

22 December 2020

**REDEVELOPMENT OF THE SITE TO PROVIDE 610SQM OF
COMMERCIAL SPACE (B1 USE CLASS) WITHIN EXISTING BUILDINGS
OF TOWNSCAPE MERIT PLUS A NEW BUILD UNIT, 24 RESIDENTIAL
UNITS IN TWO BLOCKS (5 X 1 BEDROOM FLATS, 12 X 2 BEDROOM
FLATS AND 7 X 3 BEDROOM FLATS) AND ASSOCIATED CAR
PARKING AND LANDSCAPING AND OTHER WORKS**

AT

**ARLINGTON WORKS, 23-27 ARLINGTON ROAD,
TWICKENHAM TW1 2BB**

PLANNING APPEAL

**LPA REF : 18/2714/FUL
PINS REF : APP/L5810/W/20/3249153**

PROOF OF EVIDENCE of CHRISTOPHER HOWE

Christopher Howe BAHons DipArch Arb RIBA of Upstairs at The Grange,
Bank Lane, London SW15 5JT will say:

1.0 INTRODUCTION

1.1 My name is Christopher Howe. I am a Chartered and Registered Architect. I hold a Bachelor of Architecture and Diploma of Architecture at the Leeds Metropolitan University. I am a corporate member of the Royal Institute of British Architects.

- 1.2 I am a director of Brookes Architects Limited, a general architectural practice with particular experience of residential development in the south east of England, and especially in south west London. The practice has won several awards for development in sensitive areas. I have also been involved in design development in historic parts of Hammersmith, Kensington, Kingston, Wandsworth, Richmond and Merton.
- 1.3 The main focus of the practice is the design of high quality residential developments, many of which lay in sensitive or historic parts of south west London, often involving Conservation Areas, Listed Buildings, Locally Listed Buildings/Buildings of Townscape Merit (BTM) and Tree Preservation Orders.
- 1.4 I have extensive experience of working within the London Borough of Richmond upon Thames (LBRUT). In particular, I have obtained planning permission and detailed several developments within the borough (many of which have been completed), including office to residential conversion and a roof extension at 2-6 Bardolph Road, Richmond, redevelopment of the former police station site for new houses at Barnes Green, change of use and an office redevelopment at Listed Building Willoughby House (within the same East Twickenham Village Area), an apartment redevelopment of an industrial site at 75 Norcutt Road, Twickenham, new houses at 283 Lonsdale Road, Barnes and a new house at both Templeton House, 274A Kew Road and 196 Kew Road, Richmond. These are all residential or mixed developments within the borough in a variety of different architectural forms and styles.
- 1.5 I have participated in a couple of public inquiries and given evidence at numerous local hearings in connection with planning appeals and have submitted evidence in many written representation appeals in my own right. I address planning committees, design review panels and attend public consultations on a regular basis.

- 1.6 I undertook the role of project architect for the proposed redevelopment of the appeal site at Arlington Works, 23-27 Arlington Road, Twickenham TW1 2BB from the initial client introduction, inception and concept design through developed design to planning application stage. This included attendance at pre-application meetings, a public exhibition and the planning committee meeting.
- 1.7 My Proof of Evidence is in support of an appeal lodged by WSP|Indigo on behalf of the appellant against the refusal by the London Borough of Richmond upon Thames to grant planning permission for demolition of the waste oil recycling facility and workshop sheds for redevelopment of the site to provide 610sqm of commercial space (B1 Use Class) within existing Buildings of Townscape Merit and 24 new build residential units in two blocks (providing five 1 bedroomed flats, twelve 2 bedroomed flats and seven 3 bedroomed flats) and associated car parking and landscaping and other works.
- 1.8 My Proof of Evidence primarily addresses Reason for Refusal 4 – Design which states:
“The proposed development, by reason of its siting, footprint, mass and of the severe horizontal emphasis of the eastern elevation of the proposed main residential building, combined with the height and siting of the proposed smaller residential building, would result in a cramped and contrived form of over development of the site, and would appear overbearing on the existing Buildings of Townscape Merit (BTM) on site. The proposed development is therefore contrary to policy, in particular, the NPPF and policies 3.5 and 7.4 of the London Plan (2016), LP1, LP4 and LP39 of the Local Plan (2018) and the Design Quality SPD.”

- 1.9 In considering the design matters in relation to Reason for Refusal 4, this inevitably has a bearing on other reasons for refusal, notably:
- Reason 5 - Mix of Uses: The arrangement of the commercial (workshop and studio spaces) within the refurbished and extended former stables buildings and their co-location and relationship to the proposed residential buildings. The highways matters associated with this are addressed by Mark Turner within his Proof of Evidence.
 - Reason 8 – Playspace: The arrangement of communal amenity spaces to the rear of the residential buildings provides the opportunity to incorporate elements and equipment for play, in a safe and secure, overlooked environment. This would be incorporated into the detailed landscape design submitted for discharge of the details of the hard and soft landscaping planning condition.
- 1.10 As the project architect for the scheme, I have a clear knowledge of the constraints and opportunities that inform a strategic approach to the proposal and how this was developed through the design development to the final scheme submitted for planning approval. In doing so, my design process was robust, culminating in a scheme that is well designed and appropriate to the appeal site and its context. *See Appendix A – Reduced set of appeal proposal drawings (CDF3-CDF13).*
- 1.11 In preparing my Proof of Evidence, I have examined the design reason for refusal and have identified the relevant design principles and building parameters against which the proposal should be assessed. I have compared the appeal proposal against the more general urban design advice given in the National Planning Policy Framework Guidance including the National Design Guide MHCLG October 2019 (CDA3), Design: process and tools (CDA2), the London Plan Housing Supplementary Planning Guidance March 2016 and the Richmond Design Quality SPD 2006 Guiding Quality

Chapter 2 (CDC2) and against the more local Richmond SPD East Twickenham Village Planning Guidance (CDC3).

- 1.12 Much of the content in my Proof of Evidence is reflected within the Design and Access Statements submitted at both the pre-application and planning application stages. I conclude that the appeal proposal will provide new residential accommodation of a high standard which will be a significant improvement when compared with the existing situation, whilst achieving a more effective use of the site.
- 1.13 The evidence that I have prepared and provided for this appeal (reference No. APP/L5810/W/20/3249153) in this Proof of Evidence is true and has been given in accordance with the guidance of my professional institute. I confirm that the opinions expressed are my professional opinions.

2.0 SCOPE OF EVIDENCE

- 2.1 My Proof of Evidence will include a description of the design process undertaken, identifying the strategic approach to design development and the various constraints and opportunities that led to the proposal submitted for planning approval. This will also include a brief summary of the application process and timeline.
- 2.2 As confirmed in paragraph 43 of the officer's report to committee (paragraph 6.2 of LBRUT's Statement of Case) (CDI1), there were no public representations made during the consultation of the planning application in relation to the design aspects of the proposal, other than two suggestions for the alternative provision of terraced housing rather than apartments and a claim that the proposal would result in loss of privacy and overlooking of nearby residential buildings. This is confirmed as not being the case by the

officer in paragraphs 188 and 202 of the report to committee (CDM6) and again in paragraphs 242-244. None of these paragraphs are included in LBRUT's Statement of Case. Design as a reason for refusal came from the planning officer's assessment and the rationale for this is set out in the Design (paragraphs 135-161) and Impact on Heritage Assets (paragraphs 162-172) sections of the officer's report to committee. These are reproduced as, and within, the London Borough of Richmond upon Thames' Statement of Case (sections 14 and 15 respectively) (CDI1).

- 2.3 My evidence will consider the wording of Reason for Refusal 4 – Design and the above paragraphs of the officer's report to committee to establish and clarify those particular aspects of the design which are considered to be contrary to policy.
- 2.4 I will then review the appropriateness of the appeal proposal within its context and in line with established design guidance where applicable in relation to those aspects that the officer considered to be contrary to policy. I will consider the relevance of the stated policies and give my professional opinion as to why the appeal proposal is appropriate in terms of these policies.
- 2.5 In particular, my evidence is structured as follows.

Section 3 contains a summary of the appellant's brief and the process/timeline of the project from inception to planning submission, outlining the development of the design strategy.

Section 4 considers the context of the appeal site, the site itself and the appeal proposal in terms of their documentation and description within supplementary planning documentation and the planning application documentation. This will consider aspects of agreement or contention with regard to their factual documentation.

Section 5 is a review of Reason for Refusal 4 – Design and the officer's report to committee to establish the scope of the design concerns and the council's rationale behind the inclusion of this reason.

