

Application reference: 24/2382/FUL
HAMPTON WICK AND SOUTH TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
23.09.2024	26.09.2024	21.11.2024	21.11.2024

Site:

99 Atbara Road, Teddington, TW11 9PA,

Proposal:

The erection of a self-build detached dwelling with associated refuse stores and 1x ASHP and 6no. solar panels on the roof following the demolition of the existing dwelling

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

APPLICANT NAME

Mr and Mrs McDaid
99 Atbara Road
Teddington
Richmond Upon Thames
TW11 9PA

AGENT NAME

Mrs Fiona Jones
3 Elizabeth Gardens
Ascot
SL5 9BJ

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

Consultations:

Internal/External:

Consultee

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

Expiry Date

19.11.2024
10.10.2024
10.10.2024
10.10.2024
10.10.2024
10.10.2024
10.10.2024

Neighbours:

31 Atbara Road, Teddington, TW11 9PA -
106 Atbara Road, Teddington, TW11 9PD -
71 Harrowdene Gardens, Teddington, TW11 0DJ -
86 Broom Road, Teddington, TW11 9NY -
78 Broom Road, Teddington, TW11 9NY -
88 Broom Road, Teddington, TW11 9NY -
4 Hurley House, 70 Broom Road, Teddington, TW11 9NP -
1 Blagdon Walk, Teddington, TW11 9LN -
80 Broom Road, Teddington, TW11 9NY, - 26.09.2024
100 Atbara Road, Teddington, TW11 9PD, - 26.09.2024
102 Atbara Road, Teddington, TW11 9PD, - 26.09.2024
96 Atbara Road, Teddington, TW11 9PD, - 26.09.2024
98 Atbara Road, Teddington, TW11 9PD, - 26.09.2024
94 Atbara Road, Teddington, TW11 9PD, - 26.09.2024
72 St Winifreds Road, Teddington, TW11 9JR, - 26.09.2024
74 St Winifreds Road, Teddington, TW11 9JR, -
Second Floor Rear Room, 85 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
Second Floor Front Room, 85 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
First Floor Rear Room, 85 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
First Floor Front Room, 85 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
Ground Floor Room, 85 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
87 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
85 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
97 Atbara Road, Teddington, TW11 9PA, - 26.09.2024

93 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
 91 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
 95 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
 89 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
 68 St Winifreds Road, Teddington, TW11 9JR, - 26.09.2024
 70 St Winifreds Road, Teddington, TW11 9JR, - 26.09.2024
 97A Atbara Road, Teddington, TW11 9PA, - 26.09.2024
 101 Atbara Road, Teddington, TW11 9PA, - 26.09.2024
 66 Atbara Road, Teddington, TW11 9PD -
 37 Atbara Road, Teddington, TW11 9PA -
 36 Atbara Road, Teddington, TW11 9PD -
 23 Udney Park Road, Teddington, TW11 9BB -
 84 Broom Road, Teddington, TW11 9NY -
 71 Atbara Road, Teddington, TW11 9PA -
 67 St Winifreds Road, Teddington, TW11 9JT -
 76 Broom Road, Teddington, TW11 9NW -
 97A, Atbara Road, Teddington, TW11 9PA -
 25 Atbara Road, Teddington, TW11 9PA -
 23 Broom Road, Teddington, TW11 9PG -
 20 20 Atbara Road, London, TW11 9PD -
 56 St Winifreds Road, Teddington, TW11 9JR -

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

Development Management

Status: GTD Application:77/0810/DD01
 Date:02/05/1979 Erection of 8 three storey three bedroom terraced houses; formation of an access road, retention of six existing garages and provision of two car spaces and 7 future parking bays. (Detailed drawings - landscaping). Condition No. 71 of planning permission 77/0810 dated 12/1/78.

Development Management

Status: GTD Application:77/0810
 Date:12/01/1978 Erection of 8 three storey three bedroomed terraced houses; formation of an access road, retention of 6 existing garages and provision of two car spaces and 7 future parking bays.

Development Management

Status: GTD Application:47/7317
 Date:16/07/1956 Erection of a bungalow.

Development Management

Status: GTD Application:60/0400
 Date:23/06/1960 Erection of twenty-six lock-up garages.

Development Management

Status: GTD Application:73/2120
 Date:26/09/1974 Demolition of existing garages and erection of eight 2/3 storey terraced houses; formation of new access road, retention of six existing garages and forecourt, and erection of 9 additional garages.

Development Management

Status: REF Application:74/1350
 Date:01/04/1975 Demolition of existing garages and erection of eight 2/3 storey terraced houses; formation of new access road, retention of six existing garages and forecourt and erection of 9 additional garages.

Development Management

Status: GTD Application:75/1423
 Date:19/05/1976 Erection of 8 three-storey three-bedroomed terraced houses; formation of an access road, retention of 6 existing garages and provision of 2 car parking spaces and 7 future parking bays.

Development Management

Status: PDE Application:24/2382/FUL
 Date: The erection of a self-build detached dwelling with associated refuse stores and 1x ASHP and 6no. solar panels on the roof following the demolition of the existing dwelling

Building Control

Deposit Date: 24.10.2007 10 Windows 2 Doors
 Reference: 07/FEN01130/FENSA

Building Control

Deposit Date: 13.12.2007 Fire/ security/ environmental control system Dwelling house New installation
rewire or partial rewire

Reference: 08/NIC00122/NICEIC

Enforcement

Opened Date: 04.08.2017 Enforcement Enquiry

Reference: 17/0400/EN/BCN

Application Number	24/2382/FUL
Address	99 Atbara Road, Teddington TW11 9PA
Proposal	Demolition of the existing dwelling and the erection of a two-storey detached dwelling with rear dormer and 6no. solar panels on the roof.
Contact Officer	Phil Shipton
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 visited the application site, 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, observations during the site visit, 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, ITS SURROUNDINGS AND PLANNING HISTORY

The subject site consists of a single-storey detached bungalow dwelling, located on the north-western side of Atbara Road, Teddington. Councils Urban Design Officer has described the subject site below; '*No. 99 Atbara Road is a single storey detached bungalow dating from 1923. The dwelling red brick to its lower third with upper in white painted pebbledash, with a bracketed eaves below a hipped tiled roof. The front elevation is symmetrical with casement windows flanking a projecting central gabled entrance. The house sits within a long and narrow plot with a short front garden and low brick boundary wall.*'

The driveway immediately to the west provides access to an existing double garage associated with the subject site, and a number of parking spaces associated with the terraced property.

It is noted that the existing double garage at the rear of the shared access immediately west of the subject site, does not have planning history/permission, however despite this, is considered lawful as per section 191 of the Town and Country Planning Act, given its existence since 2018. As such, it is required to be considered as part of the existing environment. There is no other relevant planning history associated with the site.

The neighbouring property to the east consists of a single storey bungalow, while the neighbouring property to the west on the other side of the driveway access consists of a two-storey terraced building. The remainder of Atbara Road largely consists of two-storey semi-detached dwellinghouses.

