



Application: 24/1662/FUL

Your Ref: DC/Kreena Patel

Proposal: 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.

This Report consolidates the objections of the LASCRA Committee to this planning proposal. We aim to give a historical background for decision makers new to this proposal and to encourage them to consider the effects on the residents of Sion Court.

LACK OF CONSULTATION

The Applicant, Moreland Residential (UK) Ltd which is also the Sion Court Freeholder, has once again failed to consult in advance those who would be most affected by the proposed development – the residents of Sion Court and its neighbours in Lebanon Court, Sion Road, Ferry Road and Lebanon Park.

When a Dangerous Structures Notice (18/00031/DS) covering the garages at the back of both Courts was issued by Richmond-upon-Thames Council on 18th May 2018 it was stated that '*remedial action may be required as further deterioration may give rise to a hazardous situation*'.

Despite repeated requests by LASCRA no information was given by the Freeholder about how he planned to deal with this situation until suddenly, at the end of June 2020, residents of Sion Court were advised by letter from the Managing Agents, Hallmark Property Management Ltd, that they could no longer park cars at the back of their block '*to enable the freeholder to continue with the redevelopment of these areas*'. No information about the current plans was given until a letter was sent to Sion Court residents on 25th July 2024.. There has never been any suggestion that residents and our neighbours could have a say over the scale and positioning of the development and the changes to key features which would affect their amenity.

Council records will show that several past Planning Applications for smaller-scale developments on this site were also opposed by a large number of residents and neighbours. It should be noted that an Application for redeveloping the back of Sion Court, which was approved by the Planning Committee as long ago as 29th October 2014 (13/1352/FUL) was for only three flats. It included designated parking for 26 cars and secure storage for 26 cycles.

Please also note the Planning Inspectorate's comments that the form and size of protected tree would have been different in 2014 but this new proposal shows a similar building line to 2014 despite the growth of this protected tree. 13/1352/FUL was never implemented which is why the 2020 Application for six houses, only eight parking spaces and no cycle storage for existing residents came as such a shock. The more recent Applications for six and five new dwellings, one parking space and no cycle storage for existing residents have done nothing to mitigate the adverse effects on Sion Court residents and their neighbours.

LASCRA are also concerned with the lack of consultation which highlights the strategic nature of this application during a holiday period when many residents who would object will be away.

EXISTING SITE - COMMUNITY, OPEN SPACE

The existing Ground Floor Plan shows that Sion Court is an L-shaped block with a lawn with two benches behind, and then two lines of single-storey brick garages, one of which includes a small first floor dwelling which was originally the caretaker's flat but has been empty since it was sold to the Freeholder in 2017. Until 22nd June 2020 up to sixteen residents' cars were parked informally at the back of the block. Residents from both Sion Court and its sister block, Lebanon Court, store around forty bicycles in garages 9, 10 and 11 under a scheme run by LASCRA with the permission of the Freeholder. The rear of Sion Court is an oasis of calm with a feeling of openness much loved by residents.. It is also a place where neighbours pass each other and chat, contributing to the sense of community within the Courts. The lawn has been long been used as a play area by the increasing number of children of all ages living in the two Courts. Although the existing open area may not appear beautiful to everyone, the sense of space it gives is perhaps more important than can be appreciated from a floor plan. Building a line of new dwellings with a larger footprint on its eastern side would significantly damage that sense of space.

OBJECTIONS UNDER THE RICHMOND LOCAL PLAN

Policy LP 1 Local Character and Design Quality

Local Character and Design Quality

The quality of the proposed dwellings is not appropriate and out of character for this Conservation Area in Twickenham. The design comprises a block of three small two-storey units and two single-storey units all with small, private front gardens. There are no rear windows and no side windows in units 2-5 which is contrary to the London Plan 2021 Policy D6, which states that housing development should normally avoid the provision of single aspect dwellings. The five new dwellings would all have flat roofs although nearly every building in the Conservation Area has a pitched roof. Even Lebanon Court's electricity substation was built in a sympathetic style with a pitched roof. These flat roofs are not at all

compatible with the character of the Area since they would be clearly visible from Lebanon Park. Note that the recent extension to a neighbouring house, 25 Ferry Road (16/4063/HOT), has a pitched and tiled roof even though it is not visible from any road.

The symmetry of both blocks of flats (Sion Court and Lebanon Court) should also be considered, these details being part of what makes this a conservation area. The units barely meet the London quality and design of housing standards for two-bedroom houses. Any family living in one of these units would find still it very cramped and of poor quality.