Section 6 examines the policy context, with particular reference to those listed within the design reason for refusal: London Plan policies 3.5 - Quality and design of the housing developments and 7.4 – Local Character and the Richmond Local Plan 2018 policies LP1 – Local Character and Design Quality, LP4 – Non-Designated Heritage Assets and LP39 – Infill, Backland and Back Garden Development.

Section 7 is an analysis of the appeal proposal in relation to the officer's rationale for Reason for Refusal 4 – Design. My evidence will examine the appropriateness of the design with particular reference to the listed aspects of siting, footprint and mass, its relationship to the existing Buildings of Townscape Merit and the treatment of the eastern elevation of the main residential block. Section 8 provides a brief summary of my Proof of Evidence and concludes that the appeal proposal meets my own qualitative assessment of the design within the existing context. Far from it being a cramped and contrived form of overdevelopment, it concludes that the proposal will provide an attractive and efficient use of the appeal site. As such, planning permission should be granted.

3.0 SUMMARY OF DESIGN APPROACH

To be read with Appendix A – Reduced set of appeal proposal drawings (CDF3-CDF13), Appendix B – Photographs of the appeal site and Appendix C – Photographs of the local and site context

- 3.1 The appellant invited me to review the site and their waste oil recycling facility and the other workshops in April 2016 and appointed my practice to prepare proposals for the development the following month.
- 3.2 The brief was to prepare proposals for a new residential led mixed use scheme (with secondary commercial use) to replace the existing oil recycling facility that was in decline. It was anticipated that the oil recycling operations would shortly cease and that the dated equipment would soon need to be decommissioned. Transporting waste oil into London from across the country and particularly to this residential context was simply not a sustainable nor profitable enterprise to continue.
- 3.3 The existing oil recycling facility utilises the extensive tank farm to the northern side of the site, as well as to the northern end of the former stables buildings (BTM) and the hardstanding forecourt areas including the prominent incinerator flue to the centre of the site.
- 3.4 The other buildings on the appeal site comprise metal framed and clad workshops in a very poor dilapidated condition that provide low quality space for the current light industrial/commercial tenants and the brick former stable buildings that have a Building of Townscape Merit designation. This similarly provides adapted accommodation for a range of commercial tenants from vehicle servicing/car body repairs to music studio, as well as the office/staff room for the oil recycling facility. There is also an existing 13m high

telecommunications mast with ten equipment cabinets and security fencing (palisade) within the south west corner immediately adjacent to and visible over the former stables buildings.

- 3.5 The brief included the proposed redevelopment of the whole site including some additional areas to the perimeter currently utilised by the adjacent Twickenham Studios for additional surface car parking.
- 3.6 The aim of the brief was to develop a proposal that could be submitted for planning permission with a view to then bringing a developer/contractor on board to implement it. The proposal would need to make efficient use of this very unique site to ensure its viability to support the decommissioning and remediation costs of the waste oil facility and to facilitate the construction and sales costs of the new accommodation.
- 3.7 As with most projects, a process of inspection and investigation was carried out to familiarise myself with the opportunities and constraints of the site and its immediate context. From this, initial feasibility studies were undertaken to consider the potential siting and scale of proposed redevelopment with options for both the retention and removal of the existing former stables buildings (BTM) on the site and schemes incorporating freehold terraced/semi-detached houses and/or apartment buildings.
- 3.8 I advised the appellant regarding the planning procedure including submission of the concept scheme for early pre-application advice. As the proposal would involve change of use and inevitable complexities of financial viability and would need to address many other non-architectural aspects of planning policy, I advised them on the need for the appointment of other specialist consultants and surveys, not least the priority to bring an experienced planning consultant on board. WSP|Indigo was appointed in June 2016.

- 3.9 Architecturally, the feasibility scheme was progressed to optimise the development potential of the appeal site, taking on board a wide variety of constraints and requirements necessary to achieve good design.
- 3.10 This included those constraints that derive from the appeal site's shape and orientation and the immediate influence from adjacent site uses and configurations. These were:
- that the railway restricts redevelopment adjacent to the north western boundary requiring an asset protection buffer, landscaped screening and measures to mitigate railway noise
 - the 3-4 storey flank wall of the Twickenham Studios Sound Centre that forms much of the south eastern boundary of the appeal site with an aspect across it, requiring separation of any proposed development to ensure that overlooking and privacy issues are mitigated to avoid an overbearing canyon effect from close parallel building forms and that adequate daylight is maintained and achieved for the neighbouring and proposed buildings with space to accommodate the access driveway and an enhanced landscaped frontage
 - the 2-4 storey flank walls to the Twickenham Studios buildings to the south, again mitigating any overlooking or overshadowing of any proposed accommodation
 - the existing driveway point of access to the site to the north eastern corner and the need to service the proposal requiring vehicular access necessitates road/driveways into the depth of the site
 - the provision of an appropriate level of car parking and vehicular turning/servicing space
 - the need for ecological enhancement – the provision of green space/planted landscaping to improve the setting of any proposal from the 100% hard surfaced/impermeable site coverage as existing, devoid of any planting or ecological value

- the possible/potential retention of the former stables buildings (BTM) and access to them, together with possible alterations and extensions/scope of refurbishment

- 3.11 The above constraints define and limit the practicable developable area of the appeal site. They establish where a proposed built form could be sited. Furthermore, appraisal of the buildings adjacent to and, to a lesser degree, those in the wider approach context of the appeal site and the potentially retained former stables buildings (BTM) all inform the appropriate height and scale of the proposal.
- 3.12 Added to this, criteria such as density are measured against guidelines to establish the appropriateness of the developing proposal. The Density Matrix published as part of the London Plan provides such a measure in relation to the setting and accessibility of the site. Whilst not a defining criteria, this guideline gives a good indication of the level of accommodation that would be appropriate for the site.
- 3.13 Whilst taking the above physical constraints on board, another key aspect of design consideration is the more subjective measure of a proposal's aesthetic quality. A number of design guidance documents and codes have been established to seek to define criteria against which this aspect can be more qualitatively and objectively measured. These seek to define urban design criteria and characteristics, however, they are inevitably broad brush guidelines, unable to be specific to the unique situations and contexts of individual proposal sites.
- 3.14 Such criteria are more readily applicable to larger, more open sites set within the public realm where a substantial number of members of the public have an experience of, and a relationship with the site, even if just as passers-by rather than active users of a particular site. It is harder to utilise many of the criteria within these design

guides in relation to distinctly private and largely inconspicuous sites that are located in backland settings, without any permeability through to adjacent sites. Whilst public access is not precluded from sites such as this, there is little connection to the public realm and little to draw the wider public into experiencing the setting of these sites. They are viewed from different, more remote vantage points (such as from the railway in this instance, which establishes a unique and transient experience of the appeal site from a constrained and remote position).

- 3.15 Distinctly uncharacteristic settings and sites have to be measured on different terms. This requires a much more localised assessment of the quality of the spaces created within the site itself, between the buildings and the boundaries, as experienced by a more limited set of stakeholders, primarily those inhabiting and utilising the proposal and its immediate neighbours.
- 3.16 Such a site specific and site centric assessment inevitably considers the individual building more closely in their immediate context. This inevitably becomes a more conceptual assessment which, regardless of architectural style, is difficult to do without personal preferences and subjectivity being introduced.
- 3.17 This proposal drew on contemporary precedents and incorporated elements of materiality and proportion in achieving the necessary level of aesthetic design and character in the new spatial context created within the appeal site itself.
- 3.18 Finally, a raft of other planning policy criteria and requirements are set to ensure that prescribed minimum standards of accommodation and amenities are provided for within proposals. Good design incorporates those requirements that are appropriate. Criteria covering size, accessibility, diversity and sustainability requirements, etc., are all met and incorporated, which combine with

the physical and contextual criteria described above to establish good design.

