4 no. new dwellings (2 x 1 bed, 2 x 2 bed) and associated landscaping **(Withdrawal)**.

11/3709/FUL and 11/3710/CAC - Demolition of an existing dwelling and garage blocks, erection of 4 no. new dwellings and associated landscaping. New balcony and cycle store **(Permission Refused and Dismissed on Appeal)**.

Reasons for refusal: Design and materials, reduction of grassed areas, dominance of cars and hard surface, amenity space, location of parking bay no.19.

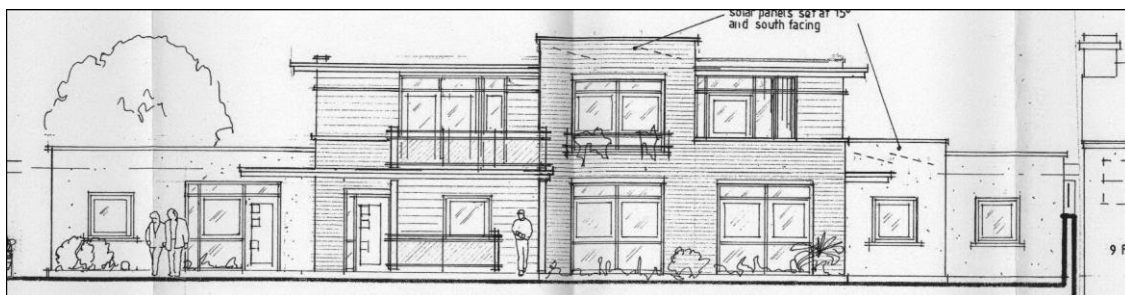


Figure 1 - Refused scheme view from rear of Sion Court.

With respect to the refused scheme the Inspector found a building in a modern idiom with the wood cladding, sedum roofs and large, square feature windows would be out of keeping with the surrounding development stating the form, detailing, proportions and materials do not draw upon other development surrounding the site. The design and proposed materials were the main reason for refusal by the Inspector. The reduction of the communal lawn and impact on neighbour amenity from one parking space also represented reasons for refusal.

The Inspector found the impact on parking and transport to be acceptable.

13/1352/FUL and 13/1482/CAC - Demolition of an existing dwelling and garage blocks, erection of three new dwellings and cycle stores and associated landscaping **(Permission Granted)**.



Figure 2 - Approved scheme

16/1836/VRC and 16/3271/VRC - Variation of condition Number U64115 (approved drawings) of planning permission 13/1352/FUL to substitute Drawing No.s 916:1058/PL200 RevA; PL201; PL202; PL203; PL204 to include an additional garage and carport **(Withdrawn)**.

21/3730/FUL - Demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse. **(Withdrawn)**

4. CONSULTATIONS CARRIED OUT

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

38 objections received from 32 properties and the comments can be summarised as follows:

- No in-principle objections to demolition and redevelopment
- A smaller scale project seems more logical
- No change to earlier withdrawn application – same plans and reports submitted under this application
- Applicant submitted misleading information
- Any redevelopment should accord with the aims and principles of Local Plan policy LP 39 (Infill, Backland and Backgarden Development).
- New properties are poor quality evidence of overdevelopment of the site
- All single aspect units. Even those that aren't only have a very restricted outlook from the 'secondary' aspect i.e. into a lightwell, facing a brick wall etc.
- Accessibility of proposed unit for wheelchair users.
- Proposed private amenity spaces are over looked by the flats in Sion Court.
- Limited size of amenity space to accommodate necessary garden equipment etc.
- the freeholder should consider some general upgrade to both Sion and Lebanon Court before wanting to build new flats and houses.
- The road inside the courts are still poorly conditioned and would be challenging for any wheelchair users.
- No consideration for electric charging points in either of the courts.
- Overcrowding
- Overdevelopment
- Crammed design
- overall design is not sympathetic to the period of Sion Court or the conservation area
- flat roof is not in keeping with area
- a general negative impact on the conservation area
- By virtue of the scheme's scale, form, siting and design, the development would significantly harm the character and setting of Sion Court, as well as the character and appearance of the Twickenham Riverside Conservation Area. Additionally, due to the overbearing and visually intrusive impact of the proposals, the development who have a detrimental impact on the setting of two locally listed heritage assets.
- Impact on setting of nearby BTMs

- Impact on residential amenity to properties on Ferry Road and Lebanon Park and Sion Court
- increase noise to neighbours
- loss of light
- loss of privacy
- overshadowing
- impact on visual amenity
- The applicant has proposed a significant level of development along the boundary wall with 9 and 11 Ferry Road. An area which has previously remained undeveloped.
- The introduction of height and bulk along the flanks of 19 Lebanon Park and 25 Ferry Road, resulting in a loss of outlook, coupled with an increased sense of enclosure.
- Increase the pollution and traffic in the area.
- Inadequate parking/loading
- Garages 9, 10 and 11 are being used to store around 40 bikes, this is not re-provided or referred to in the submission
- Freeholder erected barriers to prevent residents access to the rear of the Court, so taking away all the parking
- Rear driveway used to be used for informal parking
- increasing the pressure on the limited parking in the surrounding area.
- Even if restricting parking permits now, the new residents will appeal to the Council for parking permits at some point
- Access issues for servicing/maintenance/delivery/emergency vehicles
- Fire Safety Strategy does not consider the impact of the bollards and narrower paths and the limited paths for emergency vehicles and does not consider the safety of existing residents in Sion Court.
- Inadequate refuse storage/waste management facilities
- Potentially damage trees - the sycamore tree at the rear of Sion Court is subject to a preservation order. Such intensive building so close to the tree would inevitably damage its roots and would predictably be lost.
- Financial Viability Assessment needs to be challenged
- Limited community engagement
- Errors in the submitted ownership certificates
- Errors in the Daylight and Sunlight Report
- Plans do not show the impact from the combi-boiler exhaust flues
- External flue pipes should be 1m away from neighbouring properties

Councillor Chard submitted an objection and the comments can be summarised as follows:

- Requested call in of the application to be determined by Planning Committee if the application is to be recommended for approval
- the earlier appeal decision recognised that the unrestricted public access through the communal rear of Sion Court means it is part of the public domain of the Twickenham Riverside conservation area. Further, it noted that the character of that conservation area (traditional in form, including pitched or gabled roofs) is such that there are no obvious references for low, flat roofed residential buildings of the style proposed both then and now.
- an example of poor living conditions and indicative of overly intensive development.
- The proposals represent a significant net loss of secure bicycle parking in an area with a high number of flats and of particularly strong demand for such facilities.
- Existing garages are in poor condition wholly due to the owner of the land allowing them to deteriorate

York House society submitted an objection and the comments can be summarised as follows:

- have deleterious effects on the lives of the residents at Sion Court and neighbouring properties
- The applicant has attempted to demonstrate their 'Green' credentials which are inappropriate.
- the Freeholder has made life difficult for existing residents by forcing 16 cars onto adjacent roads.
- Many of the residents are elderly with mobility difficulties and access for emergency vehicles is often required. The proposal makes access even more difficult. No consideration has been made for collecting people with mobility challenges.