As noted in the submitted Planning Statement, the subject site is close to, but not within, the Broom Water Conservation Area, which include the properties along Broom Road. There are no protected trees within the subject site nor road reserve, however, there are two notable trees, one within the footpath outside No.101 Atbara Road and one within the front yard of No.101 Atbara Road.

The application site is situated within Teddington Village and is designated as:

- Area Susceptible To Groundwater Flood - Environment Agency
- Article 4 Direction Basements
- Community Infrastructure Levy Band- Low
- Critical Drainage Area - Environment Agency
- Floodzone 2

- Floodzone 3
- SFRA Zone 3a High Probability
- Village Character Area - Broom Road and Kingston Road - Area 8 Hampton Wick & Teddington Village
- Ward - Hampton Wick Ward

3. DESCRIPTION OF THE PROPOSAL

The proposal involves the demolition of the existing single storey bungalow and the erection of a two-storey dwellinghouse with rear dormer roof space. Furthermore, the proposal includes:

- A red brick facade and front double storey bay window with sash windows throughout with the exception of sliding glass doors on the ground floor rear element.
- A gable end roof form with slate roof tiles.
- Six solar panels on the front roof slope (south facing).
- Two dormer windows within the rear roof slope.
- A rear single storey extension integrated into the house and includes a hipped slate roof to match the main roof.
- The existing garage and one uncovered parking space to the rear of the site is proposed to be retained.
- An external heat pump (ASHP unit) will be located on the side of the garage. An internal ASHP unit will be located in the utility room.
- Front yard soft and hard landscaping and bin store.
- Rear yard soft and hard landscaping including deck area from the rear of the dwelling and garden shed.

A pre-application meeting was held on the 7th December 2023 (23/P0234/PREAPP). A brief summary of the pre-application meeting notes is provided below:

- The importance for the development to reflect the character of the surrounding area and protect the amenity and living conditions of neighbours was raised, with reference to Policy 39A of the Local Plan.
- The efficient use of land was raised, with regard to number of residential units proposed, in the context of Chapter 5 NPPF; London Plan Policies H1 and H2; Policy LP 34 of the Richmond Local Plan, and that the application should justify why it is not possible or feasible. This was briefly addressed in the submitted Planning Statement, albeit lacking substantive evidence or reference to Local Housing Assessment and Monitoring Report for example.
- The design and scale of the proposed dwellinghouse was raised, with comprehensive comments provided by Councils Urban Design Officer. It was concluded that overall, *'the design is not supported, as it would not sit comfortably within the existing identified character of the area and is also not considered to follow best practice guidance within the Design Quality SPD (2006) (particularly 'character'). The height should be reduced, scale reconsidered, and design better informed by local context.'* Many of the suggestions were addressed by the applicant in the current proposal, however, these were not significant enough changes to improve the overall design, as discussed further in Section 6iii) of this report.
- Concern that the height and depth of the proposed dwelling would have detrimental impact on No.101 was raised and acknowledged that the application would have to demonstrate that light reaching No.101 would be of acceptable levels. A daylight/sunlight report was submitted and considered in the assessment provided in Section 6vi).
- Other specialist inputs including flood; ecology; transport; fire; sustainability and affordable housing were noted in the pre-application meeting and subsequently submitted with the application.

The submitted Planning Statement includes a list of comments provided by the case officer as verbal advice during the pre-application meeting. The comments are responded to in Section 3.3 of the Planning Statement.

4. CONSULTATIONS CARRIED OUT

Public Consultation

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

Thirty (32) letters of objection and three (4) letters of observation have been received, and the comments can be summarised as follows:

Built Form and Appearance

- Concern the building size and appearance (including solar panels) is not in-keeping with the street character and nearby Conservation Area and represents an over-development of the site.
- Concern for loss of building of its period, and in context of the nearby Conservation Area.

Typology, Adaptability & Sustainability

- Concern for the loss of building typology, being a single storey dwelling that caters for different residential needs.
- Concern for loss of affordable housing.
- Concern with the findings or other content within the Sustainability and Energy Assessment.
- Concern for the demolition of the existing home and subsequent carbon impact from constructing a new home.

Neighbour Amenity

- Concern for overshadowing/loss of daylight/sunlight impacts on neighbouring properties.
- Concern for noise pollution from the ASHP units.
- Concern for overlooking/privacy from side and rear dormer windows.
- Concern the bulk and location of the building will disturb outlook/visual amenity.
- Concern for the loss of visual amenity created by the existing tree vegetation and single storey dwellinghouses.
- Concern for root protection zone of neighbouring trees to the rear during construction and in relation to the ASHP unit

Construction

- Concern for access restrictions along the shared driveway during construction.
- Concern for the use of Atbara Road during construction and its impacts on congestion, damage, and other related nuisances.
- Concern for general construction related impacts on residents of the neighbouring terraced building, including waste, noise and dust.
- Acknowledgement of the use of the garages as site office and the need to respect amenity of residents, including young children.

Ecology

- Concern the partial loss of the existing garden will impact wildlife habitats and ecological diversity.
- Concern for the impact of construction and ASHP units on fox wildlife and habitats on and around the subject property.

Flood Risk

- Concern that earthworks to level the site may exacerbate the flood risk on neighbouring properties.

Precedent

- Concern that the 'Self Build' Housing policy does not relate to the subject site.
- Concern that should the application be granted; this would set a precedent for future applications.

The above concerns raised by objections and observations are assessed under Section 6 of this report.

No letters of support have been received.

Specialist Consultation

A brief summary of the specialist consultee comments is provided below. Further detail of specialist assessment and recommendations are provided in the relevant subsection in Section 6.

Urban Design

Councils Conservation and Urban Design Officer has concluded that *'the current design does not sit comfortably within the existing identified character of the area and is also not considered to follow best practice guidance within the Design Quality SPD (2006) (particularly 'character')*. The scale/form/ particularly of the Officer Planning Report – Application 24/2382/FUL Page 5 Of 22

roof, should be reconsidered, and design better informed by local context. At present, the proposals would not be viewed as satisfying Policy LP 1 of the Local Plan.'

Transport

Councils Transport Officer has no objection to the principle of the development. A suitable pre-commencement condition should secure a final CMP, with further information provided, discussed in the relevant subsection of Section 6 below.

Ecology

Councils Ecology Officer has no objection to the principle of the development. The Officer states that *'It is unclear what is to become of the garden areas. Any losses of soft landscaping should be shown to be compensated for with replacement grass areas, tree and shrub planting. The species of the hedgerow to be planted in the north-western end of the garden to be confirmed and ideally as native species mixed hedgerow. Furthermore, all other mitigation recommendations as per Section 14 of the Extended Phase I Ecological Assessment Report must be followed.'*

Arborist

Councils Arboriculture Officer has stated *'concern that the new development will lead to further pressure for pruning and management of a prominent amenity tree (T5). This tree is still semi mature and can reach mature heights of up to 25m or even 30m with a much wider radial spread. It is also a very fast growing species and so the solar panels would be obscured within a few years of the completion of the development leading to a future pressure to prune the tree. LP16 requires resist development which results in future pressure to prune or remove trees. I recommend refusal of this application due to an unsustainable relationship between the proposal and T5.'* Upon further review, the Officer identified the absence of a Tree Protection Plan, as another reason for refusal.