The lack of space in Unit 1 is especially problematic given that the Ground Floor Plan shows that it is intended to be suitable for a wheelchair user. The Inclusive and Accessible Housing Design Guidance shows a one storey, 1 bed, 2 person dwelling which meets wheelchair housing standards should be a minimum of 58 sqm. This proposal shows Unit 1 as 55sqm.

This reduction is to accommodate this unit having to be built away from the boundary in an attempt to address the Main Issues from the Appeal Ref: **APP/L5810/W/23/3315130**. To echo the Appeal; this would provide even more oppressive living accommodation and more private garden space would not compensate for the restricted living environment proposed and the amendments for this proposal do not change this. Despite being small, the dwellings will exceed the existing footprint of the main row of garages, with their gardens eating further into the current open space. This will take away the integrity and context of this area through its enclosure and impact.

The existing rear access driveway from Lebanon Park will disappear and be replaced by a narrow pedestrian footpath. There will thus be no access to the rear of Sion Court for any vehicles including cars, delivery and collection vans and emergency vehicles. This could particularly affect the large appliances which might be used by the fire service should a fire break out at the back of Sion Court or in Ferry Road. It will also prevent access by service vehicles e.g., builders' vans and the 'cherry pickers' used to maintain the guttering, roof and rear elevation of Sion Court and to prune the sycamore tree which has a Tree Protection Order. (TPO)

The proposed site is raised about six feet above the patios and small gardens of the cottages 1 - 19 in Ferry Road. This mass is supported and contained by a brick wall which is only two bricks thick up to one metre above ground and one brick thick up to two metres. Although it was recently repaired it is quite possible that extensive excavation/building work plus the much greater weight of the houses compared with the existing garages on the site would put this structure at risk. This latest proposal sets Unit 1 away from only part of this wall.

Policy LP 2 – Building Heights

The Council's policy requires new buildings, including extensions and redevelopment of existing buildings, to respect and strengthen the setting of the borough's valued townscapes and landscapes by taking account of overshadowing, diversion of wind speeds, heat island and glare. The additional two-storey dwellings and the use of the five private gardens will harm the current Sion Court residents' reasonable enjoyment of the communal outdoor

space due to increases in noise, reduction in light, overshadowing, disturbance and air pollution, light pollution and glare, odours, vibration and local micro-climatic effects.

The addition of two more two-storey buildings will negatively impact the immediately neighbouring houses – 9 and 25 Ferry Road and 19 Lebanon Park - but also No. 21 Lebanon Park and to some extent the adjacent houses in that arm of Lebanon Park, namely Nos. 23, 25 and 27.

Policy LP 3 - Designated Heritage Asset

As mentioned under LP 1; this does not preserve or enhance the character or the appearance of the Conservation Area. The Applicant's action over several decades in allowing the garages in Sion Court (and Lebanon Court) to fall into disrepair led to the Dangerous Structures Notice (18/00031/DS) covering the garages at the back of both Courts being issued by Richmond Council in May 2018. The Heritage Impact Assessment states that there is no heritage objection in removing the neglected garages and 'there is enhancement for the purposes of the council's duty under section 72(1) of the Act'. To use the dereliction of the garages in Sion Court to justify their demolition to make way for this totally unsuitable and unneighbourly proposal, is unacceptable. It should not be condoned by LBRUT which boasts green credentials and aims to uphold the importance of preserving Conservation Areas as discussed in Richmond's Town Centre Land Use Survey.

LP 8 - Amenity and Living Conditions

The proposal would shoehorn more housing into an unsuitably small space which would create unhealthy over-crowded living conditions for the residents of both the new dwellings and the large number of their near neighbours. The new housing would be visually intrusive because the breadth of the first storey would be double that of the existing flat. The new dwellings will compromise the privacy of Sion Court flats. In contrast to the single first-floor window in the existing flat overlooking the lawn there would be three balconies and three other first floor windows, plus seven ground floor windows.

The Fire Strategy Statement suggests that fires at the new units can be managed, being within 45m of where a fire engine would be able to access. This is subject to the bollards installed to stop parking being removed. The Fire Strategy does not give any assurances regarding a fire at the rear of the existing Sion Court block particularly in relation to access to the higher floors - 3, 4 and 5. This issue should be checked with statutory consultees.