- 3.19 Pre-application advice was sought initially in late November 2016 with a review meeting at Richmond Council's planning office in February 2017. The meeting discussion was dominated by the council's position regarding the safeguarding of the site for waste management facilities and for the retention of the other existing light industrial and employment use. As a result, the council gave no consideration to or feedback on the proposed residential led redevelopment design.
- 3.20 Much of 2017 passed in investigating the approach to resolution of the above safeguarding in the context of an unviable and now non-operational waste oil facility and a site in a residential context where an alternative waste management facility would be unwelcome and where retention of the existing dated and the lowest quality commercial accommodation was favoured over the proposal with its increased employment opportunities within incomparably better quality accommodation.
- 3.21 A further pre-application advice meeting was held in November 2017 which again focused on the safeguarding matters discussed earlier in the year. At that meeting, design was touched upon as the last aspect of the discussion, the council providing comments on the apartment buildings which had a distinct double height mansard roof form and the council's requirement for the relationship between any proposal and the retained BTM to be further considered.
- 3.22 The written advice received three months after the meeting similarly focused on the safeguarding matters followed by a statement of housing standards already incorporated into the proposal and a direction to the adopted policy on backland housing and the

principles of character design and layout. *See Appendix D - Extract from LBRUT pre-application advice response letter dated 12 February 2018.*

- 3.23 It was acknowledged that the proposal would not be visible from Arlington Road but that the important aspect of the site was from the railway to the rear. The written advice noted the size of the main residential block as being too large with oversized stairways when viewed from this rear aspect from the railway. The proposed double mansard design was not supported and the overall scale, although acknowledged as being consistent with surrounding buildings, was felt to be too high. Balcony sizes and prominence, together with window sizes, were considered to be too large and dominant. Although at the lower end of the scale on the London Plan Density Matrix, the conclusion was that the size of the proposed buildings would be overdevelopment as they were larger than the existing former stables buildings (BTM).
- 3.24 The scheme was subsequently developed, taking on board the council's comments with regard to the roof design and setting the already set back third floor roof enclosure away from the adjacent retained stables buildings (BTM). Given the in-principle issues with the proposed change of use of the appeal site, the questionable merits of the existing former stables buildings (BTM) retention were put aside on the basis that these buildings could be sustainably refurbished to provide a better quality of accommodation. Whilst reducing the potential quantity of accommodation that their removal might otherwise allow, their retention would contribute to the diversity and sustainability of the redevelopment.
- 3.25 I presented the proposal at a public exhibition in June 2018. Although comments and feedback were mixed, 50% of the respondents supported the provision of the mixed use scheme with the primary concerns raised relating (as they so often are in residential areas) to car parking capacity.

- 3.26 Final refinements to the site and parking layouts were implemented and the scheme was taken forward to a full planning application in August 2018.
- 3.27 The application was heard at planning committee in September 2019 with planning officer recommendation for refusal. This was upheld by the committee for the reasons set out in the officer's report including Reason for Refusal 4 - Design.

4.0 DESCRIPTION OF THE SURROUNDING AREA, THE SITE AND THE APPEAL PROPOSAL

- 4.1 The context of the appeal site was the subject of an early appraisal as set out in the application Design and Access Statement (CDF22). Its characteristics are noted in chapter 2 of that Statement to be read with the photographic survey of the surrounding area as Appendix C of that Statement.
- 4.2 The character of the area is also appropriately noted in LBRUT East Twickenham Village Planning Guidance under Specific Character Area 11 Ravensbourne Road and surrounds. *See Appendix E – Extracts from East Twickenham Village Planning Guidance SPD (CDC3/CDC10).*
- 4.3 The planning officer's report to committee (paragraphs 1-15) included a summary of the site, surroundings and constraints.
- 4.4 There is no contention between the descriptions given in any of the documents. The character and context of the areas surrounding the site are not in dispute, as set out in the agreed Statement of Common Ground (CDI4).

- 4.5 Similarly, the site description and analysis as set out in the Design and Access Statement accords with the summary given within the officer's report. *See Appendix F – Extract from planning officer's report to committee (CDH6).*
- 4.6 The planning officer confirms in paragraphs 141 and 142 of the report to committee (paragraphs 14.7 and 14.8 of LBRUT's Statement of Case) that *"the existing buildings are of an unsightly appearance and the site is generally untidy. As such; the existing the existing application site is considered to detract from the visual amenity and character of the surrounding area in general, particularly in those views afforded towards the site from the railway line to the north west and the existing residential dwellings beyond"* and that *"it is acknowledged that the demolition of the existing steel-clad buildings and refurbishment of the existing Buildings of Townscape Merit would offer an opportunity to enhance the appearance of the application site"*. This will also be enhanced by the removal of the oil recycling facility tanks, machinery and flue and also the telecommunications mast and equipment.
- 4.7 The appeal proposal remains as the refusal drawings of the application. The scheme is as described in the drawings and as the Design and Access Statement. This correlates with the officer's presentation in the report to committee in the proposal section paragraphs 16-24 (which have been edited as Section 5.0 of LBRUT's Statement of Case). *See Appendix A – Reduced set of appeal proposal drawings (CDF3-CDF13).*

5.0 LBRUT RATIONALE FOR REASON FOR REFUSAL 4 – DESIGN

- 5.1 Reason for Refusal 4 - Design states that, by reason of its siting, footprint, mass and severe horizontal emphasis of the front elevation of the main block and the height and siting of the smaller block, the proposal would result in a cramped and contrived form of overdevelopment. Furthermore, it states that the above would be overbearing on the retained former stables buildings (BTM).
- 5.2 From the relevant paragraphs of the planning officer's report to committee (generally duplicated but renumbered as LBRUT's Statement of Case), the rationale for refusal in terms of design is clarified in the following paragraphs.
- 5.3 The report refers (paragraph 143 and Statement of Case paragraph 14.9) to the East Twickenham Village Planning Guidance SPD and accurately summarises this document in terms of the Arlington Road context. It confirms, however, that the appeal site is not visible from this context due to the four storey Twickenham Studios Sound Centre building which obscures any view to the site. It is noted that this SPD which is the most local and contextual guidance for the appeal site makes absolutely no mention of it, or the existing Buildings of Townscape Merit, in the Character Area 11 appraisal which includes the appeal site and its local context.
- 5.4 The rest of the Twickenham Studios buildings and other adjacent residential buildings, Kelvin Court and Howmic Court, that surround the site (other than the railway frontage), create a context of 3-4 storeys of mixed architectural styles and qualities, although predominantly of London Yellow Stock or red brick. However, within the report (paragraphs 147-148 and Statement of Case paragraphs 14.13-14.14), it is accepted that, in terms of height, the proposal at 3-4 storeys will not conflict with the height of its context when viewed from outside of, and within, the appeal site.

- 5.5 Paragraph 149 (Statement of Case paragraph 14.15) states in some detail that, whilst the height of the proposal matches its surrounding context, it is considered that its scale and proximity would not relate to the retained former stables buildings (BTM). There would be inadequate visual separation between the proposed main residential building that would not successfully link the two storey stable buildings with the three storey southern elevation of the residential block. In the planning officer's opinion, this, combined with the greater depth of the proposed residential building, *"would exacerbate the vast difference in scale, bulk and mass proposed."*
- 5.6 This paragraph identifies this relationship to the Buildings of Townscape Merit as the key rationale for the reason for refusal. It concludes that *"whilst it is not considered that the proposed building would be out of place from within the streetscape of the area, it is considered that the concerns raised above would result in a cramped and contrived form of development which appears as an over intensification of the application site."* This terminology relates directly to the wording used within the stated reason for refusal.
- 5.7 Report paragraph 151 (Statement of Case paragraph 14.17) identifies the reference to, and rationale behind, the reason for refusal relating to the *"severe horizontal emphasis of the eastern elevation of the proposed main residential building."* The front elevation of the proposal is compared with the rear elevation that is considered to be appropriate but the frontage is described as having little vertical emphasis over four storeys and is considered to unsuccessfully break up the mass and scale.
- 5.8 Report paragraph 152 (Statement of Case paragraph 14.18) states the planning officer's view that the smaller residential building, being higher than the retained former stables building (BTM) and immediately adjacent to the rear of the more south eastern building, would by reason of its scale and its flat roof forms offer no visual

relationship with the existing building, thus appearing visually dominant and incongruous, detracting from the visual amenity of the site.

- 5.9 The officer's report notes the inclusion of soft landscaped areas to the site, as well as the introduction of a planted buffer to the frontage driveway and parking areas. It is noted that the appeal site is currently devoid of any soft landscaping and that, whilst greater space and areas for gardens (and functionality and usability) would be beneficial, the proposal is grudgingly acknowledged as providing *"somewhat of an improvement to the visual amenity of the application site."*
- 5.10 The officer further states in paragraph 186 of the report (Statement of Case paragraph 17.8) that *"whilst the proposed communal space to the rear of the main [residential] block appears somewhat cramped and contrived; given each of the units within this building would be provided with policy compliant private amenity space; it is not considered that this would render a reason for refusal in this instance."* This is the only other use of the phrase *"cramped and contrived"* but, as it is concluded that this does not cause a reason for refusal, in this instance the wording cannot relate to Reason for Refusal 4.
- 5.11 The materials of the proposal are acknowledged as being acceptable with a sense of integration and continuity, even a relation to the retained former stables buildings. The *"use of high quality stock brick and contrasting metal cladding and glazing within the proposed modern buildings would compliment the surrounding more traditional stock brick"*.
- 5.12 The consistent use of brickwork to the proposed balconies with a *"contemporary 'hit-and-miss' layout"* does not overcome the officer's concerns regarding the front elevation arrangement and appearance.