Flood

Councils Flood Authority Officer has accepted the discharge at 1 l/s (evidenced in the drainage calculations in Appendix 4) via orifice plate flow control device into the existing public surface water sewer and that discharge at the greenfield rate of 0.49 l/s could pose blockage issues. The Officer however highlighted that the applicant should provide the following:

- updated Causeway calculations, which should include the total site area (0.0377 ha).
- a drawing that illustrates the routes exceedance flow will take in events that exceed the 1 in 100-year (plus climate change) event to minimise damage to people and property.
- confirm the bespoke maintenance tasks and frequencies for the proposed SuDS features and orifice plate flow control device.

Noise

The application includes for an ASHP but no acoustic detail has been provided. As such, the Acoustic Specialist has recommended a pre-commencement condition.

Policy

Councils Financial Viability Consultant has reviewed the application and concludes that the scheme is not viable and could not support additional affordable housing or S.106 contributions.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2023)

The key chapters applying to the site are:

4. Decision-making
5. Delivering a sufficient supply of homes
9. Promoting sustainable transport
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

These policies can be found at:

<https://www.gov.uk/guidance/national-planning-policy-framework>

London Plan (2021)

The main policies applying to the site are:

GG4 Delivering the homes Londoners need
D4 Delivering good design
D5 Inclusive Design
D6 Housing quality and standards
D11 Safety, security and resilience to emergency
D12 Fire Safety
D14 Noise
H4 Delivering Affordable housing
H6 Affordable Housing tenure
H7 Monitoring affordable housing
H8 Loss of existing housing and estate redevelopment
H9 ensuring best use of stock
H10 housing size mix
S112 Flood risk management
S113 Sustainable drainage
T5 Cycling
T6 Car parking

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

Richmond Local Plan (2018)

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

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	No
Impact on Amenity and Living Conditions	LP8	Yes	No
Impact on Biodiversity	LP15	Yes	No
Impact on Trees, Woodland and Landscape	LP16	Yes	No
Impact on Flood Risk and Sustainable Drainage	LP21	Yes	No
Sustainable Design and Construction	LP20, LP22, LP23	Yes	No
Waste Management	LP24	Yes	No
New Housing, Mix, Standards and Affordable Housing	LP34, LP35, LP36	Yes	No
Loss of Housing	LP38	Yes	No
Sustainable Travel Choices	LP44	Yes	No
Parking Standards and Servicing	LP45	Yes	No

These policies can be found at

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

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) was published on 9 June 2023 for public consultation which ended on 24 July 2023.

The Publication Version Local Plan, together with all the representations received during the representation period, the plan and its supporting documents were submitted to the Secretary of State for examination on 19 January 2024. The submission documents do not form part of the statutory development plan for the Borough, however, by publishing and submitting the Borough Local Plan for independent examination the Council has formally confirmed its intention to adopt the Publication Plan.

The Publication Version Local Plan, including its evidence base, are material considerations for decision-making. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Borough Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations significant weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Therefore, the weight afforded to each policy at this stage will differ depending on the level and type of representation to that policy. This is addressed in more detail in the assessment below where it is relevant to the application.

Note that it was agreed by Full Council on 27 April, when the Publication Plan was approved, that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95 will continue to be used; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement; all other aspects and requirements of these policies will apply.

Issue	Publication Local Plan Compliance Policy	Yes	No
Spatial Strategy: Managing change in the borough	2	Yes	No
Tackling the climate emergency	3	Yes	No
Minimising Greenhouse gas emissions and promoting energy efficiency	4	Yes	No
Sustainable construction standards	6	Yes	No
Waste and the circular economy	7	Yes	No
Flood risk and sustainable drainage	8	Yes	No
New Housing, Affordable Housing, Housing Mix and Standards	10, 11, 13	Yes	No
Housing Needs of Different Groups	12	Yes	No
Loss of Housing	14	Yes	No
Local character and design quality	28	Yes	No
Biodiversity and Geodiversity	39	Yes	No
Trees, Woodland and Landscape	42	Yes	No
Design process	44	Yes	No
Amenity and living conditions	46	Yes	No
Sustainable travel choices, Vehicular Parking, Cycle Parking, Servicing and Construction Logistics Management	47, 48	Yes	No

These policies can be found at

https://www.richmond.gov.uk/media/16749/hpn_plan_2018_to_2033_january_2019.pdf

Supplementary Planning Documents

Affordable Housing
 Design Quality
 Development Control for Noise Generating and Noise Sensitive Development
 Transport
 Refuse and Recycling Storage Requirements
 Residential Development Standards
 Small and Medium Housing Sites
 Sustainable Construction Checklist
 Village Plan - Broom Road and Kingston Road - Area 8 Hampton Wick & Teddington Village

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Community Infrastructure Levy
 Strategic Flood Risk Assessment 2021

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i. Principle of Development
- ii. Affordable Housing
- iii. Design and Impact on Local Character
- iv. Sustainability
- v. Residential Standards
- vi. Impact on Neighbour Amenities

- vii. Parking and Refuse
- viii. Trees and Landscaping
- ix. Ecology
- x. Biodiversity Net Gain
- xi. Flood Risk and Sustainable Drainage
- xii. Fire Safety

Issue i – Principle of Development

Loss of Existing Housing

The proposal would result in a replacement dwelling on-site.

The requirements of Policy LP 38.C need to be satisfied, to demonstrate that the existing dwelling is incapable of improvement or conversion to a satisfactory standard to provide an equivalent scheme. Only if redevelopment can be justified, then demolition and replacement may be considered acceptable in principle.

Policy LP38 outlines that existing housing should be retained and the Council will resist loss of existing housing. Proposals for reversions and conversions should assess the suitability of the property and design. Section C of this policy outlines the following:

Redevelopment of existing housing should normally only take place where:

- a. it has first been demonstrated that the existing housing is incapable of improvement or conversion to a satisfactory standard to provide an equivalent scheme; and, if this is the case*
- b. the proposal does not have an adverse impact on local character; and*
- c. the proposal provides a reasonable standard of accommodation, including accessible design, as set out in LP 35 Housing Mix and Standards.*

The submitted Planning Statement includes an assessment of the 'Principle of Replacement' under Section 6. The assessment includes a number of factors as to justifying the demolition of the existing dwelling, of which focus on the sustainability benefits of the proposed dwelling, including the poor energy performance of the existing dwelling and its potential performance under renovations, which is far below the energy and carbon efficiency of the proposed replacement dwelling which would incorporate the recommendations of the Energy Statement, including air-source heat pump, photovoltaic panels and highly energy efficient building fabric.