Any planning permission should be conditional on the emergency services being secure with their future access to the back of Sion Court and the residents in a five storey block who are outside the 45m requirement.

LP 15 - Biodiversity

The poor state of repair of the garages means that on the eastern side of the site they have become a home for a number of birds nesting and living there. The Preliminary Ecological Appraisal dated 17 December 2021 also found evidence of possible bat activity inside the flat above the garages. Demolition and any building work would remove these protected creatures' habitat.

The applicant's Arboricultural Impact Assessment (Page 10) states:

5.10 Bat roosts

5.10.1 The current legislation makes it a criminal offence to disturb, damage or destroy any bat roost or hibernation area. Contractors must be reminded of their responsibilities and should contact the relevant authorities if any signs of bats are found.

5.11 Birds

5.11.1 The current legislation makes it a criminal offence to disturb nesting birds. The nesting season is generally assumed to be from 1st March to 31st July, however this can vary depending on species and location. During these months a careful inspection must be made before work commences and works must be postponed if active nests are found.

LP 16 Trees, Woodlands and Landscape

The dominant feature of the Sion Court back garden is a much-loved mature Sycamore tree. It is now over twenty metres tall. On 1st April 2019 an agent of the Applicant applied to have the tree felled after concerns from the Freeholder that it was damaging the garages next to it. These are the garages that were already derelict through neglect. The Council rightly rejected the Application (19/TO276/TCA) and on 13th May 2019 placed a preservation order (T1030) on the tree. The Applicant's Arboricultural Report dated 19th June 2014 (Survey date 13th January 2023) shows welcome protection for the sycamore. It is, however, difficult to believe that having demolition and construction work going on for over one year under the tree would not damage its roots and threaten its survival.

The Affordable Housing Statement Page 17 6.16 states:

'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.'

The Arboricultural Impact Assessment gives very clear regulations as to how this pruning is carried out to avoid any unnecessary mitigation or loss of the tree. It also gives very clear regulations about how this must be fenced off with

'No construction activity whatsoever, including routing of underground services, storage of materials or on-site parking, must be allowed within Root Protection Areas'.

This report also mentions important 'Hand Dig Areas' to protect the roots of this protected tree. The existing Monkey Puzzle Tree is seen to be 'out of keeping' by the applicant. This is to be replaced by a 25-30cm girth, Golden Rain Tree, *Koelruteria paniculate*. This suggests that the protected Sycamore Tree is in jeopardy and is also indicative of the lack of consultation. This deciduous tree is poisonous; the flowers and seed pods are attractive to children who will be playing in this area. This tree is also known to be brittle – this risks damage to Sion Court and its residents from fallen branches or the whole tree in a strong wind. Consultation with residents would have also voiced concerns about the additional gardening time and costs in raking up the leaves, flowers and pods when residents pay on average £600 per month in Service Charges – this is another indicator that the effects of this proposal for the residents of Sion Court have not been considered.

LP 24 - Waste Management

Currently general dry waste from both Sion Court and its sister block, Lebanon Court, is taken for collection every Monday to Saturday by the site's management to a storage area at the back of Lebanon Court. Items for recycling - paper and board, glass, plastic and metal - are taken by residents themselves to separate bins in the same storage area. In the Application no secure provision is made for dry waste from the new dwellings but it said that it would also be taken by the site's management on a daily basis to the existing storage area. There are two problems with this proposal. Leaving thin plastic general waste bags outside the front doors every day would encourage vermin – rats, crows, foxes and squirrels. It should be noted that any new residents would have to pay for this service together with gardening costs etc. The applicant expects the 2/2 units to be sold for £776,698 but the service charge will deter buyers and reduce this. This proposal admits that these units are not affordable housing.

Richmond needs to consider whether any additional housing is needed on this site and who it is going to benefit.

LP 30 - Health and Wellbeing

Residents with health or mobility issues will have a problem in making their way to or from the five new units from an entrance in either Sion Road or Lebanon Park. Although Unit 1 is said to be Doc M 4(3) compliant - suitable for a wheelchair user - its dedicated parking space is at the other end of the block next to Unit 5, nearly 50 metres away from Unit 1's front door.

Richmond Council policy strongly encourages cycling in the Borough. No reference is made to the fact that three of the garages on the Eastern side of the property, Nos. 9, 10 and 11, are used for cycle storage under a scheme approved by the freeholder and current Applicant (Moreland Residential (UK) Ltd) which has been run by the Lebanon and Sion Courts Residents' Association (LASCRA) since 2016. In line with this policy LASCRA has been operating a secure cycle storage scheme for both Sion Court and Lebanon Court.