- 5.13 The design conclusion paragraphs 160-161 (Statement of Case paragraphs 14.26-14.27) reiterate that the design matters relate to the front elevation of the main residential building and the visual imposition on the retained former stables building (BTM).
- 5.14 The planning officer's report includes a separate section on the Impact on Heritage Assets report paragraphs 162-169 (Statement of Case paragraphs 15.1 to 15.8.)
- 5.15 The report acknowledges that the appeal site is neither within or adjoining a Conservation Area and, as there are none within the setting, the proposal will not affect any designated heritage assets.
- 5.16 The anticipated impacts on the retained former stables buildings (BTM) were set out in the preceding Design section of the report. The Impact on Heritage Assets section, however, reiterates the conclusion that the officer reached, particularly with regard to the perceived visual impact on the BTMs and their setting.
- 5.17 The officer suggests that the character and significance of the BTMs are best appreciated from within the appeal site as they do not contribute to the character of the context, being obscured from the streetscene and inward looking and with a blank façade directly on the boundary of the railway and facing Twickenham Studios.
- 5.18 The view is given that, no matter that the appeal site is acknowledged as being unsightly, the existing arrangement of the workshop in an advanced state of dereliction and the waste oil recycling tank farm with the stable buildings in a poor state of repair is a preferable setting rather than the redeveloped proposal given the proximity and scale of the residential buildings.

- 5.19 This analysis clarifies and highlights the rationale for the planning officer's Reason for Refusal 4 – Design and its generation from this specific and limited aspect of the proposed design, whilst many aspects of the general design in relation to its setting and satisfactory incorporation of required standards are appropriately and adequately met.
- 5.20 I will consider and address these specific aspects that have generated the planning officer's design reasoning for refusal in Section 7.0 below.

6.0 ANALYSIS OF PLANNING POLICIES REFERRED IN REASON FOR REFUSAL 4 - DESIGN

- 6.1 I concur with much of the officer's presentation of applicable policy and the content and principle of what the policies state and require of new development. However, I question the application of the stated policies in terms of the extent of their relevance to this proposal.
- 6.2 The planning policies referenced including the national, regional and local policies are all clear in their requirement for new residential development proposals to be of high quality, enhancing their settings and being attractive places in which to live. They tend to be very general in their requirements.
- 6.3 The policies tier down from the holistic national requirements to the more specific regional requirements set out in the individual London borough Local Development Frameworks.

- 6.4 With regard to the specific rationale for the reason for refusal, as identified and highlighted in the previous section of my Proof of Evidence, there is no specific guidance given to definitively determine what dimensional separation and comparative scale of development is right or acceptable between the retained former stables buildings (BTM) and new proposals adjacent to them.
- 6.5 The policies referred to in Reason for Refusal 4 – Design cannot and do not give a prescriptive definition of what is and is not acceptable. The overwhelming majority of the standards and requirements set out in these policies are met by the proposal.
- 6.6 Where there is not definitive guidance, there becomes an element of reasonable judgement required on the part of designers and applicants in developing proposals and also on the part of local planning authorities in assessing them. This requires a comprehensive assessment of all aspects of the proposal to establish whether, on balance, it is of a high enough quality to demonstrate compliance with the policies.
- 6.7 This inevitably introduces an element of subjective opinion in making such qualitative judgements. In such circumstances, there can be difference of opinion. The planning officer's view as set out in the report to committee (and in the Statement of Case) is that the relationship of the proposed residential buildings to the former stables buildings as Buildings of Townscape Merit and the arrangement of the front elevation of the main residential building are aspects that, on balance, justify refusal of the application. As set out in the following section, I do not agree with this conclusion.
- 6.8 The following is a more detailed assessment of the specific policies referred to.

- 6.9 London Plan policy 3.5 Quality and Design of Housing Developments – demonstrate no specific policy non-compliance other than the subjective view that the aspects cited for the reason for refusal outweigh the benefits. *See Appendix G – London Plan Policy 3.5 Quality and Design of Housing Developments (CDB2).*
- 6.9.1 This policy requires housing developments of high quality internally, externally and in relation to their context and to the wider environment. It requires proposals to enhance the quality of local places, taking into account physical context, local character, density, tenure and land use mix. It also requires proposals to incorporate accessibility and adaptability, meeting the requirements of M4(2) and (3) of the Building Regulations (which it does), minimum space standards, as set out in the Nationally described space standards (which it does), and proposed water efficiency (which it does). It also meets the requirements of “*arrival*” and “*home as a place of retreat*”.
- 6.9.2 In terms of density, the London Plan policy directs us to table 3.2 of the previous policy 3.4. This suggests that, for this site, taking on board the constraints and mixed use proposed, a density of 200-450 habitable rooms per hectare or 70-170 units per hectare, 149 habitable rooms are proposed, below the density expectation but, at less than 80 units per hectare, the proposal is at the very bottom end of the anticipated range. The majority of the housing design standards set out in the London Plan Housing SPG are met, demonstrating, on balance, the proposal’s appropriateness and acceptability.
- 6.10 London Plan policy 7.4 Local Character – the planning officer does not cite the relationship to the local character in their report. It is the specific relationship to the retained stables buildings’ setting and the aesthetic arrangement of the front elevation, viewed from within the site. Therefore policy 7.4 does not relate to these specific aspects.

The retained stables buildings do not create a local character. They have their own inward looking character of their own local setting. The existing character of the redeveloped parts of the site is characterised by the oil recycling operation and the metal clad workshop building and the hard surfaced setting, together with the local character of the adjacent Twickenham Studios buildings and the railway. *See Appendix H – London Plan Policy 7.4 Local Character (CDB2).*

6.11 LBRUT policy LP1 (Section A) Local Character and Design Quality. (Section B Shopfronts and C Advertisements and Hoardings cannot apply). This policy requires development to be of high architectural and urban design quality, particularly how the site relates to its existing context, including character and appearance, considering:

1. Compatibility with local character
2. Sustainable design and construction
3. Layout, siting and access, including making best use of land
4. Space between buildings, relationships of heights to widths and to the public realm, heritage assets and natural features
5. Inclusive design
6. Sustainability and compatibility of uses

It is noted that this will be assessed against the advice set out in the relevant village planning guidance and other SPDs relating to character and design. *See Appendix I - LBRUT Local Plan Policy LP1 Local Character and Design Quality (CDB1).*

6.11.1 As noted above, in relation to the London Plan policies, there is no in-principle issue raised with the proposal in relation to its existing context. The proposal is compatible with the local character, particularly in terms of its height, materials and use, etc. In comparison to the existing quality and appearance of the appeal site, the proposal would be a clear improvement, of a sustainable design and construction, its layout, siting and access being determined by the constraints of the site's shape, size and arrangement and from the influences of the surroundings buildings.

- 6.11.2 LP2 implicitly requires new buildings to respect the setting with appropriate building heights, with taller heights being inappropriate. However, within the report (paragraphs 147-148 and Statement of Case paragraphs 14.13-14.14), in terms of height, the proposal at 3-4 storeys will not conflict with the height of its context when viewed from outside of, and within, the appeal site.
- 6.11.3 The space between buildings and relationships of heights to width and the relationship to the heritage assets are the matters by which the planning officer presumably cites this policy. This is addressed in the following section of my Proof of Evidence.
- 6.11.4 The inclusivity of design is evident from the compliance with all the optional technical standards with which the proposal fully complies and finally the suitability and compatibility of uses. This is considered under a separate Reason for Refusal 5 – Mix of Uses. However, by the very nature of the light industrial commercial use proposed for the retained former stables buildings such as those currently occupying these buildings, these are compatible with adjoining residential uses. They co-exist in a largely residential context as existing and the overall scale of the proposal, both in terms of the residential and commercial uses, are such that the single existing access driveway can be safely shared and can accommodate the relatively low number of vehicular movements sharing the pedestrian and cycle ways into and through the site.
- 6.11.5 It is noted that the appeal site and the existing former stables buildings (BTM) do not receive a single mention or reference even in the Specific Character Area 11 in which they sit. This reflects the insignificance they have to the context.