The submitted Sustainability and Energy Statement specifies that the new build would also allow the house to be constructed to reduce energy demand and carbon dioxide emissions using the above methods. Here, the total CO2 emissions are calculated as 435 kg CO2 per year (DER). This equates to a reduction of 1,503 kg CO2 per year or 77.55% of the total TER emissions.

The assessment also notes the flood risk mitigations proposed are more practically achieved through a full rebuild, particularly the raising of floor levels, and use of flood resistant materials on the ground floor. The Sustainability and Energy Statement adds that the new development will provide betterment to the site and also increases storage potential of the flood plain.

The submitted Planning Statement concludes that the existing building is of limited architectural merit to further justify the loss of this building. The merits of the architecture of the existing dwelling and the impact of the proposed dwelling on the local character is discussed in Issue iii) below.

Housing Mix

It is stated in paragraph 61 of the NPPF that *'to support the Government's objective of significantly boosting the supply of homes... the overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.'*

It is stated in Policy 35A of the Local Plan 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.'*

The Planning Statement states that *'The area is outside of one of the main centres, [and therefore] this 4 bedroom family dwelling house is compliant with Policy LP35'*. While provision of a family dwelling house is compliant with Policy LP35, it is noted that the subject site is located within 800m of a town centre boundary and therefore in accordance with Policy 13A of the Publication Local Plan, should provide *'a higher proportion of small units (studios and 1 beds).'* The policy also notes that *'For market housing, there is highest demand for 2 and 3 beds'*.

Policy 10 of the Publication Local Plan identifies 900 – 1,000 of net housing completions within Teddington and the Hamptons, for the period 2019/20 -2028/29. In accordance with London Plan Policy H1 this target is Officer Planning Report – Application 24/2382/FUL Page 9 of 22

expected to be achieved, through optimising the potential for housing delivery on all suitable and available brownfield sites.

As such, it is considered the application has not sufficiently assessed the potential for the subject site to accommodate additional residential units, in accordance with Policy 10 and Policy 13A of the Publication Local Plan, and with reference to the Richmond Local Housing Market Assessment and Monitoring Report – Housing.

The residential standard of the proposed dwelling, as per Policy 35B-E of the Local Plan is assessed in Issue iv) below.

In view of the above, on balance, the principle of the proposal is supported, and complies with the aims and objectives of policies LP20; LP22; LP23; and LP38C(a) of the Local Plan and policies 3, 4 and 6 of the Publication Local Plan, and is not inconsistent with Policy 10 and 13A of the Publication Local Plan.

Issue ii- Affordable Housing

Policy LP 36 of the Local Plan states '*some form of affordable housing contribution will be expected on all new housing sites. The Council's SPD for Affordable Housing identifies the necessary contributions.*'

An Affordable Housing Statement and associated Financial Viability Assessment was submitted with the application.

Bespoke Property Consultants has carried out its own appraisal and concluded that the scheme shows a residual site value of £414,619 which is below the benchmark land value of £620,000 by £205,281 without any allowance for affordable housing or S106 contributions. This suggests that the scheme is unviable and would be unable to support an Affordable Housing or S.106 Contribution.

A CIL allowance of £65,177 was used by Bespoke. This has been confirmed by Council at a total CIL of £64,900.16.

Overall, if the Benchmark Land Value is recovered as a cost the scheme is estimated to make a profit of 8.2% which is not a commercially deliverable level but would be satisfactory for a self-build scheme.

Issue iii- Design and Impact on Local Character

Policy LP38C of the Local Plan states that '*Redevelopment of existing housing should normally only take place where: a. it has first been demonstrated that the existing housing is incapable of improvement or conversion to a satisfactory standard to provide an equivalent scheme; and, if this is the case b. the proposal does not have an adverse impact on local character...*'

Policy LP 1 of the Local Plan states that '*new development must be of a high architectural quality based on sustainable design principles. Development must respect local character and contribute positively to its surrounding based on a thorough understanding of the site and its context.*'

To ensure development respects, contributes to and enhances the local environment and character, the following have been considered as per Policy LP1 of the Local Plan:

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

Policy 28B(4) of the Publication Local Plan states that '*development takes account of the existing urban grain and development patterns, including relationship of heights to widths.*'

A pre-application was undertaken for the current proposal (Ref. 23/P0234/PREAPP), of which Councils Urban Design Officer concluded that '*the design is not supported, as it would not sit comfortably within the existing identified character of the area and is also not considered to follow best practice guidance within the Design Quality SPD (2006) (particularly 'character'). The height should be reduced, scale reconsidered, and design better informed by local context.*'

Section 3 of the submitted Planning Statement outlines some of the changes to the proposal in response to pre-application, namely a reduction in the roof height (ridge height 1.04m lower) and adding more traditional features including banding, hanging tiles and increasing the size of the gable above the bay.

Councils Urban Design Officer was consulted on the revised proposal and concludes that *'while the dwelling has been reduced in scale, it is still viewed as overly large, with a width substantially larger than other properties giving it an overly boxy look. This bulk is emphasised by the sheer side elevations and flat roof.'*

Councils Urban Design Officer notes that *'the design and proportions of the windows and bay have been improved and are more suitable to the pastiche design of the house, but there is still some disparity between their scale and the bulk of the building as a whole, which could be remedied by narrowing the building slightly.'*

Councils Urban Design Officer comments on the proposed in the context of the existing street character; *'In places where there already exists a very distinct character, such as a terrace with consistent fenestration, roofscapes, and detailing, new development will need to reflect the prevalent unifying elements. Where there is a strong prevailing pattern of detailing, new development should harmonise with existing buildings and reiterate the dominant rhythm, height, proportion, and plot relationships from the street. This does not mean that it is necessary to copy or create a pastiche replica, and often that is not an appropriate approach. At present, the design fails to achieve this, instead copying various elements which would allow for the largest building size.'*

Councils Urban Design Officer concedes that overall, while there are improvements to the proposals since the pre-application proposal, there are still concerns with its overall bulk and massing, being too wide for a building of this height. This impression is compounded by an uncharacteristic roof form which should be reduced in scale and omit the flat element, employing either a true gable or a hipped roof.

It is noted that while the Broom Water Conservation Area, Buildings of Townscape Merit and Protected Trees occupy the wider context of the subject site, the potential impact of the proposal is not required to consider these contextual components as per the relevant policy of LP3 and LP4 of the Local Plan, and Broom Water Conservation Area Statement. The existing character of Atbara Road forms the baseline of which character assessment is made.

The architectural merits of the existing dwelling and the impact of the proposed dwelling on the local character is prompted by LP1A(2) of the Local Plan and Policy 28B(5) of the Publication Local Plan specifically stating *'sympathetically upgrading and reusing existing buildings, rather than demolishing and building new, allows a better response to the local character'*. The architectural form of the existing bungalow is detailed in Section 2 of this report. Councils Urban Design Officer provides the following comment on the principle of such development - *'While the existing bungalow is an attractive early 20th century dwelling which contributes to the local townscape, there is no objection to its demolition and replacement with a new dwelling subject to appropriate and contextual design and the satisfaction of other policy requirements.'*

Sustainable design, construction and adaptability is assessed in Issue iv below.