- Access issues for servicing/maintenance/delivery vehicles
- It is clear that the proposal is poorly planned and totally unsuitable for the area

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

The key chapters applying to the site are:

- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 12. Achieving well-designed places

These policies can be found at:

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

London Plan (2021)

The main policies applying to the site are:

- Policy D1 – London’s form, character and capacity for growth
- Policy D3 – Optimising site capacity through design led approach
- Policy D4 – Delivering good design
- Policy D6 – Housing quality and standards
- Policy D12 – Fire Safety
- Policy H2 – Small sites
- Policy H4 – Delivering affordable housing
- Policy SI2 – Minimising greenhouse gas emissions
- Policy SI8 – Waste capacity
- Policy T4 – Assessing and Mitigating transport impacts
- Policy T5 – Cycling
- Policy T6 – Car Parking
- Policy T7 – Deliveries, servicing and construction

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan/new-london-plan/london-plan-2021>

The new London Plan has been adopted with relevant policies updated. In particular policy H2 has been taken in account in making this decision.

Richmond Local Plan (2018)

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

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1, LP3	Yes	
Impact on Amenity and Living Conditions	LP8		No
Biodiversity and Trees	LP15, LP16		No
Sustainable Design and Construction	LP20, LP22, LP23	Yes	
Flood Risk	LP21		No
Waste Management	LP24		No
New Housing, Mix, Standard	LP34, LP35		No
Affordable Housing	LP36		No
Parking Standards and Servicing	LP44, LP45		No

These policies can be found at

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

Supplementary Planning Documents

Affordable Housing
Design Quality
Transport
Refuse and Recycling Storage Requirements
Residential Development Standards
Small and Medium Housing Sites
Sustainable Construction Checklist

These policies can be found at:
https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Principle of Use
- ii Design and impact on local character
- iii Impact on neighbour amenity
- iv Residential standards
- v Affordable housing
- vi Sustainability
- vii Transport
- viii Trees
- ix Flood Risk
- x Fire Safety

Issue i –Principle of Use

In Accordance with the London Plan 2021, Richmond's 10 year Housing targets for (2019/20 - 2028/29) is 4,110.

Local Plan Policy LP35A states that 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.

This application proposes 5 x two bed units and given the site is situated within Main Centre Buffer zone, there is no objection to the proposed housing type/mix.

The benefits arising from the contribution of additional residential units would be generally in accordance with Policy LP34 and London Plan policy H2 which proactively supports new homes on small sites. The supporting text to that policy states that "For London to deliver more of the housing it needs, small sites (below 0.25 hectares in size) must make a substantially greater contribution to new supply across the city. Therefore, increasing the rate of housing delivery from small sites is a strategic priority. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and planmaking".

The text continues to note that "Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London's needs." The site benefits from PTAL 5 and thus is within an area supported for incremental intensification and the net addition to the housing stock must be attributed weight as a benefit of Officer Planning Report – Application 22/1757/FUL Page 10 of 22

the scheme.

Issue ii- Design and impact on Local Character and Heritage Assets

Local Plan policy LP 1 states that:

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 enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

LP3 protects the setting, character and appearance of conservation areas.

Policy LP39 requires all backland development to reflect the character of the surrounding area and protect the amenity of neighbours. In considering backland developments, the following factors should be addressed:

- 1. Retain plots of sufficient width for adequate separation between dwellings;*
- 2. Retain similar spacing between new buildings to any established spacing;*
- 3. Retain appropriate garden space for adjacent dwellings;*
- 4. Respect the local context, in accordance with policy LP 2 Building Heights;*
- 5. Enhance the street frontage (where applicable) taking account of local character;*
- 6. Incorporate or reflect materials and detailing on existing dwellings, in accordance with policy LP 1 Local Character and Design Quality;*
- 7. Retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP 16 Trees and Landscape;*
- 8. Result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens, in accordance with policy LP 8 Amenity and Living Conditions;*
- 9. Provide adequate servicing, recycling and refuse storage as well as cycle parking;*
- 10. Result in no adverse impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.*

Sion Court is a ~1930's five storey mansion block with a mansard roof, of related design to Lebanon Court to the north. There is a lawn in the central square and a tree protected by TPO, but landscape generally is in poor shape. The garages proposed for demolition do not appear to be in a good state and the garages and existing flat do not contribute positively to the character and appearance of the conservation area. As with previous application, there are no objections to their demolition and redevelopment in principle.

The proposals are considered to improve the quality and layout of the general environmental context of Sion Court.

The development is of contemporary design than much of the surrounding development but the overall scale, mass and design is considered to be appropriate in design terms. It is noted that the existing structure has a similar form with flat roofs and a two-storey central element. Whilst the proposal would project further forward than the existing, there is sufficient modelling of the elevations and through the careful use of suitable materials (which can be secured through a condition) the proposal would not appear over dominant. Furthermore, the new block would be simple in design and clearly subsidiary in scale and character to Sion Court and in this respect it is noted that the footprint of buildings and structures on the site would be reduced and the overall height of the development is comparable with the existing structures and the existing boundary walls adjoining the gardens of No.19 Lebanon Park and Nos. 9 & 25 Ferry Road would remain at their existing heights.

Further the scheme reflects similar design approach to earlier approved scheme. There is therefore no objection to the more contemporary design approach in this regard and this is consistent with the design assessment undertaken by previous Officers in the earlier submissions.

Items 8, 9 and 10 of policy LP39 are discussed in the relevant sections below. It is noted however Officer Planning Report – Application 22/1757/FUL Page 11 of 22

that the applicant has failed to provide a proposed side elevation as facing 9 Ferry Road, section drawings illustrating the courtyard adjacent or a red lined site location, albeit the site curtilage is indicated in the D&S. Further details would have been secured had the application been acceptable.

The scheme is considered to satisfy Local Plan Policies LP1, LP3 and LP39 in terms of design.

Issue iii- Impact on Neighbour Amenity

Local Plan Policy LP 8 states that all development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties.

LP39 requires backland development to result in no adverse impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.

Representations have been received commenting that the proposal will reduce the privacy enjoyed by occupants of Sion Court. Supporting paragraph 4.8.8 of Policy LP8 and The Council's SPD on Small and Medium Housing Sites states that in order to make sure that the privacy of occupiers is respected, the window-to-window distance should preferably be no less than 20m apart. Where principal windows face a wall that contains no windows or those that are occluded (e.g. bathrooms), separation distances can be reduced to 13.5 metres.

In the case of this proposed development the window to window distance to the flats sited on the western block is at least 22m and the distance of windows in this part of Sion Court to a wall that contains no windows is at least 16, which are in excess of the policy requirement.