- 6.12 LBRUT policy LP4 Non-Designated Heritage Assets – This confirms that the policy is to seek to preserve and where possible enhance the significance, character and setting of non-designated heritage assets, including BTMs with a presumption against demolition. See *Appendix J – LBRUT Local Plan Policy LP4 Non Designated Heritage Assets (CDB1)*.
- 6.12.1 Despite the poor condition and state of the existing former stables buildings, the proposal acknowledges their Buildings of Townscape Merit and both preserves and enhances them and their stableyard setting. The appropriateness of the BTM designation was questioned by the appellant during the consultation of this process. Whilst they have an interest that meets some of the criteria set out in the LBRUT Buildings of Townscape Merit SPD (May 2015), it remains questionable whether they meet the required parameter of having “*considerable local importance*”.
- 6.12.2 Notwithstanding that the full refurbishment and that of the cobbled courtyard setting is a clear and beneficial enhancement as addressed in more detail in the following section of my Proof of Evidence, these benefits and the proposed retention of these buildings outweighs any detriment to their setting as a result of the adjacent proposed residential buildings which, as noted above, is the principal rationale behind Reason for Refusal 4 – Design.
- 6.13 LBRUT policy LP39 Infill, Backland and Back Garden Development – The appeal proposal is not infill development as defined by this policy, neither is it back garden development. It is debatable whether by definition this constitutes backland development. The site is not land subdivided from the rear of existing properties that are in an alternative use to gardens. However, it is backland inasmuch as it now sits largely concealed to the rear of the Twickenham Studios building isolated from the streetscape context. See *Appendix K – LBRUT Local Plan Policy LP39 Infill, Backland and Back Garden Development (CDB1)*.

- 6.13.1 This is a self-contained site in its own right that has its own registered title and has been in separate ownership and use from all the adjacent sites.
- 6.14 The appeal proposal does not breach the ten listed factors within this policy. Factors 1,2, 3, 5 and 7 are not applicable and the remaining factors 4, 6, 8, 9 and 10 are all met and satisfied by the proposal. Therefore I do not believe this policy to be applicable for inclusion within the reason for refusal.
- 6.15 LBRUT Design Quality SPD February 2006 – The applicable section of this document is chapter 2: Guiding Quality. This is the council’s guidance document on urban design and considers this under a series of “*mutually re-inforcing objectives*” as below. See Appendix L – LBRUT Design Quality SPD Chapter 2: Guiding Quality (CDC2).
- 6.15.1 Character – as other guidance documents, this is the broad objective or promoting character in townscape by responding to and reinforcing locally distinctive patterns.
- 6.15.2 The importance of character and the proposal’s acceptability to this is analysed within the officer’s report. Given the limited character in the immediate context of the site and its visual detachment from the streetscape, the form and height are appropriate to the site. The experience of the site from the public realm is limited to the views from the railway and is at best glimpsed views from the driveway access as the adjacent Twickenham Studios buildings have little character. This gives little to which to respond. The proposal largely has to establish its own place with its own identity.

- 6.15.3 Sub categories of activity: The day and evening use patterns the proposed mix of uses to break the distinction of either residential or commercial, helping to bond one to another to optimise the site with widened use and habitation of the site, whilst remaining detached from the surrounding context.

Linkages: Patterns, networks and public transport are characteristics and functions of the local character, not of the appeal site.

Townscape: Isolated from the local context and streetscape, the appeal site relates to its immediate context with no connection to the borough-wide skyline or views around the site, other than from the railway. There are not focal points of landmarks, etc.

Landscape: The site is devoid of existing natural character. It sits within but visually detached from the area's open spaces, requiring improvements and creation of its own surroundings and spaces.

Local character contexts: The site can, at best, be considered as a creative context as there is no homogeneous context or mixed context to relate to with little cohesive character and an undesirable context. The proposal must create its own setting from one devoid of topography or natural features.

- 6.15.4 Continuity and enclosure, where public and private spaces are distinguished. The scale references in this objective relate to the proposal being "*sympathetic to its surroundings*". There is no suburban, village or town scale, the emphasis in this guidance is to complement and maintain relationships that simply are not established on this site. References to respecting the sense of enclosure of the rest of the street are not relevant when the site is isolated, detached and invisible from it.

- 6.15.5 References to building line, edges and established rhythms do not exist for this appeal site. Corners do not exist. The new proposal will create its own enclosure and frontage, defining its own semi-published frontage and more private rear perimeter gardens. There is no prevailing pattern of detail. Contrary to the officer's view of the frontages (as addressed in detail in subsequent sections), the subdivision of façades to blocks with modulated and layered façades and set backs brings a human scale to the buildings in a manner typical of urban redevelopment. Again, references to *"the underlying character of the street"* are simply not applicable.
- 6.15.6 What is relevant here and demonstrable from the appeal drawings is the reference to *"new development should have cohesive design language within the development itself. Scale, proportion, detailing and materials with a limited set of references in order to avoid a cluttered scheme."*
- 6.15.7 Materials have been addressed and supported by the planning officer's comments.
- 6.15.8 Characteristics of public realm are of limited relevance to such a private and isolated site. References to squares and courtyards, pocket parks are beyond the scope of this appeal site. The mews typology with accommodation fronting an access pathway and driveway with parking integrated with landscaping is a familiar and established approach away from the public streetscape. The close surveillance of the immediate frontage creates a space where residents can take ownership. The entrances to the frontage are clear and legible with pathways through the frontage planting, providing opportunities to meet and encounter, separated but adjacent to ground floor private amenity terraces. Although visually separated from the streetscape context, the approach to the appeal site is via the public realm of the local area in that some of the proposal is part of the wider public realm, although physically separated and at the edge of it.

6.15.9 The railway vantage point does play a part in the perception of the public realm from this point of arrival and departure to and from St Margaret's Station and for those passing through. The landscaped set back and planted buffer provides a foreground to the backdrop of the proposed residential blocks, the scale of the proposal being comparable with the Twickenham Studios Sound Centre but with a much more modulated façade of balconies, cores and set backs. The solidity and perforation of the brickwork balcony guarding and framing and the solid to void pattern and proportion of the fenestration are clearly reflective of the residential use. The proposal, whilst larger in scale than the existing arrangement, will tidy up the current jumble and ramshackled appearance of the site. The proposal will not dominate or impose any overbearing impact on the passing trains. The active and intensified use of the site will be seen which is not uncommon, particularly on the approach to a local centre/train station. The proposal will resolve a tired and unattractive looking site, visually signifying the activity and vibrancy of the context, adding further capacity and opportunities for accommodation.

6.15.10 The site is devoid of natural features. There is no ecological value or mature (planted) settings for the development to work around. The proposal will provide the opportunity for this to be established.

6.15.11 Ease of movement – the approach to the appeal site determines that this will be a shared surface with pedestrian routes being shared by residents' cars and service vehicles for the whole development. This is distinct from the approach concept of pavements and roads but is visibly defined as different at the transition from the public realm of Arlington Road street frontage to the private realm of the site.

6.15.12 There is no permeability or “*network of routes*” through the appeal site as a result of its local context. The site is arranged with a linear progression pathway, providing access through to the rear and the retained and refurbished former stableyard mews of the commercial units with a clear central turning point to the frontage of the secondary residential block as the focal point on the axis of the mews entrance.

6.15.13 In line with the guidance on “*street structure*”, there is no “*network of routes*”. The access is simple and self defined from entering the site. The approach through the site and into the residential entrances is clear and legible.

6.15.14 The commercial units set to the rear of the site are well contained within the retained former stables buildings fronting onto the central stableyard. These are beyond the entrance/parking court. These units are arranged as smaller units. The location of the site does not provide footfall from passing trade. As the existing units on the site, these do not have a visible frontage to the public realm. They are located within this private mews. The commercial units (B1 office – light industrial use) are arranged as a series of seven small offices/workshop units.

6.15.15 By their nature, the potential occupiers of these units (and their operations) should not be incompatible with the proposed adjacent residential units. Being set within an inward-looking courtyard with a physical separation from the main front and rear aspects of the residential units, any concerns of possible disturbance are mitigated. Other than access and servicing through the site, the commercial units will be separate and self-contained away from the residential areas of the site.

- 6.15.16 In terms of vehicular access for the servicing and deliveries of the commercial units and with the two dedicated parking spaces within the former stableyard, there are very few vehicular movements expected to and into the site, particularly during the working hours of the commercial units. The level of vehicles coming into the site is low and is not anticipated as causing a conflict or safety issue with the pedestrian priority of the shared use driveway. The relatively narrow driveway and corners turning into the site and into the commercial mews will act as a traditional traffic calming effect.
- 6.15.17 Legibility is referred to in the SPD at a townscape level. The legibility of the access and approach and of the proposed buildings has been discussed above. Grids, patterns and blocks are appropriate to the wider townscape, not to small private sites such as this. The same applies to the principles of wayfinding.
- 6.15.18 Adaptability relates to the reuse/repurposing of existing buildings. This is fully taken on board with the proposed retention, refurbishment and extension of the former stables buildings. This is incorporated, irrespective of their designation as BTMs for all the reasons outlined in the SPD.
- 6.15.19 Sustainability – the proposal for the retained and new buildings are inherently sustainable, improving the fabric performance of all accommodation retained and implementing a fabric first approach to the new elements. This aspect is not in contention at this appeal.
- 6.15.20 Diversity – the requirements for inclusive design have all been incorporated into the proposal. They met the required policy standard including the enhanced optional technical standard as required by the London Plan and as referenced in this SPD. This aspect is not in contention at this appeal.