In view of the above, the proposal fails to comply with the aims and objectives of policies LP1 and LP38C of the Local Plan and policies 28 of the Publication Local Plan.

Issue iv – Sustainability

Policy LP20 of the Local Plan encourages *development proposals to be fully resilient to the future impacts of climate change which can be done through careful design of its layout, design, construction, materials, landscaping*. It is stated that *new development should minimise energy consumption and minimise the impact of overheating*.

Policy LP22 of the Local Plan states that *developments will be required to achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change. Applicants will be required to complete the following:*

- 1. Development of 1 dwelling unit or more, or 100sqm or more of non-residential floor space (including extensions) will be required to complete the Sustainable Construction Checklist SPD. A completed Checklist has to be submitted as part of the planning application.*
- 2. Development that results in a new residential dwelling, including conversions, change of use, and extensions that result in a new dwelling unit, will be required to incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day for homes (including an allowance of 5 litres or less per person per day for external water consumption).*

A Sustainability and Energy Statement was submitted with the application.

A Sustainable Construction Checklist is appended to the Sustainability and Energy Statement, indicating a total score of 49. In accordance with the Scoring Matrix for residential new-build provides a B rating, helps to significantly improve the borough's stock of sustainable developments.

The Checklist confirms that at least 57.9% reduction in carbon emissions saved through renewable energy installation can be achieved.

The water efficiency measures included will ensure that the water use target of 110 litres per person per day is achieved. It is stated in the Sustainability and Energy Statement that '*water efficient devices will be fully evaluated, and installed, wherever possible. The specification of such devices will be considered at detailed design stage and each will be subject to an evaluation based on technical performance, cost and market appeal, together with compliance with the water use regulations. The following devices will be incorporated within the house: water efficient taps; water efficient toilets; low output showers; flow restrictors to manage water pressures to achieve optimum levels and; water meters.*' A condition would be included to ensure the above.

Six (6) 400W PV panels are proposed on the southern roof slope of the new dwelling. This is considered an overall benefit, however, the ability of the PV panels to function at full capacity is likely to be hindered by shading from the Honey Locust T5 tree, further discussed in Issue viii below. As such, this may impact the renewable energy calculations stated in the LBRUT Sustainable Construction Checklist and therefore compromise the sustainability of the proposal. Nevertheless, where the performance of the PV panels can be proved or otherwise better located on site, this would be acceptable, and a condition would be included to ensure the above.

In light of the above, and where the pre-commencement conditions are met by the applicant, the proposal is considered consistent with Policy LP17; LP20; and LP22 of the Local Plan and Policy 3; 4; and 6 of the Publication Local Plan.

Issue v - Impact on Neighbour Amenity

Policy LP8 of the Local Plan requires '*all development 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; where existing daylight and sunlight conditions are already substandard, they should be improved where possible;*
- *ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure;*
- *ensure there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climatic effects.*

Policy 46 of the Publication Local Plan further states that development is to;

- *Ensure that acceptable standards of privacy are provided and retained, without a diminution of the design quality; development should not result in unacceptable levels of overlooking (or perceived overlooking)*

The 'Small and Medium Housing Sites' SPD mentions that *in defining a layout, 'To ensure that the privacy of occupiers is respected, the windows of main facing habitable rooms should preferably be no less than 20m apart. Where principal windows face a wall that contains no windows or those that are occluded separation distances can be reduced to 13.5m. However, the above is guidance only and each case is assessed on site specific circumstances.'*

Policy LP10(G) of the Local Plan states '*The Council will seek to manage and limit environmental disturbances during construction and demolition...*'

Daylight/Sunlight

A Daylight/Sunlight Assessment was submitted with the application. The assessment is guided by the BR209 (2022) which measures the vertical sky component (VSC); Annual Probable Sunlight Hours (APSH); and Winter Probable Sunlight Hours (WPSH) to determine daylight/sunlight access at windows. In determining the level of reduction in daylight/sunlight, a value of less than 0.8, when comparing existing and proposed VSC, APSH and/or WPSH would indicate a perceivable reduction to the human eye, forming the BRE criteria.

The results of the analysis show that the west-facing bedroom window and kitchen window would fail the BRE

criteria, meaning they would result in a VSC value of 0.25 and 0.59 respectively; APSH value of 0.19 and 0.54 respectively; and WPSH value of 0.27 and 0.21 respectively.

The assessment concludes that the proposal would result in daylight/sunlight reductions on the west-facing windows of 101 Atbara Road that will be discernible to the human eye, with a substantial effect on daylight distribution.

The assessment notes that sunlight holds greater importance for living rooms, with lesser importance for bedrooms and kitchen space. It is stated in the submitted Planning Statement that *'whilst the sunlight/daylight report assumed that the side room was a bedroom and thus a habitable room, as stated above, it is substandard in size for a bedroom being below 7.5sqm and therefore, there is a strong argument to conclude that this room should not be analysed for the impact on the light reaching this room... Further, this room is used as a home office.'* In this case, it is agreed that the west-facing bedroom should not be considered a bedroom.

The Daylight/Sunlight Assessment and Planning Statement also refer to NPPF paragraph 129(c) that states *"Councils should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)."* It is considered that in this case, policy and associated BRE standards do not inhibit an efficient use of the site.

Overall, on balance, it is considered that the proposal would restrict good daylight/sunlight standards to the kitchen space of the neighbouring property at 101 Atbara Road, as indicated by the VSC, APSH, and WPSH values detailed in the submitted Daylight/Sunlight Assessment despite the change in daylight distribution being determined as de minimis.

The proposed dwellinghouse is not considered to materially impact access of sunlight/daylight to any other neighbouring properties, due to separation distances to the rear and the blank side facade of the terraced building to the west.

Overlooking/Privacy

The proposal includes five windows on the eastern side elevation (two on the ground floor; two on the first floor; and one of the second floor), facing toward 101 Atbara Road and those at 86 & 88 Broom Road. The windows are proposed to consist of obscured glazing and therefore adequately mitigate potential impacts of overlooking.

The proposal includes two windows on the western side elevation, on the second floor, facing toward the terraced building at 97-97 Atbara Road. The side of the terraced building has a blank facade and therefore overlooking would likely occur onto the shared access; Atbara Road; or the rear of the terraced building. Such overlooking is considered an existing phenomenon, by way of rear dormer windows, and as such the proposed windows would not introduce a new form of overlooking or other privacy concern. The windows would provide an acceptable form of overlooking that would not compromise privacy.

The proposal includes three windows on the first floor and two dormer windows on the second floor. Such windows are considered an appropriate size, with predominant outlook onto the rear garden area. The windows are located approximately 27 meters from the nearest dwellinghouse at 72 and 74 St Winifreds Road and therefore meet the requirements of LP8 and the 'Small and Medium Housing Sites' SPD.