However, with regards to the distance of the northern part of Sion Court, the proposed units have an enlarged footprint when compared to the existing garages, extending approx. 4.7m further into the courtyard with a maximum depth of 9.5m (compared to the garage block with depth 4.8m). Unit 5, in particular, will extend forward into the courtyard and the built form will be sited in front of the habitable room windows on the ground floor of flat in Sion Court, as highlighted in the screenshot below (submitted sunlight/daylight report have also identified these windows to be in domestic use):



The separation distance between the affected ground floor windows and the flank wall of proposed unit 5 is just over 13m, which falls short of the recommended separation distance of 13.5. This represents a material increase when compared to the previous submission as indicated below:

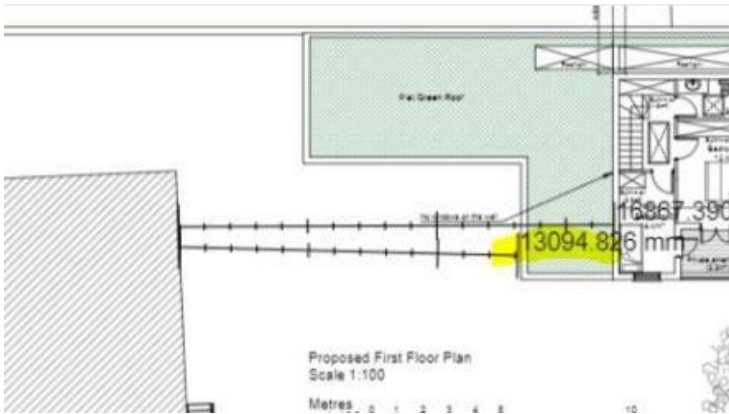


Figure 3 – current proposed layout



Figure 4 – proposed layout under approval 13/1352/FUL

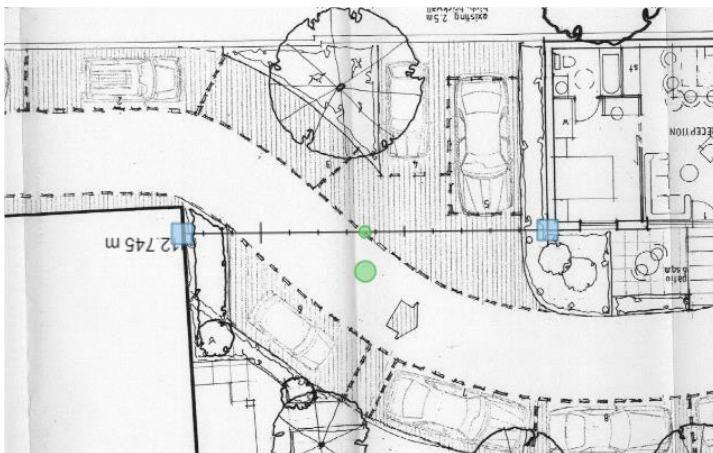


Figure 5 – Proposed layout under refusal 11/3709/FUL (whilst at 12.75m, the flank wall does not extend in front of the affected windows)

The first floor also extends closer than the earlier approved application. In view of the separation distance to the ground floor flat at Sion Court, the proposals will add to a sense of enclosure for this occupant. Whilst the degree of harm would be on the modest end of the scale, it adds to the Council's concerns.

It is also noted that the existing grass area is already overlooked by not only the existing flat which would be demolished as part of this proposal but also by the existing residents of Sion Court. Albeit an increase in opening arising from the new development, in view of existing levels of mutual overlooking this is not considered to materially increase the impact on the amenities of the users of this space in privacy terms. Noting these separation distances between the proposed building and the other existing flats within Sion Court it is considered that there would not be any loss of light and is sufficiently distant, noting the height proposed, so as not to appear overbearing. Furthermore, given that the design and external appearance is considered to be acceptable, the proposal would not be visually intrusive.

In the case of the occupier of No.19 Lebanon Park, officer noted during the site visit that the rear garden level is set lower than that application site. The only visible alteration will be at first floor level. The first floor element of the proposal will be of the same height as existing however, will be wider. The existing first floor element does not extend to the rear boundary line of 19 Lebanon Park nor did the scheme that was approved under 13/1352/FUL. The figures below illustrates that the proposed first floor element would extend closer to this neighbouring property as well as being wider along the boundary.

It is acknowledged that the submitted daylight/sunlight/overshadowing report concluded there to be no adverse harm to existing daylight benefitting the habitable room windows as well as no adverse overshadowing to nearby properties. However, in view of the enlarged width of the first floor element extending closer to 19 Lebanon Park, the proposed first floor is considered to appear visually intrusive and overbearing to this occupant. Irrespective of this element being set back 1.5m from the common boundary, the impact is compounded by the higher ground levels of the application site. The lower site levels at 19 are not accurately represented in the submitted Proposed Section BB (drawing SC-PP2-08).

To note, Officer have doubts about the accuracies of the site levels, in particular, with no. 19 Lebanon Park and 25 Ferry Road, illustrated in the submitted drawings. Had the scheme been considered acceptable, clarification would have been sought.

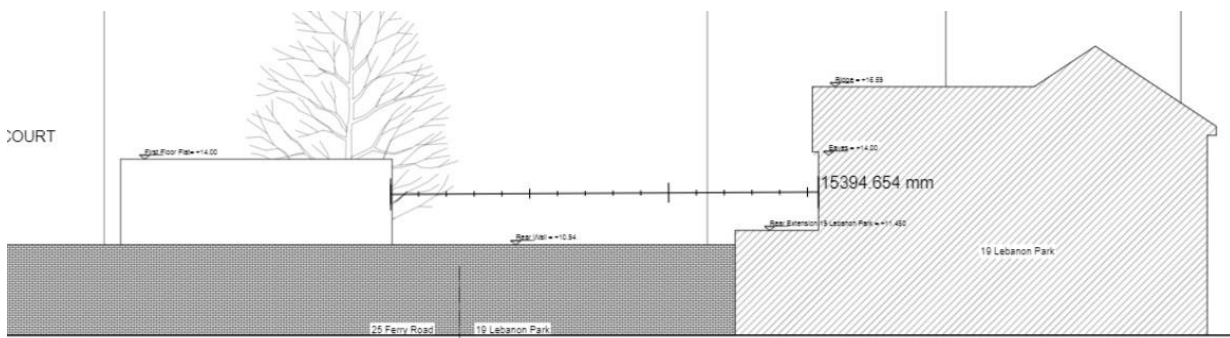


Figure 6 – Existing rear elevation (extract from submitted drawing SC-PP2-03 Existing Elevations)

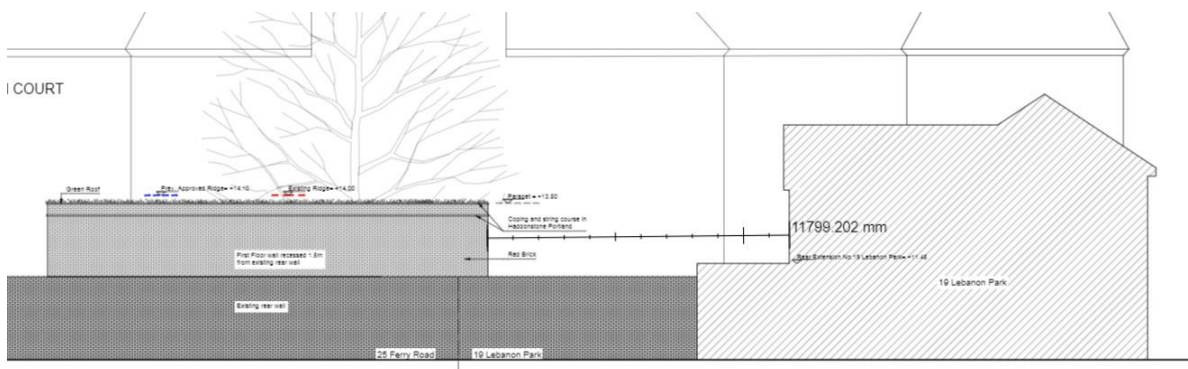


Figure 7 – Proposed rear elevation (extract from submitted drawing SC-PP2-07 Proposed Rear Elevation)