6.15.21 Mixed use and sizes – the proposal is entirely in line with the principles set out in this final objective in the SPD. In terms of the mix of unit sizes, etc., it is again noted that this is not in contention and would be appropriate for the site. Notwithstanding that the principle of the proposed use is not supported in light of LBRUT's position on the safeguarding of the waste facility and commercial/light industrial uses, were these restrictions not imposed, the proposal would be in line with this design quality guidance.

7.0 ANALYSIS OF THE APPEAL PROPOSAL IN RELATION TO THE REASON FOR REFUSAL

7.1 Further to the review of the planning officer's rationale for Reason for Refusal 4 – Design and the stated planning policy basis to which it is contrary, in this section I consider this against the appeal proposal and set out why I believe this rationale is wrong and incorrectly led to the Reason for Refusal.

7.2 I note from the review of the planning officer's report that:

7.2.1 LBRUT are satisfied and supportive of the retention of the former stables buildings (BTM) and their proposed restoration use and extension.

7.2.2 They agree that the other existing buildings are of no architectural or historic merit and refer to their poor state of dilapidation. As a result, demolition of the workshop and oil recycling facility offers the opportunity for redevelopment to enhance the site.

7.2.3 The height and scale of the proposal will be appropriate to the areas surrounding the site and the main proposed residential building with its contrasting roof material and setback has the appearance of a three to four storey building when viewed from both outside and

inside the site in the context of the immediately adjacent four storey Twickenham Studios building. The height of the proposal will be appropriate to the context and does not conflict with Local Plan policy LP2.

- 7.2.4 The proposal will not be visible from the Arlington Road context.
- 7.2.5 The proposal will be visible from the railway and from longer views along and across the railway and the scale, massing and appearance are all acceptable and appropriate from this context.
- 7.3 The officer acknowledges that the proposal will be in keeping with the height and character of the context, particularly the immediate context around the site and as viewed from the railway, as summarised in paragraphs 147-148 and 150 of the officer's report (Statement of Case paragraphs 14.13-14 and 14.16). They note that the rear elevation view is considered to be *"modulated"* through the use of recessed features in a manner that *"help break up the overall scale and massing of the building and give the rear elevation a distinctive rhythm and vertical emphasis in order to provide it with its own identity in the context of the surrounding, somewhat utilitarian development of the Twickenham Film Studios site."*
- 7.4 The officer confirms that, in their view whilst acknowledging the *"front elevation similarly features some recessed features"*, it would have a *"much stronger horizontal emphasis with minimal visual breaks in the main building line and be dominated by stacked projecting balconies across the entire elevation"* and that it *"would not display the same visual interest as the rear elevation and with little vertical emphasis over four-storeys; would unsuccessfully break-up the mass and scale of the proposed building"*. As such, they suggest that it would be *"visually dominant and incompatible due to the constrained nature of the application site"*.

- 7.5 The submitted application drawings illustrate that the above statement and appraisal of this singled out elevation is factually incorrect. This is further demonstrated on the elevational diagrams and view illustrated on the next page of this proof (figure 1).
- 7.5.1 The eastern frontage elevation as shown cannot be considered to result in a “*severe horizontal emphasis*”. Whilst there are horizontal aspects to the proposal, these are balanced and complemented by respective vertical aspects and proportions.
- 7.5.2 The set back of the third floor roof level accommodation and its contrasting metal rainscreen cladding will distinguish this from the lower brick finished floor. Any critique of the façade’s proportion cannot be portrayed as being “*over four-storeys*”. The stepped set backs clearly break this into a 2½-3 storey base building with a separate set back above.
- 7.5.3 The main building line of the lower three floors is modelled with setbacks, creating a symmetrical arrangement of three sections as clearly illustrated by the drawing of this façade. The stepped building lines are features of the front elevation only. The rear has a single plane of the main brick building enclosure. The front is stepped and more modulated. The diagrams in figure 1 highlight the distinct planes/forms that combine to model this elevation. With a clear vertical rectangular proportion, the central bay is flanked to each side with other even more vertically proportioned bays which themselves incorporate side setbacks.



Proposed rear (western) elevation towards the railway (landscaping omitted for clarity)



Proposed front (eastern) elevation (landscaping omitted for clarity)



Front elevation diagram illustrating the modulated facade planes



Front elevation with overlaid vertical/horizontal emphasis



Perspective diagram - view from the site entrance illustrating the modulated frontage

- 7.5.4 Over the main envelope building line, the brickwork façade is clearly and very heavily modelled with the projecting brick framed and panelled balconies. It is seen on the elevation drawings and the numerous orthogonal and perspective views submitted with the application that the corner column framing and separation between the balconies combine to create clear vertical features. Each of the three tiered balcony frames will have a vertical proportion overall. (Refer to the purple coded elements in the diagrams in figure 1).
- 7.5.5 These balconies provide the private amenity spaces for the apartments. In line with policy requirements, these have a clear depth of over 1.5m, giving a deep separation and modelling between the projecting balcony frontages and the brickwork building line behind.
- 7.5.6 The vertical recesses to the residential entrances, finished in contrasting metallic cladding between the frontage blocks, are set back 1m from the adjacent brickwork façades. The end bays of the façade to each side of the front elevation are set back 0.7m from the façade. The third floor roof level accommodation is set back over 2.5m behind the façade parapets. These distinct ‘planes’ that combine to make the elevation are, therefore, all set at different positions, with approximately 4.5m between the front balconies to the front of the roof set back. The colour coded diagrams in figure 1 show the resultant layered façade as a combination of solid forms and rectangular frontage ‘planes’ of different sizes and proportions that do “*break up*” the elevation, whilst having an overall balance and symmetry.
- 7.5.7 The windows provide an ordered arrangement stacking vertically (and aligning horizontally) across the façade with a typical balance of larger and smaller windows reflecting the various uses of the internal rooms.

- 7.5.8 The framed balconies incorporate panels of 'hit-and-miss' brickwork, with open header voids adding an element of perforated screening, contrasting with the adjacent solid brickwork panels. These provide privacy and screening whilst avoiding a fully solid enclosure and create another 'layer' to the façade's mix of solid to void proportions.
- 7.5.9 The 'hit-and-miss' brickwork detailing is accentuated by the way in which light reflects and shadows the brickwork. The light also accentuates the set backs to the panels of the façade, creating changing shadows throughout the day, highlighting the vertical gaps and steps in the façade.
- 7.5.10 The visual appearance and proportions of the eastern elevation will also change depending on the vantage point, with narrower more vertical balconies to the ends of the building, being most visible on entering the site. The length of the frontage elevation diminishing in perspective and the set back top floor is visible from this view but, further into the site, closer to the building, the set back third floor disappears from view. The elevation visually reduces down to a three storey scale with two and a half storey projecting balcony forms a clear series of blocks.
- 7.5.11 The planning officer commends the rear elevation in paragraph 150 of their report (Statement of Case paragraph 14.16). Whilst I acknowledge that the rear elevation of this main residential building will have the added verticality of the rear projecting stair cores, the front elevation has a stepped building line and the vertical recesses between the frontage blocks. The balcony detailing is consistent across both the front and rear elevations with the distinctive 'hit-and-miss' brickwork detailing employed as a unifying family of details. This picks up and references the staggered projecting 'hit-and-miss' detail from the end flank wall of the adjacent stables buildings.