There are currently 42+ tags in use by the cycles stored in the Lebanon and Sion Court garages, which will be demolished to make way for the new dwellings. The proposed

scheme makes provision to store 28 cycles but the Transport Statement states that in accordance with the London Plan there are 5 cycle racks per dwelling for residents and their visitors. These are only for the use of the new dwellings.

The proposal states that there are 0 existing cycle spaces. This is incorrect.

It was disappointing to see that Richmond Council withdrew their reason (for the Planning Inspectorate Appeal) for refusal relating to an insufficient provision of cycle parking with no consultation or consideration for existing residents of Sion Court. This proposal and attached reports also addresses the development as though Sion Court does not exist.

LASCRA would like to reinforce to Richmond that this amenity space is to be shared. The applicant plans to build beyond the footprint of the garages into a space which residents have had historical rights of way. This long-term strategy to develop, resulting in numerous proposals, has denied residents parking and is now denying them a place to store their cycles. The overall impact is not conducive to anyone's health and wellbeing.

Losing this cycle storage goes against Richmond's Policy to encourage non-car travel

In addition; the Application Form asks if the land is known to be contaminated and the applicant has answered – no. The roofs of the garage are asbestos but there is no information as to how this will be removed with residents so close. The soil beside these garages could also be contaminated due to the poor condition of the roofs.

In the interest of the health of residents of Sion Court we feel there should be a Contamination Assessment.

LP 34 - New Housing

Twickenham Town Centre now has four major residential developments with a total of more than 300 dwellings at various stages – the former Brewery Wharf (110 dwellings completed), Twickenham Station (121 dwellings completed with more under construction), Twickenham Eel Pie Island Riverside (45 dwellings planned) and the Old Station Forecourt Railway Approach (46 dwellings approved).

Trying to shoehorn five new dwellings into a limited garden space at the back of a five-storey block of 35 flats next door to the Council Offices in York House would be a clear case of an unnecessary, unwanted and unneighbourly overdevelopment in a Conservation Area.

Housing delivery from backland development is not needed to meet the Borough's strategic housing targets.

LP 39 - Infill, Backland and Backgarden Development

LP 39 states infill or backland development should result in no unacceptable adverse effect on neighbours and paragraph 9.6.6 of Policy 39 recognises the direct and indirect value of

gardens' contribution to local character. This proposal undermines the privacy of many local residents in their homes and gardens. It is excessive and is a much greater level of development than the previously consented scheme (13/1352/FUL). It also goes beyond the previous red line and footprint of the consented scheme, to give the new homes greater amenity area by providing front gardens and balconies. This enhances the sense of invasiveness of the new development and enclosure of the existing residents' lawn completely changing its open character that is so important to the existing high rise mansion block with no other amenity space. It should be noted that the new residents will have access to their own private gardens plus the existing communal area, which reaches almost to the walls of Sion Court. The new residents will also have an assembly point against the wall of Sion Court.

As mentioned above under LP30 the proposed development means the loss of cycle storage for the residents of the Sion and Lebanon Court mansion blocks, the continued loss of a previous informal parking arrangement (leading to more on street parking) as described below under LP45, and the enclosure and loss of integrity of a much loved and used open space for residents. It does not therefore protect the amenity and living conditions of Sion Court residents. It would have an unacceptable adverse impact, through loss of privacy to the Sion Court flats and the communal garden and also adversely affect neighbours in Ferry Road, Lebanon Court and Lebanon Park.

LP 45 - Parking Standards and Servicing

Rear Driveway.

A decade's long concession from the Freeholder allowed residents to park cars informally on the driveway at the rear of the block. Up to sixteen cars were regularly parked there. In June 2020 this concession was abruptly withdrawn forcing these cars onto the street. Fold-down bollards were installed to prevent access for all except emergency vehicles. Car parking has been identified as a pertinent issue in the Council's dismissal of previous planning applications on this site in 2001, 2003 and 2011. Several parking surveys carried out as recently as 2018 showed that Lebanon Park and the surrounding roads operate at near 100% saturation, considerably in excess of LBRUT's own measure of saturation which was 90%. Five additional dwellings could in time add up to ten additional cars creating further competition for parking spaces on the local roads.