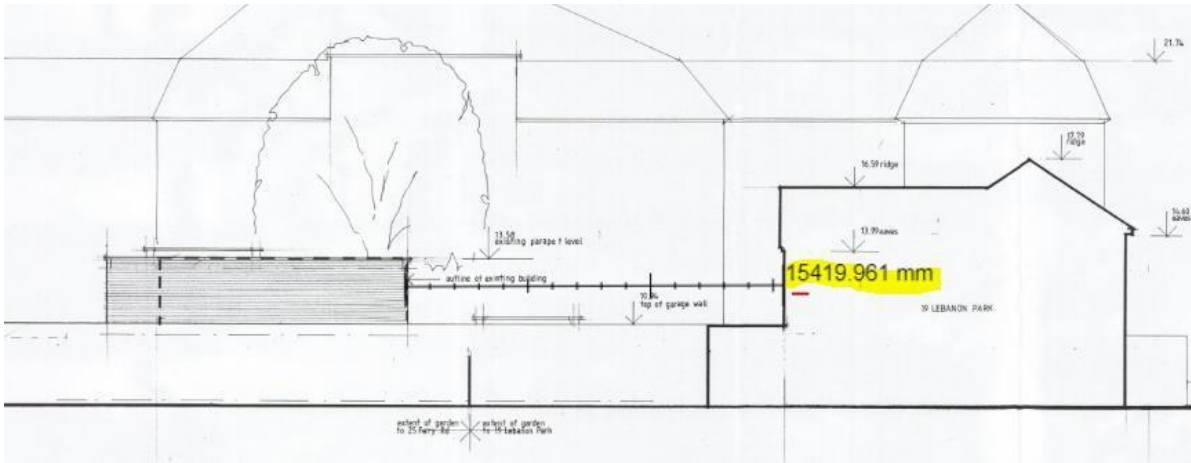


Figure 8 - Proposed rear elevation (Approved under 13/1352/FUL)

With regards to 25 Ferry Road, the first floor element of the proposal will be of the same height as existing however, will be wider. The overall scale of the first floor varies marginally when compared to the earlier approval, 13/1352/FUL. No harm was identified to this occupant then as such it can be concluded that any potential impact is further reduced by the set back from the common boundary.

In respect of No.9 Ferry Road, the proposal will extend forward to meet the front building line of this property. Whilst the proposed height will be higher than the height boundary wall however given existing arrangement, it is not considered to adversely impact on the amenity of this occupant.

Concerns have been raised to the siting of the proposed cycle store in proximity to no. 9 Ferry Road. However, in view of the residential use, limited height and distance to Ferry Road, it is not considered to unduly impact on the amenity of this occupant.

As previously noted in the officer reports, the amenity of some ground floor properties could arguably be improved by the scheme as a result of the removal of the central garage block.

Given the above it is considered that the proposed first floor element by reason of its combined siting, height and width will result in a visually intrusive and overbearing form of development that will adversely impact on the residential amenity of nearby occupants, in particular, the ground floor flat in Sion Court and no. 19 Lebanon Park thus fail to comply with Local Plan Policy LP8.

Issue iv – Residential Standards

Local Plan Policy LP35 states that: *All new housing development, including conversions, are required to comply with the Nationally Described Space Standard.*

Policy LP 35 (B) requires new housing to comply with the nationally described space standard (NDSS) - which sets a minimum gross internal floor area of 61sqm for a 2 bed (2B3P) one storey dwelling and 70sqm for a 2 bed (2B3P) two storey dwelling. The proposed units exceed the minimum floorspace.

London Plan D6 sets out the minimum floor area and dimensions for the bedrooms and states the minimum floor to ceiling height must be 2.5% for at least 75% of the dwelling floorspace. It would appear that these standards are achieved.

Supporting paragraph 3.6.5 in the London Plan 2021 states that single aspect dwellings are more difficult to ventilate naturally and are more likely to overheat, and therefore should normally be avoided. The design of single aspect dwellings must demonstrate that all habitable rooms and the kitchen are provided with adequate passive ventilation, privacy and daylight, and that the orientation enhances amenity, including views. It must also demonstrate how they will avoid overheating without reliance on energy intensive mechanical cooling systems.

No information has been submitted to demonstrate that all habitable rooms and the kitchen are provided with adequate daylight. Whilst it has been submitted that *'the units have principle living and bedroom areas to the south west, with glazing able to harvest significant natural daylight'*, no further details have been submitted to confirm the level and adequacy of lighting to be received, in particular to the kitchen areas of Units 2, 3, 4 and 5 given these kitchens are reliant on the rooflight as their light source. In view of the orientation and layout, it is clear that these rooflights will continually be overshadowed by the first floor of the proposal. Further, given the proximity of the proposal to the existing mature tree, potential overshadowing from this tree has also not been considered. The quality of outlook for the KLD and bedroom 2 of Unit 1 will be poor, being onto a highly enclosed patio of limited scale.

Notwithstanding the above, the units appear to have adequate private amenity space albeit the useability and quality of the amenity space is questionable given the front siting and exposed nature of the site. Although this is far from ideal it is recognised that the lack of privacy to the amenity areas could be accepted, as per the logic in approved application 13/1352/FUL, subject to appropriate landscaping. This could be secured by condition. On this basis, the quality of outdoor amenity space is considered acceptable and would not warrant sufficient reason for refusal.

Whilst individually the shortcomings may constitute limited harm, cumulatively they are indicative of the over-intensification and over-development of the site. In view of the above and given absence of satisfactory evidence to demonstrate the units will benefit from adequate daylight, the scheme would result in sub-standard living conditions and environment, to the detriment of the amenities of future occupiers and thus is contrary to local plan policy LP35, London Plan Policy D6, Supplementary Planning Document 'Residential Development Standards' and 'Design Quality' and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

Issue v – Affordable Housing

Policy LP36 requires contributions to affordable housing from all small sites, further details are set out in the Affordable Housing SPD. The financial contribution that would be sought would be discounted to represent 25% affordable housing, given the proposal is for 5 new units.

The applicant has submitted a Affordable Housing proforma which calculated the affordable housing contribution to be £434,417. A viability appraisal has been submitted which sets out that the benchmark land value used for assessing viability of this site is £870,000. The applicants consider that the proposed scheme without an affordable housing contribution generates a residual land value of £880,104. Therefore given this finding, the applicants conclude that an affordable housing contribution or other Section 106 obligation could be viable, totalling £10,104.