- 7.6 The officer suggests that the horizontal emphasis is “severe”, portraying this elevation as visually dominant and incompatible. I cannot agree with this view and do not believe that this is a justifiable conclusion from a review of the drawings.
- 7.6.1 This frontage would be experienced by anyone entering the appeal site from the approach opposite the north eastern corner of this building. The siting of this building will be arranged at an angle away from the south eastern boundary of the appeal site. This elevation will progressively diverge away from this boundary from approximately 12m at its closest to approximately 21m at its southern end.
- 7.6.2 This boundary is largely defined by the side flank elevation of the Twickenham Studios Sound Centre. It is acknowledged that there is adequate separation between these diverging elevations to mitigate overlooking or privacy issues between the neighbouring and proposed buildings. This demonstrates that there will be sufficient space in front of this elevation to mitigate the proposal being overly constrained and dominant. The space, separation, elevational treatment and height of this proposed elevation with its set back third floor will not be atypical of other contemporary urban mixed use residential led developments.
- 7.6.3 It is noted that, with this arrangement, no amenities of neighbouring sites will be detrimentally impacted upon.
- 7.6.4 The main residential block is located to the northern part of the site. On entering the site from the shared access driveway, this building is directly in front of you. It will be immediately apparent, however, that it does not extend up to and enclose the boundaries of the site. The frontage elevation faces the widening approximately triangular space bordered by Twickenham Studios Sound Centre and to the south the smaller residential block, each detached with gaps between and are clearly visually separated.

- 7.6.5 It is unclear with what the planning officer believes the front elevation is incompatible. This elevation is far from flat, it is not monolithic and plain. It has character and materiality and is recognisably of a residential/domestic scale. It is not set within a wide Victorian tree lined street but a backland mews type setting. It could be smaller, shorter in length and lower but that would reduce the level of accommodation provided, making less efficient use of the site and with a resultant density well below the expectation of the London Plan Density Matrix in every respect. Whilst not set within extensive grounds, it is appropriately set away from all boundaries with a landscaped and planted amenity space around, supplementing the provision of policy compliant private amenity spaces.
- 7.6.6 At pre-application stage, the projected balcony features were suggested to be “set-in” to the volume of the building to achieve what was considered to be a neater solution that would not have the same modelling effect. This would have resulted in a less modulated elevation. This advice seemingly contradicts the criticism of this elevation having inadequate visual interest and modulation breaking it up. I do not agree with the officer’s conclusions and critique of this elevation, particularly given the contrary view on the elevation to the rear. Again, the very modulation noted and commended to the rear elevation in the officer’s report, regarding the verticality of the two large glazed atrium style openings, was previously criticised at the pre-application stage, the officer previously noting *“the proposal would include two excessively large common areas for stairway and lift access. This would result in a direct impact when viewed from the rail line”*. These cores were described as *“unarticulated service enclosures for the full height of the building. The proposed fenestration to these services enclosures would do little to enhance the appearance of the building when viewed from the railway”*. This

illustrates that different views can be held of the same aspects. Such subjective views need to be considered and assessed on an objective basis as far as possible.

- 7.7 The officer's view of the relationship between the southern end flank elevation of the main residential block and the retained former stables buildings (BTM) is the other key aspect that they refer to in the reason for refusal. They state *that "it is not considered that the proposals would successfully link the smaller scale of the two-storey BTMs to the south, to the larger scale of the three-storey southern elevation of the proposed main residential block"* and this results in a *"vast difference in scale, bulk and mass proposed"* and that *"The combined height and footprint of the proposed main residential block's southern elevation would therefore appear over dominant and fail to fit comfortably with the rhythm of the application site"*.
- 7.7.1 The specific relationship between this southern end elevation of the proposed main residential block and the former stables buildings (BTM) is the other aspect that leads the planning officer to the refusal wording. Paragraph 149 concludes that *"whilst it is not considered that the proposed building would appear out of place from within the streetscene of the area, it is considered that the concern raised [...] would result in a cramped and contrived form of development which appears as an over intensification of the application site"*. This is the same terminology used within the reason for refusal.
- 7.8 The description of the physical relationship between the residential buildings and the retained former stables buildings (BTM) in the officer's report is accurate in terms of the stated dimensions.
- 7.9 I acknowledge that the retained buildings are concealed from the northern side of the appeal site, being obscured by the larger of the proposed residential buildings. Given their relatively low scale in

the context, this would be true with any meaningfully sized proposal on the site as they lie at the southern end adjacent to the railway.

7.10 I do not agree, however, with the officer's conclusion that the former stables buildings' character and significance are best appreciated from within the appeal site. This can only really be appreciated from the former stableyard between these buildings or from the entrance to this space. The existing view of these terraces from the entrance to the site is extremely limited and compromised by the commercial operations, being largely obscured by plant and tank equipment and dominated by the incinerator, flue and telecommunications mast and compound in front and behind and the backdrop of the adjacent Twickenham Studios buildings. The aspect and frontage of these buildings are inward facing towards each other across the context of the central stableyard. They are introverted. The close proximity of these buildings precludes any real appreciative value from being gained beyond this space. The original pattern, scale and detail of coach house/stable doors is only apparent from such a close vantage point. The form of the terraced roofs can be seen from outside of this space but would still be visible on approach past the proposed residential buildings and would be unchanged from the main vantage point of the railway. *See Appendix B – Photographs of the appeal site.*

7.11 The original use of these buildings has long since been lost. The buildings have been repurposed in different ways over many decades, having been in residential occupation (not least by the appellant's parents as their family home), as well as the current variety of commercial uses for small businesses. Originally the stables were an entirely utilitarian design. These were always backland buildings subservient to the residences of the wider estate that they served. They were not designed aesthetically for show or with character to be seen in their own right. They were always to the rear, away from the frontage context, out of sight. This location

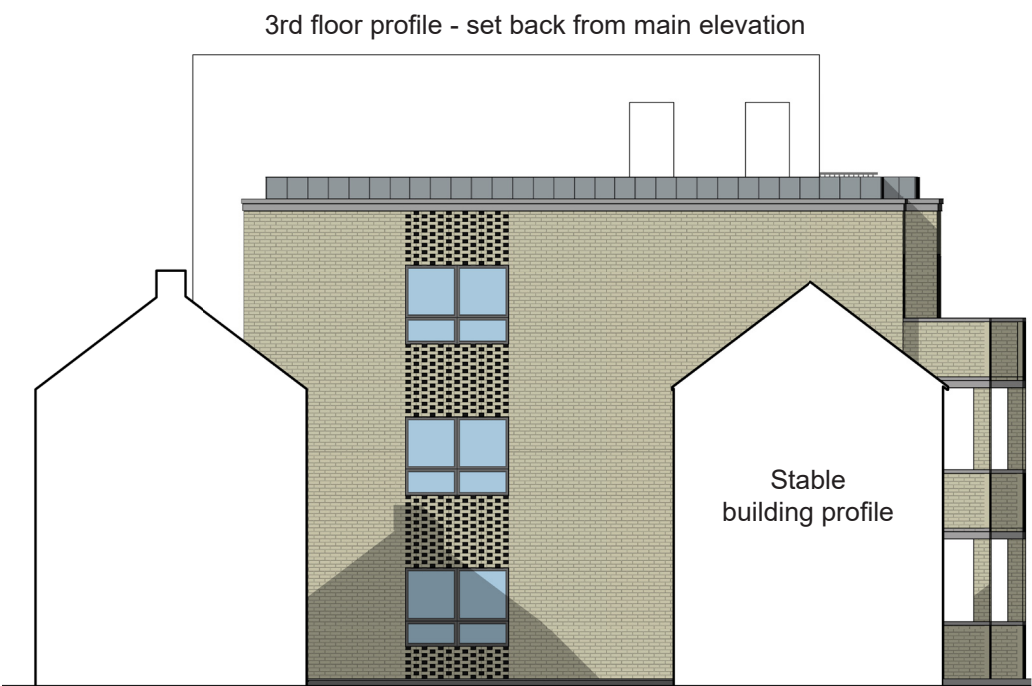
and arrangement is the reason they have become isolated and 'land locked' by the encroachment of surrounding development. Their survival has not been by design, rather by circumstance. Whilst I acknowledge that they were never built with the expectation of having larger residential accommodation developed adjacent to them, this does not diminish their value either as usable accommodation or as an historical example of their original form and use.

- 7.12 These buildings have not survived because of their (recent) Building of Townscape Merit designation but because the utilitarian quality of their construction has allowed them to be repurposed, mitigating their earlier demolition. The interest and historic value lies in the extent of their original fabric and the degree that this has been retained intact. They are a typical example of an early utilitarian building form and past use that is of some social interest due to their unusual survival which is a result of being at the back of a backland site, used for low value/low grade commercial/light industrial use. It is the building fabric (although in a poor state of repair) and the survival of some of the original fenestration and courtyard paving (cobbled) finish that is of value, not the aesthetic design or the relationship to their setting.
- 7.13 The proposal to retain and refurbish these buildings should be welcomed, preserving those aspects of interest that survive still and giving the fabric and those features longevity. The repair and refurbishment of these buildings and the stableyard between is a clear improvement to their condition and character, irrespective of what enclosure occurs adjacent to the northern end of them. It is primarily the preservation of the buildings themselves and the central stableyard setting that is important. Improvements will be brought about by the removal of the oil recycling facility, the tanks and flue and also the removal of the telecommunications mast and compound from the stableyard setting.