LASCRA requests that Richmond questions whether an amenity built for the benefit of existing residents can be used for anything other than its intended use given that leases state that residents are able *'to go pass and repass whether with or without vehicles laden or unladen over along and across roadways drives and forecourts forming part of the curtilage of the blocks of flats'*.

The Freeholder of both Sion and Lebanon Courts has for decades failed to maintain the existing garages. As a result, the garages have fallen into disrepair which led to the Dangerous Structures Notice being issued in 2018. If this development is approved it would reward this inaction instead of sanctioning it, which we believe is not a good precedent.

The Application states that Council permits to park in the road would not be issued to people buying the new dwellings. Even if there were to be a parking permit-free agreement this

would need to be an absolute condition with no appeal. However, this could not stop them owning cars, competing for the public metered spaces outside Sion Court and in Lebanon Park where residents are already facing the impact from the Twickenham Riverside Development.

The problem of access would in future equally apply to specialist vehicles such as the large 'cherry picker' which is required in Sion Court to deal with maintenance issues on the higher floors, the roof and guttering. The addition of an attenuation tank; to offset any flooding specifically created by the proposed development, creates additional obstacles for this essential maintenance as the area above the tank will not bear the weight of heavy vehicles. The maintenance of this tank could be costly and the cost of this will fall to the new residents of these units. The area above the tank will have to be fenced off within the landscaped area - this will reduce the communal, landscaped area for residents. Please also note that attenuation tanks need to be 5 metres from any building – this is not clear on the plans.

Another example of the lack of consultation and consideration where existing residents have lost parking and cycle storage.

ENERGY PROVISION

After many planning proposals - The Energy Statement for Planning now says that previous gas combi-boilers for heating and hot water and photovoltaics panels are not considered feasible for this site due to no existing opportunities to connect to a heat network and a lack of available suitable roof space. Page 10 8.7 says *'It is proposed that individual Air Source Heat Pumps (ASHP) with an efficiency of 330% will provide heating and hot water to the dwellings'*.

Page 5 3.2 mentions the developer and design team's commitment to reducing the impact of the development on the environment.

However,

- the plans do not show where these heat pumps will be situated – it is recommended that ASHP's are placed 1 metre away from properties. There is no room for 5 ASHP's..
- ASHP's are known to be noisy due to their main elements – compressor, AC condenser, expansion valve, fan, and evaporator – which can all be heard operating when in use, particularly the compressor and the fan. There is also noise produced by vibrations.
- there are pages of data attached to this report but no assessment of how this noise will impinge on the residents in Sion Court and our neighbours. This noise will be incessant and untenable for the residents of Sion Court, Lebanon Park and Ferry Road, especially with the acoustics within the courtyard area and especially at night.

CONCLUSION:

Following repeated planning applications the minor adjustments in this new proposal still do not address the concluding concerns from the Planning Inspectorate: Page 7

- there are no significant changes in the design of these units - they continue to have a poor internal and external environment
- that the proposed Air Source Heat Pumps (ASHP) are not shown on the plans – given that they should be 1 metre away from buildings where will they go?
- the noisy environment for all residents and neighbours from the use of ASHP's
- the harmful and intrusive living conditions for residents and neighbours
- the negligible benefit from an unneighbourly and unnecessary example of overdevelopment
- the planned mitigation in pruning that threatens the survival of a large sycamore tree covered by a Tree Preservation Order. The significant growth of this tree since 2014 suggests that its roots and structure cannot be protected from the construction works
- the lack of consultation and acknowledgement of residents – not least of all in planting a tree known to be poisonous
- the need to use an attenuation tank (which will need to be 5M from any building) to address flooding is evidence enough that this development is too dense but it will also deny access for necessary maintenance and emergency services
- there is no Contamination Report to prevent potential health issues for residents when the asbestos roofs are removed
- Richmond's Direction of Travel consultation mentions an increased focus on supporting non-car travel. Removing cycle storage for more than 40 actively used cycles in both Sion and Lebanon Courts denies residents the choice to cycle which makes this a major concern.
- that this is not affordable housing and should be considered an unnecessary development within a Conservation Area upholding Richmond's commitment to this

In conclusion, the Planning Application 24/1662/FUL should not only be dismissed but any further proposals should not be validated without proof of consultation with residents and the London Borough Of Richmond.

Thank you.

LASCRA Committee

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Co-Chair

Jack Watts Aug 11, 2024