Policy LP36 part D requires that:

Where a reduction to an affordable housing contribution is sought from the requirements in A and B on economic viability grounds, developers should provide a development appraisal to demonstrate that schemes are maximising affordable housing. The developer will be required to underwrite the costs of a Council commissioned economic viability assessment. The Council will rigorously evaluate such appraisals and:

- a. assess if the maximum reasonable amount of affordable housing is based on delivering the appropriate tenure, unit sizes and types that address local needs.*
- b. consider whether it is necessary to secure provision for re-appraising the viability of a scheme prior to implementation to secure contingent obligations.*
- c. in most circumstances the Existing Use Value plus a premium (EUV+) approach to assessing benchmark land value in development appraisals and viability assessments should form the primary basis for determining the benchmark land value.*

Had the scheme been considered acceptable, Council's Viability Assessor would have been engaged to review the documents. However, as the scheme was recommended for refusal the applicant has not progressed to agree to underwrite the costs of a Council commissioned economic viability assessment

Therefore, in the absence of a legal agreement to secure an appropriate contribution towards off-
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site affordable housing, and in the absence of satisfactory evidence to justify a non-policy compliant financial contribution, the scheme fails to address the recognised housing need and will be contrary to, in particular, policy LP36.

Issue vi – Sustainability

Policy LP20 on Climate Change Adaptation states that new development should minimise energy consumption and minimise the impact of overheating.

Policy LP22 covering Sustainable Design and Construction states that developers are required to incorporate measures to improve energy conservation and efficiency as well as contributions to renewable and low carbon energy generation. All new residential buildings should achieve a 35% reduction.

The Applicant has submitted an energy statement, which concludes that 37.67% carbon dioxide reduction can be achieved. This is achieved through the incorporation of energy efficiency measures and use of PV panels to be sited on the roof.

Whilst there are no objections to the use of pv panels however it is unclear whether the calculations had taken into consideration the existing mature tree in close proximity to the site which is likely to overshadow the pv panels for prolonged period during the day and thus impact on the effectiveness and efficiency of the pv panels.

Had the scheme been considered acceptable, further clarification would have been sought. Details could have been conditioned.

Issue vii – Transport and Servicing

The property is situated in PTAL 5 and is in a Controlled Parking Zone (CPZ) 'D - Central Twickenham' Times: Monday to Saturday 8:30am to 6:30pm (Bank and Public holidays free). One disabled parking spaces has been provided. Councils Transport Officer has reviewed the scheme and raises no objection subject to agreement to restrict access to residents parking permits and provision of car club membership. Had the scheme been considered acceptable, these obligations will need to be secured by Grampian condition/legal agreement.

A CMS will be conditioned to ensure there is no adverse impact on transport flows and parking in the locality during the construction period.

Cycle

The scheme incorporates cycle store to accommodate 12 cycle parking spaces including 2 no. for visitors.

Whilst there are no objections to the level of cycle parking provision which accords with the London Plan standards seeking 2 cycle parking spaces per 2 bed dwelling, it is clear from the representations received that a few of the garages proposed to be demolished currently accommodates cycle parking provision for the existing residents in Sion Court. No details have been provided by the applicant under this submission regarding these arrangements and in the absence of such, the Local Planning Authority consider that weight must be attributed to the presence of the garages as providing a valuable and evidently well used cycle parking facility. The proposal would result in the displacement of these cycle parking spaces.

Reviewing the planning history, refused application 11/3709/FUL noted that one of the garages was used for cycle parking. The scheme included new cycle parking facilities both new and existing residents and no objection was raised to the loss of the garages on this ground. Similarly, 13/1352/FUL proposed cycle storage both for the new units and existing residents, amounting to 28 cycle spaces.

It is appreciated that this is an issue that has not been identified in earlier determined applications. From the submitted representations, it appears that the amount of cycle parking accommodated in the garages has increased in recent times, and this coupled with the absence of on-site re-provision Officer Planning Report – Application 22/1757/FUL Page 17 of 22

for existing residents gives rise to the concern.

Whilst further details could be requested had the scheme been considered acceptable however, any displacement of existing cycling parking spaces and the absence of details of their replacement within the site is not considered to be in the spirit of London Plan Policy T5 which promotes cycling and the creation of a healthy environment in which people choose to cycle. This is particularly significant given that in the intervening period between the previous determined applications referred to, the on-site car parking has been removed from the courtyard, increasing reliance of sustainable modes of transport for existing residents, unless they choose to have a vehicle parked on-street. The site is within a CPZ but the existing residents are unrestricted in their ability to apply for on-street parking permits. This adds to the Council's concerns that the development represents an overdevelopment of the site.

In view of the above it is considered that in the absence of satisfactory replacement of existing on-site cycle parking spaces or satisfactory information to justify its non-provision, the scheme fails to represent a sustainable form of development in this highly accessible location and would undermine the ability of residents to make sustainable travel choices and cycle use, contrary to the aims and objectives of Local Plan (2018) policy LP44 and London Plan (2021) Policy T5.

Waste

The waste management plan (as set out in the DAS and Transport plan) is for refuse and recyclables to be collected daily by on site staff and transferred to the communal waste storage facilities at neighbouring Lebanon Court. The 5 new flats are not being provided with their own refuse and recycling facilities.

It is unclear whether both developments have the same managing agents. If not then permission must be obtained for this arrangement.

It's not clear what waste and recycling storage capacity is currently provided for the 36 existing flats in Sion Court. This should be at a minimum of 70L per bedroom for general waste (number of beds in existing building unknown), plus 2 x 1100L paper&card recycling bins and 2 x 1100L mixed container recycling bins. The addition of 5 x 2b flats to this would require addition of a further 700L of general waste storage. There may not be a need to increase the recycling bins provided as the 4 x 1100L bins detailed above is suitable for 26-45 properties. Little is known about the existing collection arrangement or location of the existing bin store at Sion Court. As such, had the scheme been considered acceptable, further details of existing arrangement would have been sought.

Issue viii Trees

London Plan policy G7 requires development proposals to ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed.

Local Plan Policies LP15 and LP16 safeguard existing trees and seek enhancement to biodiversity in the Borough respectively.

Trees within this site are protected by conservation area status with one individual tree protected by Tree Preservation Order (TPO). The submitted Tree Survey is dated August 2019. In view that trees are living dynamic organisms subject to change and a report 3 years old isn't good practice.

The Tree Officer has reviewed the arboricultural submission from SJ Stephens Associates, with original survey on 28th August 2019 and associated TPP and AMS report on 20th May 2022.

The details within the AMS are minimalist and not detailed enough for Officers to be satisfied that the harm would not be caused to the trees.

Officers note the removal of the following trees; T8 (multi-stemmed birch), T2 (monkey puzzle) plus smaller groups of trees G3, G5 and individuals T6 and T9. In order to support removal of these trees we would need to see that mitigation has been provided at minimum in outline form at this stage to ensure there is no degradation of the landscaping for residents, the character and
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appearance of the Conservation Area is not harmed (noting that development pressure which may harm the balance of the river and landscape-dominated setting in many parts of the area is identified as a threat for this CA) and that the aims and objectives under policy LP 16 have been met.

The Sycamore is a crown reduced protected tree, which is shown especially close to the proposed frontages of the new building. During previous discussions, this relationship with the tree was raised as a concern. This related in particular to the balconies, and in particular to unit labelled 4. However, as presented the scheme is considered a poor juxtaposition and too close to the tree for a sustainable relationship to exist. The design increases pressure for pruning which is likely to impact on the health and longevity of the protected tree.

In view of absence of satisfactory arboricultural reports, lack of mitigation planting for removed trees and a poor site design and layout that fails to provide design separation space for tree and building to coexist, the scheme is considered to adversely impact on the health and longevity of existing trees and fails to comply with Local policies LP3, LP15 and LP 16 and London Plan Policy G7.