Paragraph 4.8.8 of the Local Plan under Policy LP8 states that *'The minimum distance guideline of 20 metres between habitable rooms within residential development is for privacy reasons; a greater distance may be required for other reasons, or a lesser distance may be acceptable in some circumstances. These numerical guidelines should be assessed on a case by case basis, since privacy is only one of many factors in site layout design; where the established pattern of development in the area (layout and height) may favour lesser distances. The distance of 20 metres is generally accepted as the distance that will not result in unreasonable overlooking.'*

The established pattern of separation distance between buildings along Atbara Road and neighbouring properties to the rear ranges from approximately 40m to 28m. As such, the proposed separation distance, while at the lower end of the established pattern, does not proposed a notable change/reduction in separation distance, and is consistent with the existing terraced building to the west.

It is acknowledged that the elevation difference between the subject site and neighbouring properties to the rear (namely 72 and 74 St Winifreds Road) exacerbates perceived overlooking. This is evident by other properties along Winifreds Road (namely No. 70) who have erected fence extensions to block/restrict overlooking from residents of the terraced building. It is considered that despite the separation distance achieving that required by policy, the perceived overlooking impacts exacerbated by the elevation difference is likely to be unreasonable without mitigating measures such as planting for screening. It is noted that trees

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at the rear of the subject property have recently been removed and may have otherwise provided suitable privacy to the rear of the property.

The proposed street facing windows are too considered an appropriate size and form, not dissimilar to the existing appearance characteristic of Atbara Road.

Overbearing

The proposed dwellinghouse is to have a height and sitting similar to that of the neighbouring terraced building. As such, while the change in bulk sought by the proposal is relatively stark, such bulk is not uncommon in Atbara Road. However, in the case of the terraced building, its bulk is partially mitigated by the shared access lane (approximately 4.0 wide) that separates it from the single storey dwellinghouse on the subject site.

In the case of the proposed dwellinghouse, it would have a separation of approximately 1.0m to the boundary with 101 Atbara Road, and a separation of approximately 2.0m between the two buildings. Considering the relative size of the proposed dwellinghouse, it would appear over-dominating and create a stark contrast in built form. As such, it is considered the proposal would create an unreasonable overbearing impact on the property at 101 Atbara Road.

It is acknowledged that the proposed dwellinghouse would introduce an increased built form/bulk within the outlook of neighbouring residents. Paragraph 4.8.11 of the Local Plan under Policy LP8 states that *'outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden; how pleasant an outlook is depends on what is being viewed... Loss of outlook to the detriment of residential amenity are material planning considerations; however, the loss of a private view from a property is not protected.'*

In this case, the proposal is considered to alter a portion of the outlook from neighbouring residents, but not a significant portion as to be considered overbearing to the detriment of residential amenity in the wider context. As highlighted above, private views from a property are not protected as they exist, and for the most part, private views will be retained albeit additional bulk largely contained within the existing building footprint.

Noise

The proposal includes an ASHP unit to be located on the eastern side of the garage at the rear of the property. No acoustic assessment or information has been provided. Considering the location of ASHP it is considered unlikely that noise levels resulting from this would be excessive. Nevertheless, assessment should be provided in accordance with the Development Control for Noise Generating and Noise Sensitive Development SPD. Otherwise, details of this could be secured by condition as part of any approval.

Construction

A Construction Management Plan (CMP) was submitted with the application, using the LBRuT pro-forma. This includes the following key details:

- 6-month duration
- Site hours of 8am to 5pm Monday to Friday, and 8.30am to 4pm for construction vehicles.
- No more than one vehicle to attend the site at any time (mandatory).
- Vehicles will not be permitted to stack outside the site or on local roads & a proper call-up procedure will be used.
- The use of the on-street parking directly in front of 99 Atbara Road, and not the shared access lane, for loading and unloading. Construction vehicles will not block the road.
- Qualified Traffic Marshals to oversee vehicle movements on the public highway if required ensure pedestrians and vulnerable highway users will be protected during the works.
- Any signage or barriers will conform to Chapter 8 of the Traffic Signs Regulations and General Directions 2019 and NRSWA requirements.
- All road gulleys to be protected & no site waste to enter public drainage systems.
- All vehicle engines to be switched off when on stand.
- The public highway to be kept clean at all times during the works and any damage will be reported immediately.

Furthermore, the CMP addresses noise, vibration and dust mitigation measures, neighbours' policy, site cleanliness; health and safety, emergency and 24 hr contact.

Councils Transport Officer has reviewed the CMP and considers the following:

- *The routing is acceptable, with vehicles arriving at the site so as to be on the left-hand side, in order to reduce excessive manoeuvring*
- *The methods of spoil removal and concrete supply are acceptable*

- *The vehicle numbers and types are acceptable*
- *The drawings are appended to form a standalone document, and demonstrate safe access for construction vehicles*
- *The safety of pedestrian and vulnerable users has been addressed*

Councils Transport Officer has recommended a suitable pre-commencement condition should secure a final CMP; wherein greater detail of the spoil removal method will be required.

The site setup drawing should also show the presence of vehicles, and the applicant should ensure access to the adjacent car park including driveway and the neighbour's crossover are kept clear and maintained at all times during the project.

It is noted that the Honey Locust T5 and Italian Alder T6 trees hang over into the airspace of the highway. Measures to protect the abovementioned trees should also be provided, to ensure construction vehicles do not contact and harm the tree during construction.

The above points would be conditioned.

Summary

In light of the above amenity assessments, the proposal does not comply with Policy LP8 of the Local Plan and Policy 46 of the Publication Local Plan with regard to daylight/sunlight access and overbearing impacts on the neighbouring property at 101 Atbara Road and a perceived overlooking impact on the properties to the rear at 72 and 74 St Winifreds Road.

Issue vi – Residential Standards

Policy LP 35 of the Local Plan refers to the acceptability of the mix of housing, standards and layout.

Policy LP 35(B) requires new housing to comply with the Nationally Described Space Standards (NDSS). The minimum standards are outlined below:

- A double bedroom should be 11.5sqm and 2.75m wide
- A single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide
- Head height should be at least 2.3m for a minimum of 75% of the gross internal floor

The requirements of Policy LP35 (C and D) and the Residential Development Standards SPD apply to external amenity space.

Policy LP35 (E) sets out that all new housing would be expected to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings'. This requirement is also reflected in London Plan Policy D7.

Policy D6 of The London Plan sets out that the minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling.

The application proposes a family dwelling which is acceptable in this location.

The minimum gross internal floor (GIA) area for a 5 bed 8-person three storey dwelling is 134m. The application proposes approximately 232.5m².

It is stated in the submitted Residential Standards, '*Head height is at least 2.5m for a minimum of 75% of the gross internal floor in line with the London Plan 2021.*' While there are no section plans or otherwise to evidence this statement, it is considered that the Side Elevation plans indicate compliance to support this statement. In addition, all habitable rooms would have adequate access to light and would be well ventilated.