- 7.14 The original backland setting behind Victorian building plots has long since changed. Amending their adjacent setting (from what exists today) is less consequential than the proposed benefit of the enhancement of their fabric and future preservation. The external setting that lost its relevance to these buildings decades ago cannot be of adequate significance to warrant refusal of the proposal. Whilst the proposal for residential apartments is larger and will increase the visual enclosure of these buildings, this cannot be considered as being more detrimental than the incongruous setting of the waste oil recycling tanks and telecommunications equipment. The views and overlaid elevation as illustrated on figure 2 demonstrate the proposed relationship between these buildings. The historic fabric of importance will be retained and the proposal will secure future certainty rather than the risk of progressive decline.
- 7.15 The smaller of the residential buildings is set perpendicular to the frontage of the larger one as described above and provides a symmetrical focal point on the axis viewed across this widening, approximately triangular, frontage space. It sits abutting the blank rear elevation of the south eastern former stables building. The frontage of the smaller residential building is set back approximately 2m behind the line of the pitched gabled flank wall of the existing building, allowing it to be clearly read as an adjacent but different form and building. A planted frontage to the residential block acts as a buffer from the driveway that provides access into the stable yard and the central turning head within the site.
- 7.16 The smaller residential building abuts the rear of the former stable building in the same place that the existing steel clad workshops (to be demolished) do at present. Beyond this new building, the amenity garden space behind leaves the southern corner of the site open but provides a sheltered, secure communal pocket garden for the residents' use.



Illustrative view northwards across the stableyard to the main residential building



South west elevation through the existing stable buildings



Illustrative view looking north east

- 7.17 The smaller residential building has an eaves level just a little higher than that of the former stables building, with its second floor set back enclosure rising approximately 1.5m above the ridge line of the stables building. However, whilst visible on approach, the smaller residential building is not seen from within the stable yard itself. Although a little larger than the former stables buildings, it does not have any visual impact on this central space. It will not not affect, overshadow or impose on the character of either the stable yard or the retained refurbished buildings.
- 7.18 The residential building is proposed to be finished in matching yellow London Stock brick. The proportions of the windows and the contrasting form and material of the second floor roof enclosure reflect its contemporary residential use, in a similar manner to the main residential building. It does not purport to be an extension of the former stables buildings which historically had the secondary utilitarian use, subservient to the more prominent residential buildings of the area. The retained former stables buildings do not warrant having a dominant appearance on the site just because they are older.
- 7.19 The smaller residential building does not have any detrimental impact on the amenities of the buildings around the site or on those of the proposed units within the larger residential blocks. It forms an enclosure to the main frontage entrance space to the site.

8.0 SUMMARY AND CONCLUSION

- 8.1 In my proof of evidence, I have primarily considered the wording of Reason for Refusal 4 – Design with reference to the planning officer’s report to committee (as duplicated in their Statement of Case). It has also touched on Reason for Refusal 5 – Mix of Uses in terms of the reference to *“unsatisfactory siting and layout [that] would result in an unacceptable co-location of uses.”*

- 8.2 From this, I have established the planning officer's rationale behind their reasoning. This has identified those matters which, from a design perspective, they are satisfied with and those specific aspects that has led them to conclude that the proposal is unacceptable from a design perspective.
- 8.3 I have undertaken a detailed review of the planning policies stated within the reason for refusal to which they believe the development is contrary, to consider their applicability to the site and the proposal within its immediate and local context.
- 8.4 I have then considered the design against the planning officer's rationale as to why the proposal is contrary to these policies from an objective perspective where specific guidance exists and where not, looking at the officer's reasoning and explanation as to why the proposal is considered to be unacceptable.
- 8.5 The former stables buildings and stableyard are proposed for retention and refurbishment to provide substantially improved and upgraded commercial accommodation. These are to be extended with a full repair/reinstatement of the fabric of the buildings and the stableyard cobbled paving. The inward looking terraces are an unusual survivor of this utilitarian building type and are acknowledged as having been designated as Buildings of Townscape Merit. Whilst I do not agree that these have "*considerable local importance*" worthy of the non-statutory heritage designation, they are, despite their current poor condition, useful and flexible buildings that can be productively and sustainably retained, refurbished and repurposed with the added benefit of preserving the heritage interest they do have. In all respects, the proposal will preserve and enhance the character, significance and setting of these buildings.

- 8.6 The third floor of the main residential building was further set back from the southern end elevation to mitigate any overbearing impact on the stables buildings. The three storey proposed flank wall of the main residential block, this does not constitute a vast difference in mass and bulk as suggested. The clear preservation and enhancements proposed to the Buildings of Townscape Merit are not lost by the modest increased scale of the proposed adjacent residential buildings.
- 8.7 The proposed main residential building does provide a greater degree of enclosure to the northern end of the existing stables buildings, however, this is not detrimental to the improved quality and character of these buildings and the stableyard space between. Removal of the oil recycling facility and the other unsightly existing buildings and replacement with the residential proposal results in a different setting, but not one that I believe is detrimental and certainly not one that outweighs the enhancements proposed or that warrants or justifies a refusal.
- 8.8 It is acknowledged that the proposed redevelopment of this site will be obscured from the streetscape of Arlington Road from which it is accessed. The size and location of the Twickenham Studios Sound Centre that has been developed in front of the site isolates it from this approach context. The principal aspect of the site is from the railway passing alongside the north western boundary of the site, with secondary views from the rear of the dwellings set back beyond the railway and from the Twickenham Studios commercial buildings and, to a lesser degree, with limited oblique views from the rear of Howmic Court and Kelvin Court.

- 8.9 The existing site is untidy and unsightly with buildings in a poor state of repair. Their demolition and the proposed redevelopment would enhance and improve the appearance of the site, particularly when viewed from the railway, against the backdrop of the large Twickenham Studios buildings noted as having little character. This is acknowledged by the planning officer in their report.
- 8.10 The appearance of the rear elevation of the main residential block is commended by the planning officer in their report and, although the front elevation does not have the added verticality of the staircore elements, its enhanced set backs proposed to this façade and an arrangement that is broken up to an appropriate human and typically residential scale commensurate with its location in the backland setting, the family of details, façade modelling and projecting balconies provide consistency between these elevations.
- 8.11 The eastern elevation does not exhibit a “*severe horizontal emphasis*” as suggested in the reason for refusal. It has a balanced vertical and horizontal emphasis. The planning officer has a different subjective view of this aspect of the proposal with which I do not agree. I also do not agree that the emphasis of this particular elevation, whether horizontal, vertical or a balance of the two, would affect the level of visible development on the site. The reduction of the visual scale of the main residential building arising from the modulation of the façade and particularly the set back and contrasting material of the third floor accommodation combine to ensure that this is an appropriate visual scale for its setting and does not appear cramped or contrived.
- 8.12 The detailed siting, footprint and massing of the proposal responds to the constraints of its setting, the buildings around the site and the existing stables buildings. I have examined the planning officer’s rationale as set out in their report to committee and do not agree that the layout is cramped and contrived. On the contrary, it is carefully considered to deliver the appropriate balance between

making the best, most efficient use of the site, whilst meeting the required policy standards to ensure good, high quality accommodation that improves and enhances this currently unsightly and underused, under-optimised site without any detrimental effect on the amenities of its neighbours.

- 8.13 This Proof of Evidence has explained the character and context appraisals undertaken at the early stages of the design process, informing the height and scale of the proposed redevelopment that would be appropriate given its surroundings.
- 8.14 Overlaying on the site plan, the constraints imposed by the buildings and uses immediately surrounding the site, together with the planning policy design requirements for separation distances, mitigating overlooking and overbearing impact, etc., led to identification of where built form could be accommodated.
- 8.15 The development of the proposed built forms were then reviewed against the more objective measures set within planning policy to ensure compliance with the following requirements:
- Accessibility and flexibility
 - Separation (privacy and overlooking, etc.)
 - Legibility and surveillance of the space around the buildings
 - Size and spatial standards
 - Amenity space
 - Sustainability
 - Sunlight and daylight assessments
 - Provision of bins/bicycle storage/parking/servicing access and turning
 - Landscape/ecological enhancement
 - Definition of a character where the existing site and context is lacking
 - Preservation and enhancement of the existing Buildings of Townscape Merit

8.16 In conclusion, I believe the proposal, having been developed from a sound and established design process, has resulted in a scheme that is beneficial and of high quality that would both enhance and make an efficient use of the site. The proposal meets the objective tests usually applied to residential development and my own subjective assessment of a good design.