Issue ix Flood Risk

Policy LP21 requires all development to avoid contributing to all sources of flooding.

The site is situated in floodzone 2 and Throughflow Catchment Area.

Given the site is situated in Main Centre Buffer Zone, a sequential test is not required in this instance.

The exception test is applicable and the applicants submitted FRA addresses this. The proposed mitigation set out in the report would have been secured by condition had the application been otherwise acceptable.

The applicant proposes 191m² of green roof on converted garages (proposed to be residential). Permeable paving is suggested on the proposed ground floor plan. The remaining run-off is proposed to discharge into the main sewer at a rate of 1.57 l/s in a 1 in 100 year +40% CC event.

The assessment results are as follows:

- 1) Drainage hierarchy: FAIL – the application does not comply with the hierarchy of drainage set out in the London Plan, Policy SI 13. 191m² of green roof is proposed on converted garages (proposed to be residential). Permeable paving is suggested on the proposed ground floor plan. It should be confirmed whether this is to discharge via infiltration or to the public sewer. Rainwater harvesting (water butts) and blue roofs are higher up the drainage hierarchy and have not been considered. The remaining run-off is proposed to discharge into the public sewer as per the assumed existing scenario. No details of any flow control devices have been proposed.

MORE INFORMATION REQUIRED – the applicant suggests the use of infiltration features but has not provided evidence that a suitable infiltration rate is available.

- 2) Runoff rate: FAIL – cannot assess application due to missing information (require the greenfield runoff rate). Calculations to support the brownfield runoff rates are required.

FAIL – the proposed runoff rate is a maximum of 2 l/s. A justified reason for not achieving the greenfield runoff rate has not been provided.

The applicant has submitted information which has not sufficiently addressed policy relating to London Plan Policy SI 13. Until the above points are addressed, matters relating to volume control, Non-Statutory Technical Standards for SuDS S7-S9 and future maintenance have not been assessed due to their reliance on suitable proposals for sustainable drainage features and runoff rate restrictions.

In view of the above, in the absence of insufficient details to demonstrate the scheme will not
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increase risk of flooding in the locality, the scheme fails to comply with Local Plan Policy LP21 and London Plan Policies SI12 and SI13.

Issue x – Fire Safety

Policy D12 – Fire Safety states:

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

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

The supporting text explicitly asks applicants to :

- a. demonstrate on a site plan that space has been identified for the appropriate positioning of fire appliances. These spaces should be kept clear of obstructions and conflicting uses which could result in the space not being available for its intended use in the future.*
- b. show on a site plan appropriate evacuation assembly points. These spaces should be positioned to ensure the safety of people using them in an evacuation situation.*

The applicant has submitted a fire safety statement along with a site plan which demonstrates there to be sufficient access for fire tenders to access the unit in the event of fire.

Concerns submitted by the local residents are noted. The Fire safety statement has been reviewed by the Transport Officer who considers it to be satisfactory.

The proposals are considered to satisfy London Plan Policy D12.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

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

On initial assessment this development is considered liable for the Mayoral and Richmond CIL however this is subject to confirmation by the CIL Administration Team.

8. RECOMMENDATION

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

It is recognised that there are benefits from the scheme accruing from additional dwellings, removal of the existing poor quality garages, and the potential for an enhanced environment in the grounds of Sion Court. The benefits accruing from the latter are however compromised in the absence of satisfactory information to demonstrate that trees will not be harmed and suitable replacement planting. The shortfalls in the standard of the accommodation and absence of Officer Planning Report – Application 22/1757/FUL Page 20 of 22

replacement cycle parking or justification for non-replacement are indicative of overdevelopment, and the impact upon neighbouring amenity further weighs against the scheme. For the reasons set out above, it is considered that the adverse impacts of allowing this planning application would outweigh the benefits, when assessed against the policies in NPPF (2021) and Development Plan, when taken as a whole.

Refuse planning permission for the following reasons

Standard of Accommodation

The development, by reason of its layout and design, and in the absence of satisfactory evidence to demonstrate the new units will benefit from adequate daylight, represents over-intensification and over-development of the site that would result in sub-standard living conditions and environment, to the detriment of the amenities of future occupiers and thus is contrary to local plan policy LP35, London Plan Policy D6, Supplementary Planning Document 'Residential Development Standards' and 'Design Quality' and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

Affordable Housing

In the absence of a legal agreement to secure an appropriate contribution towards off-site affordable housing, the scheme fails to address the recognised housing need and will be contrary to, in particular, policy LP36 of the Local Plan (2018) and Supplementary Planning Document on Affordable Housing (2018).

Trees

In the absence of satisfactory arboricultural reports, lack of mitigation planting for removed trees and a poor site design and layout that fails to provide design separation space for tree and building to coexist, the scheme is considered to adversely impact on the health and longevity of existing trees and fails to comply with Local Plan (2018) policies LP3, LP15 and LP 16 and London Plan (2021) Policy G7.

Flood Risk

In the absence of sufficient details to demonstrate the scheme will not increase risk of flooding in the locality, the scheme fails to comply with Local Plan (2018) Policy LP21 and London Plan (2021) Policies SI12 and SI13.

Residential Amenity

The proposed development, by reason of its combined siting, height and width will result in a visually intrusive and overbearing form of development that will adversely impact on the residential amenity of nearby occupants, in particular, the ground floor flat in Sion Court and no. 19 Lebanon Park thus fail to comply with Local Plan (2018) Policy LP8.

Cycle Parking

In the absence of details of existing on site cycle parking arrangements or justification for the absence of replacement cycle parking facilities, the loss of the garages, and absence of satisfactory replacement of existing on-site cycle parking spaces, the scheme fails to represent a sustainable form of development in this highly accessible location and would undermine the ability of residents to make sustainable travel choices and cycle use contrary to the aims and objectives of Local Plan (2018) policy LP44 and London Plan (2021) Policy T5.

Recommendation:

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

I therefore recommend the following:

1. REFUSAL
2. PERMISSION

3. FORWARD TO COMMITTEE

This application is CIL liable

YES*

NO

(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement

YES*

NO

(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online
(which are not on the file)

YES

NO

This application has representations on file

YES

NO

Case Officer (Initials):WWC.....

Dated:21/7/22.....

I agree the recommendation:

South Area Team Manager: 

Dated:22.07.2022.....