Policy LP 35(D) states that external amenity spaces should be: private, usable, functional and safe; easily accessible from living areas; orientated to take account of need for sunlight and shading; of a sufficient size to meet the needs of the likely number of occupiers; and accommodation likely to be occupied by families with young children should have direct and easy access to adequate private amenity space. The rear amenity space for the proposed dwellinghouse is considered acceptable for the purpose of this standard. The proposal would result in an approximate 135sqm rear garden and 42sqm front garden, which comfortably complies with guidance on external amenity space. As such, it is considered to comply with the requirements for amenity space set out under Policy LP35 of the Local Plan and the Residential Development Standards SPD.

Since 1 October 2015, 90% of new housing in a development is expected to meet Building Regulation Requirement M4(2) 'accessible and acceptable dwellings' and 10% is expected to meet Building Regulation Requirement M4(3) 'wheelchair-user dwellings'. This is set out in Policy LP35(E) of the Local Plan. Both M4(2) and M4(3) require step-free access, the use of wheelchair lifts to provide access to upper floors may also be

required for multi-storey development proposals.

The proposal involves two steps up in order to access the dwelling via the front door, and six steps up in order to access from the rear deck. An internal staircase is proposed for accessing the upper floors. While it is envisaged a ramp would be suitable for installation at the front door in order to provide step-free access, in this case the application has not adequately demonstrated that the proposal can comply with Building Regulations M4(2) and M4(3). These aspects could be further conditioned as part of any approval.

In light of the above and based on the submitted information, the proposal is considered to comply with Policy LP35 of the Local Plan.

Issue vii - Transport

It is stated in Local Plan Policy LP45 that *'Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car based travel including on the operation of the road network and local environment and ensuring making the best use of land.'*

A Transport Statement was submitted with the application.

The proposal includes the retention of the existing parking arrangements, being two vehicle parking space to the rear of the shared access adjacent to the subject site. One parking space is uncovered and the other is within a garage.

Bicycle parking is provided within the existing garage at a level that fully accords with relevant parking standard.

Bins including space for a 360l bin, 2x recycling bins, 1x food bin and 1x 240l garden bin are positioned in the front yard, concealed and easily accessible.

Councils Transport Officer reviewed the application and concluded that *'the proposed bin stores and arrangements are acceptable, as are the cycle stands to be sited within the existing garage.'*

Construction related transport impacts are assessed in Issue v above.

In light of the above, the proposal is considered to comply with Policy LP44 and LP45 of the Local Plan and Policy 47 and 48 of the Publication Local Plan.

Issue viii - Trees

It is stated in Policy LP16 of the Local Plan that *'The Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits.'*

It is stated in Policy LP16, Council will;

- *resist development which results in the damage or loss of trees that are considered to be of townscape or amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings and will resist development which will be likely to result in pressure to significantly prune or remove trees;*
- *require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate*
- *require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 - Trees in relation to design, demolition and construction, Recommendations (2012).*

There is no statutory tree protection (TPO) on the site and there are no publicly owned street trees on or around the site. The proposal does not require the removal of any trees. Four (4) Buxus shrubs are proposed to be removed.

The proposal is in close proximity to the Honey Locust (T5) tree fronting 101 Atbara Road and therefore an Arboricultural Impact Assessment (AIA) was submitted with the application. The AIA concludes that the retained trees are at a satisfactory distance from the proposed new building outline and highly unlikely to give rise to any inconvenience. Some minor lateral pruning of T5 may be required in the medium term; however,

any such work would not have a significant impact on the health or amenity value of this tree. The proposal's foundations are outside the root protection area of the Honey Locust tree.

Councils Arborist has reviewed the application and concluded that the assessment made in the AIA is acceptable. However, it has been noted that no Tree Protection Plan was submitted with the AIA to support the tree protection measures stated in the AIA, and therefore it is unclear how the proposed measures would be applied on site. Furthermore, the AIA does not consider the potential impact of the air source heat pump (ASHP) on the neighbouring trees within its proximity.

The Honey Locust T5 is to be pruned 2m laterally on the development side to the west to improve clearances from the proposed new structure. This appears acceptable although it should be noted that this tree is not owned by the applicant so any necessary permissions should be sought from the owner if access is required.

Councils Arborist however stated concern that the new development will lead to further pressure for pruning and management of the Honey Locust T5, considered a prominent amenity tree. Councils Arborist states: *'The pruning specified will bring the tree back from touching the windows but the windows on the eastern side will still be shaded for a lot of the day. The tree is of a semi mature age and can reach mature heights of up to 25m or even 30m with a much wider radial spread. It is also a very fast-growing species and so the solar panels would be obscured within a few years of the completion of the development leading to a future pressure to prune the tree.'*

As such, Councils Arborist is unable to support the proposal due to an unsustainable relationship between the proposal and Honey Locust T5, meaning the proposal would not comply with Policy LP16 of the Local Plan, that requires Council to resist development which results in future pressure to prune or remove trees. Furthermore, no Tree Protection Plan was submitted which is deemed a reason for refusal. This recommendation is accepted and adopted.

Issue ix – Ecology

London Plan policy G6 requires that development proposals should manage impacts on biodiversity and aims to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. The supporting text states that, *"Development proposals that are adjacent to or near SINC's or green corridors should consider the potential impact of indirect effects to the site, such as noise, shading or lighting. There may also be opportunities for new development to contribute to enhancing the nature conservation value of an adjacent SINC or green corridor by, for example, sympathetic landscaping that provides complementary habitat."*

Policies LP15 of the Local Plan seeks to *"protect biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value"* amongst other things.

Policy 38D of the Publication Local Plan states *'Any new urban greening element should focus on tackling the climate emergency and/or help avoid or mitigate the impacts of the proposed development on biodiversity by providing locally relevant greening that complements the site's existing wildlife value and that will achieve an overall gain in biodiversity.'*

An Extended Phase 1 Ecology Assessment was submitted with the application.

The assessment concludes that *'the site supports opportunities for protected species including hedgehogs, badgers and breeding birds. The preliminary roost assessment has confirmed that the bungalow and shed both support negligible suitability for roosting bats. As such, no adverse impacts on bats or their roosts are anticipated. Given the scale of the proposal, it is possible to deliver the scheme with a range of measures which avoid impacts on the other identified protected and priority species. These include sensitive timing of the works, careful vegetation removal and sensitive lighting.'*

The assessment recommends mitigation measures and enhancements, of which are to be conditioned as required by Councils Ecologist.

Councils Ecologist has reviewed the application and recommends a range of pre-commencement conditions including details of hard and soft landscaping works; external lighting (including a plan); ecological enhancements (including a plan) and an informative relating to bat identification and protection during construction.

In light of the above, the proposal is considered to comply with Policy LP15 of the Local Plan and Policy 28, 38 and 39 of the Publication Local Plan.

Issue x - Biodiversity

Biodiversity net gain became mandatory for minor developments on applications made from 2nd April 2024. The Council's Ecology Officer reviewed the application and confirmed no objections to the proposed development subject to conditions relating landscaping provision, external lighting and biodiversity enhancements.