Appendix 2 Appeal Decision



Appeal Decision

Site visit made on 4 December 2023

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2023

Appeal Ref: APP/L5810/W/23/3315130

Sion Court, Sion Road, Twickenham TW1 3DD

- 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 Moreland Residential Limited against the decision of the Council of the London Borough of Richmond Upon Thames.
 - The application Ref 22/1757/FUL, dated 30 May 2022, was refused by notice dated 22 July 2022.
 - The development proposed is demolition of 20 derelict garages and one bed flat and redevelopment of the site to provide two, two bed flats and three, two bed houses, associated private amenity space, communal amenity space, accessible parking space, cycle parking and refuse.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal was accompanied by a significant amount of additional information and amended plans. While extensive, the information has been prepared in direct response to the Council's reasons for refusal and, so, form the appellant's submissions to the appeal. The Council, and interested parties, have had opportunity to comment upon the written material and several people have done so. Therefore, I am satisfied that no injustice will arise if I take the additional material into account.
3. Some changes have also been made to the proposal. New rooflights have been introduced to provide more light to internal spaces. However, those changes would not result in any significantly discernible difference in the relationship of the proposed development with existing neighbouring properties and would largely affect future occupiers of the site itself. The other changes including to landscaping and cycle storage would also have little effect beyond their immediate environs. In any case, the Council and interested parties have had opportunity to comment upon the amendments.
4. Thus, while I am mindful that the appeal process should not be used to evolve a scheme, I am content in this case that the changes are sufficiently minor and adequate opportunity has been provided for comment, for there to be no injustice if I take them into account.
5. The amended plans have provided additional cycle parking that could contribute to meeting the needs of the occupiers of Sion Court. On this basis, the Council have withdrawn their reason for refusal relating to an insufficient provision of cycle parking. I have no substantive evidence upon which to disagree with their current position that no harm would arise in this regard.

Main Issues

6. The main issues are:

- (i) The effect of the development on the living conditions of neighbouring residents with particular regard to outlook from 19 Lebanon Park, 9 and 25 Ferry Road, and the closest ground floor flat at Sion Court.
- (ii) Whether appropriate living conditions would be provided for future residents of the site, with particular regard to outlook.
- (iii) The effect of the proposal on a protected sycamore tree at the appeal site.
- (iv) Whether the development would provide an appropriate contribution to affordable housing.
- (v) The effect of the development on flood risk.

Reasons

Neighbouring residents

- 7. A row of flat-roofed garages currently sits alongside the boundary with 19 Lebanon Park and 25 Ferry Road. Roughly centrally above this block is a first floor dwelling. The site access from Lebanon Park passes to the side of the large flatted block of Sion Court before turning around the garages towards the courtyard between them and the flats. The new building would project further into the courtyard area than the existing garages, directly in front of the windows of the closest ground floor dwelling in Sion Court.
- 8. The Council indicates that the distance between the windows in the Sion Court flat and the facing blank elevation would be half a metre below its expected standards. However, the projecting wall would not fully enclose the outlook from this existing dwelling and views would still be possible beyond it towards the main landscaped courtyard area serving Sion Court. Therefore, despite the indicated shortfall, I find that the proposal would not lead to harmful living conditions for the occupiers of this flat.
- 9. The garages and first floor element are relatively low structures, and appear as low-key buildings when viewed from the dwellings and courtyard area of Sion Court. However, the ground levels of the gardens at neighbouring Nos 19 and 25 are significantly lower than the appeal site such that the garages and first floor element tower above the gardens. The existing first floor element is currently alongside the large garden of No 25, but also has an appreciable effect on the outlook from No 19, especially the lawned garden area of No 19 which is below the level of the house and also enclosed by high fences on two other sides.
- 10. Single storey elements of the proposal would be of similar height to the roofline of the existing garages, and the two storey elements just below the existing first floor accommodation. However, the first floor section would be extended to span more of the ground floor than is currently the case, bringing it alongside part of the garden of No 19. While, unlike the existing situation, the first floor element would be set back from the boundary such that it would not loom up quite so starkly from it, the additional width would further increase the sense of enclosure to the garden of No 19, harming the living conditions of its

occupants. The effect on No 25 would be less significant as it has a larger and more open-feeling garden, so the additional enclosure, while appreciable, would not result in harmful living conditions.

11. The proposal would result in the removal of first floor side-facing windows facing towards Nos 19 and 25. However, the distances between those windows and those in these neighbouring dwellings is sufficient to avoid harmful overlooking. Therefore, the benefits arising from their removal are limited and would not compensate for the significant increase in enclosure to No 19's garden.
12. 9 Ferry Road sits very close to the site boundary that would be formed against the side wall of unit 1. It is also at a lower level such that the cill height of the first floor windows is broadly that of the existing boundary wall, which is below the roof of the existing garages. The first floor rear windows of No 9 face out alongside the site boundary rather than towards it, but they are very close to the boundary. A single storey building is proposed here, which would have a similar effect on outlook to the existing garages.
13. However, to prevent intervisibility between the rear windows of No 9 and the kitchen/dining room of unit 1, an additional obscure glass privacy screen is required on the boundary. This detail was not shown at application stage, having been provided with the amended plans, and so may not have been taken into account in assessing the application. Concern has, however, been raised in the representations of the interested parties. Given its proximity to the windows, this additional boundary height would harm the outlook from the rear windows of No.9.
14. For the above reasons, I find that the proposal would harm the outlook from the garden of 19 Lebanon Park and the internal spaces of 9 Ferry Road. Such would be contrary to those aims of policy LP8 of the London Borough of Richmond upon Thames Local Plan 2018 (RLP) that require new development to protect the living conditions of existing neighbouring residents.

Future occupiers

15. The Council was originally concerned about a potential lack of daylight entering the proposed new homes. However, they have since confirmed that the additional information and revisions to the proposal would be acceptable in this regard. I have no reason to disagree.
16. The proposed accommodation would comply with minimum internal and garden space standards. However, the main living space of unit 1 containing the kitchen, dining and living accommodation would be at the rear of the building. This part of the dwelling would be lit by large rooflights and wall openings onto a small enclosed patio area between the dwelling and 9 Ferry Road.
17. The patio area would provide additional ventilation and outdoor space, but while the glazing would provide good standards of natural light and long views of the sky, there would be very little forward outlook and views across the patio area would be very short. While the dwelling itself would only be of single storey, limiting the height of the patio walls, the walls would still prevent any significant outward views beyond the courtyard and any that were available would also be flanked by the obscure glazed screen and side wall of No 9.

18. The main bedroom of unit 1 would provide a long outlook across the shared open space, but that would be the only room in the unit with such an outlook. It would be to the side of the room, limiting the places from which a lengthy outlook could be viewed. Moreover, as the main shortcoming relates to the primary living spaces, the unit would provide oppressive living accommodation for future occupiers when the unit was considered as a whole. That the unit would provide more private garden space than others and would be adapted for disabled users, would not compensate for or outweigh the generally poor living environment proposed.
19. Therefore, I find that the proposal would conflict with those aims of Policy D6 of the London Plan 2021 (LP) that seeks to ensure that developments are of high quality with good living conditions provided for new residents. LP Policy LP35, referenced in the Council's reason for refusal on this matter, relates mainly to the size of dwellings and provision of good quality open spaces and I find no conflict with that policy.

The sycamore tree

20. LP Policy G7 and RLP Policy LP16 specifically require trees of value to be protected and retained. The Council is content that replacement planting shown in the amended plans would compensate adequately for those proposed to be felled. However, the development would be sited close to a large, retained sycamore tree protected by a Tree Preservation Order. The value of this tree is not disputed and I saw that it contributes to the outlook from and garden space for the Sion Court flats as well as being visible from outside the site.
21. The proposed buildings would be low, largely below the canopy of the tree. It is clear that, in its current form, the tree would over-sail parts of the proposed development and at least some pruning would be required, although such works do not form part of this proposal. The evidence shows that the tree has been managed as a pollard in the past and there is no indication that this has affected its health or longevity. It is further suggested in the appellant's submissions that this practice would continue.
22. Given the protected status of the tree, future works to it would require approval of the Council. The acceptability of any such works is not before me, but it appears that regular management as a pollard would be required in order to achieve a comfortable relationship with the proposed dwellings. Regular pruning back to the previous pollard points is suggested, but the location of these relative to the proposed building has not been clearly shown. From visual inspection and the appellant's photographic evidence, they would appear to be very close to the new houses. It is, therefore, unclear whether use of the previous pollard points would be sufficient to maintain an acceptable relationship for future occupiers of the dwellings or whether more drastic pruning would be required that might affect the health or value of the tree to the locality.
23. I understand that permission was previously granted for development of the site with buildings in a similar position. However, the evidence I have of that scheme shows those proposed buildings further from the tree than the current scheme. Moreover, that application appears to have been made around 10 years ago when the form and size of the tree may have been different. The removal of the garages closest to the tree may benefit the root structure and health of the tree, but there is no particular evidence that they have been

harming its health to date or are set to do so in the future. Any benefits that the tree might bring to providing enhanced privacy for future occupiers would be minor, given that the access paths through the site would pass between the tree and the dwellings. Therefore, these matters are of limited weight.

24. For the reasons given above, I find that the current proposal would not have a harmonious relationship with the tree in its current form and would likely lead to future pressure for its heavy management that the Council may find difficult to resist, especially as the need for that management regime has been eluded to now. This failure to adequately safeguard the tree would be in conflict with the aims of LP Policy G7, and RLP Policy LP16. The Council's reason for refusal in connection with this matter also alleges conflict with RLP Policy LP15, but that is mainly concerned with protecting and enhancing biodiversity, to which no substantive harm has been demonstrated. I, therefore, find no conflict with Policy LP15.

Affordable housing

25. A planning obligation would provide, amongst other things, a small financial contribution to affordable housing. The contribution would be significantly below that required by development plan policy. Viability appraisals have been prepared by the appellant in attempt to justify the lower amount and subsequently critiqued by the Council, in accordance with RLP Policy LP36.
26. In critiquing the appellant's appraisal, the Council's submissions have made some alterations to allowances for items such as profit, legal and professional fees and finance. In some cases these deviate from figures used in the viability appraisal prepared to support the RLP and it is not clear what the justification for this is. Nevertheless, some of the adjustments benefit the appellant's position and the appellant has also accepted some of the other adjustments suggested by the Council. Importantly, overall these matters appear to make only small differences to the scheme viability. Of greater consequence are the differing assumptions in scheme value, build costs and the benchmark land value.
27. The Council has adopted an approach to determining the likely value of the scheme, based upon the asking price of comparable properties with adjustments made for buyer negotiation. I find the appellant's approach based on actual sale prices to be more robust and likely to lead to a more accurate forecast of scheme value. The Council's estimated build costs are also based upon the scheme prior to the amendments that have been made to increase natural light, enhance landscaping and the like. They, therefore, do not account for the full likely build cost of the scheme before me, such that I find the appellant's approach more realistic.
28. The main dispute in respect of the existing use and, therefore, benchmark land value relies on an estimate of likely return from garage rentals. The appellant's appraisal is based upon the return for the 20 garages proposed for demolition in the description of development. The Council's appraisal is based on 19. At the site visit, I saw that there were only 19 garages that could, theoretically, accommodate a car. One unit, shown as a garage on the existing site plan immediately to the right of the two-storey block does not have a garage door, but instead is timber clad with a pedestrian door. I have no particular evidence as to whether this unit would attract a comparable return in its current form or would be suitable to be put into a car garaging use.

29. Furthermore, unlike the first floor flat, no account appears to have been taken in the appraisal for the existing condition of the garages, or their suitability for the assumed existing use. The appellant's submissions to the appeal more generally refer to 'the limited number of usable garages', and they are described as 'derelict' in the description of development and 'collapsing' in the arboricultural impact assessment. For these reasons, it appears likely that the appellant's appraisal overestimates the benchmark land value to an extent that I cannot determine on the basis of the evidence before me.
30. Therefore, I find that it has not been demonstrated that the development cannot provide a policy compliant affordable housing provision and there is conflict with RLP Policy LP36.

Flood risk

31. The additional information demonstrates that the post-development site could achieve appropriate run-off rates. However, despite the larger attenuation tank shown on the amended drawings, the Council still deem this insufficient to attenuate peak volumes. The effect could be that in an extreme or subsequent storm event when the permeable ground becomes saturated, the on-site drainage facilities could overflow and water could be discharged overland, off-site.
32. RLP Policy LP21, and LP Policies SI12 and SI13 require that flood risk is minimised, not increased by development, and that a reduction to greenfield run-off rates is achieved where feasible. The existing site contains a significant amount of impermeable hard surface such that rainfall that could not be accommodated with existing sewers would discharge off-site. The attenuation that is provided would reduce the likelihood of this happening in most rainfall events and there would, therefore, be significant betterment over the existing situation. While it may be desirable for all rainfall to be fully accommodated on site in all foreseeable events, the proposal would not increase flood risk and would, therefore, comply with the general aims of these policies.

Other Matters

33. There is reference to a previous planning permission that was granted at the site and it is said by the appellant that the current proposal is an improvement on that in some regards. However, from the limited evidence before me, that appears to be for a significantly different proposal, providing a different number of dwellings and occupying a different building footprint. Moreover, it has not been shown to be extant or otherwise capable of being built out now. As such, it does not demonstrate that this current scheme is acceptable or weigh in favour of granting permission for it.
34. The proposals seek to increase housing capacity on the site in a highly accessible location as promoted by the development plan and National Planning Policy Framework. The Council has raised no concern about the detailed design and its compatibility with the Twickenham Riverside Conservation Area. However, despite the current appearance of the site, the potential harm that I have identified to the sycamore tree would result in, at best, a neutral effect on the conservation area when considered alongside any improvement to the built form, such that its character and appearance would be preserved and its significance unharmed. That would, therefore, be a neutral matter.

35. There would be a small contribution to affordable housing and provision of a disabled adapted dwelling but the poor internal environment that would be provided for that dwelling means that this would be of negligible benefit. The other planning obligations provided would relate to car parking and travel and are, therefore, largely mitigation for the effects of development and so neutral in the planning balance.
36. Overall, therefore, the benefits arising from the additional housing proposed would be very limited.

Conclusion

37. The proposal would harm the living conditions of neighbouring residents and provide poor accommodation for some future residents of the site. It would likely harm a tree that is protected for the value it brings to the area. While there would be some benefits from a likely reduction in flood risk, the extent of this is uncertain. The benefits of the additional housing generally would be small, given the scale of development proposed.
38. The affordable housing contribution has not been shown to be justified at the proposed level below the policy requirement. That said, there remains some uncertainty in my conclusions on that matter that I would have explored in more detail with the parties if it were not for my findings on the other issues. Accordingly, the affordable housing matter has not been decisive.
39. For the reasons given, the proposal would, conflict with the development plan read as a whole. No material considerations have been shown to carry sufficient weight to indicate that a decision should be taken otherwise than in accordance with it.
40. Therefore, the appeal is dismissed.

M Bale

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