A Biodiversity Net Gain Exemption Report was submitted with the application. The report states that the proposal is exempt because it meets the following criteria: consists exclusively of dwellings that are self-build or custom housebuilding as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

This would need to be secured via a S106 legal agreement, and in the absence of such an agreement the proposal fails to comply with relevant policy guidance including Policy LP15 of the Local Plan.

Issue xi - Flood Risk and Sustainable Drainage

It is stated in Local Plan Policy LP21 that *'all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere. The Council will require the use of Sustainable Drainage Systems (SuDS) in all development proposals. Applicants will have to demonstrate that their proposal complies with the following:*

- 1. A reduction in surface water discharge to greenfield run-off rates wherever feasible.*
- 2. Where greenfield run-off rates are not feasible, this will need to be demonstrated by the applicant, and in such instances, the minimum requirement is to achieve at least a 50% attenuation of the site's surface water runoff at peak times based on the levels existing prior to the development.'*

London Plan SI13 requires development proposals to aim to achieve greenfield run-off rates and follow the drainage hierarchy.

The site is located within Flood Zone 3 of the River Thames.

A Flood Risk Assessment (FRA) and Sustainable Surface Water Drainage Strategy (SuDS) was submitted with the application, detailing the site's risk of flooding from all sources and a SuDS Statement.

As detailed in the SuDS, runoff will be limited to 1 l/s, in accordance with the SuDS Hierarchy via the provision of permeable paving, a rainwater butt, geocellular attenuation within the rear garden and front of the property. The combination of the SuDS measures introduced will provide 200L rainwater re-use and 5.8m³ of attenuation. An Orifice Control Camber is proposed to limit the discharge to 1 l/s for all storm events into the receiving water sewer.

This ensures that there is a reduction in runoff from the site compared to the existing development which had an uncontrolled outfall, however, does not meet greenfield run-off rates.

It is noted that the ground level in the rear yard is proposed to be lowered, by 4.6m depth and across the full width of the property, to match the existing ground level at the property directly to the rear of the subject site to comply and exceed compensatory flood risk (CFR) requirements as per the RFA.

Councils Flood Authority Officer has reviewed the FRA and SuDS and accepts the discharge rate and method, stating that *'the greenfield rate for the 1 in 100-year event (plus climate change) is 0.49 l/s; however, discharging at such a low rate could pose blockage issues.'*

Councils Flood Authority Officer further concludes that *'as evidenced in the calculations, there is no flooding predicted on site for events up to and including the 1 in 100-year (plus climate change) event. The applicant has stated that exceedance flows will be retained in onsite landscaping.* However, the following missing information should be provided for approval:

- The Causeway calculations in Appendix 7 do not include the total site area (0.0377ha). The applicant should provide updated Causeway calculations, which should include the total site area (0.0377 ha). This is to represent a worst-case scenario because, following prolonged periods of rainfall, it is likely that any permeable areas will be saturated and act as impermeable, therefore any rainfall is likely to runoff the surface and enter the drainage system.*
- The applicant should provide a drawing that illustrates the routes exceedance flow will take in events that exceed the 1 in 100-year (plus climate change) event to minimise damage to people and property.*
- The applicant has confirmed that the property owners will be responsible for the maintenance tasks and frequencies associated with the SuDS features. The applicant has stated that the property owners*

will be provided with the Operations and Maintenance Manual. The applicant should confirm the bespoke maintenance tasks and frequencies for the proposed SuDS features and orifice plate flow control device.'

In light of the above, the proposal is currently not considered to comply with Policy LP21 of the Local Plan and Policy 8 of the Publication Local Plan, due to the missing information identified above which would allow for an accurate and comprehensive assessment of the flood risk posed by the proposal.

Issue xii - Fire Safety

Policy D12 of the London Plan requires the submission of a Fire Safety Statement on all planning applications. A Fire Strategy Statement was submitted with the application. A condition will be included to ensure this is adhered to on an ongoing basis.

As stated previously, the entrance is proposed to be widened to ensure the ease of access for emergency vehicles among others.

The nearest hydrant is outside of number No.96 Atbara Road and is approximately 15m from where an appliance would be able to locate at the front of the house. This is an existing arrangement, and the proposals do not alter the hydrant accessibility or worsen the existing arrangements.

Overall, the proposal is considered consistent with Policy D12 of the London Plan.

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.

This is to notify you that had this development received planning consent it would be liable for a chargeable amount under the Community Infrastructure Levy Regulations 2010 (as amended by the Community Infrastructure Levy Regulations 2012). The

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process. For the reasons set out above, it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF (2021) and Development Plan, when taken as a whole.

Refuse planning permission for the following reasons:

- The impact of the proposal on the character of the street, whereby the overall bulk and massing of the dwellinghouse is considered too wide for a building of its height. This impression is compounded by an uncharacteristic roof form and a failing to appropriately execute the pastiche design of the house.
- The impact of the relative size and separation of the proposed dwellinghouse creating an unreasonable overbearing impact on the neighbouring property at 101 Atbara Road.
- The impact of the proposal on the daylight/sunlight access to the kitchen space of the neighbouring property at 101 Atbara Road.
- The perceived overlooking impacts of the proposed rear facing windows exacerbated by the elevation difference and without mitigating measures.
- The impact of the proximity of the proposed dwellinghouse from the Honey Locust T5 tree, that would result in future pressure to prune or remove the tree.
- The impact on identified and/or other neighbouring trees during construction resultant from the absence of a Tree Protection Plan.
- The absence of a binding obligation securing the scheme as self-build.

As such, the scheme fails to comply with, in particular, policy LP1; LP8; LP15 and LP16 of the Local Plan, policy 28; 39; 42; and 46 of the Publication Local Plan, and is inconsistent with the Small and Medium Housing Sites Supplementary Planning Document (February 2006).

While not explicitly reasons for refusal, the following information should be provided in any future application:

- An Acoustic/Noise Assessment in general accordance with Section 6.4 of the Development Control for Noise Generating and Noise Sensitive Development SPD to appropriately assess the potential noise impacts of any ASHP unit.
- A final CMP detailing the spoil removal method; site setup drawing; and identify methods to avoid contact and harm to overhanging trees.
- A final Ecological Assessment detailing hard and soft landscaping works; external lighting (including a plan); ecological enhancements (including a plan) and bat identification and protection during construction.
- A final Flood Risk Assessment detailing updated Causeway calculations to include the total site area; a drawing illustrating routes of exceedance flows in a 1 in 100-year (plus climate change) event; and identifying the maintenance tasks and frequencies for the proposed SuDS features and orifice plate flow control device.
- A binding obligation securing the scheme as self-build.

Recommendation:

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

I therefore recommend the following:

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

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): PSH

Dated: 27/11/2024

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner - EL

Dated: ...16/12/2024.....

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

Head of Development Management:

Dated:

REASONS:

CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

U0095995	Decision Drawings
U0095997	Missing Information
U0095996	NPPF Para 38-42