

## Application reference: 10/1691/DD02 SOUTH TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
30.07.2012	14.08.2012	09.10.2012	09.10.2012

**Site:**

37 Hamilton Road, Twickenham, ,

**Proposal:**

Details pursuant to conditions 3 (External Materials), 5 (Boundary Treatments), 6 (Site Contamination) and 12 (Hard And Soft Landscaping) of planning application 10/1691/FUL, Allowed on appeal Ref: APP/L5810/A/11/2147776 dated 05/07/2011.

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

**APPLICANT NAME**

Mr Bill Bailey  
20 Mortlake High Street  
London  
SW14 8JN

**AGENT NAME**

Ms Rowena Challies  
Voysey House  
Barley Mow Passage  
Chiswick  
London  
W4 4PN

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

**Consultations:**

**Internal/External:**

**Consultee**  
14D Urban D  
LBRUT Environmental Health Contaminated Land

**Expiry Date**

30.08.2012

**Neighbours:**

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

Development Management

Status: GTD

Date:26/11/2002

Application:02/2983

Erection Of A Two Storey Dwelling House At The End Of The Terrace.

Development Management

Status: GTD

Date:21/03/2003

Application:03/0288/FUL

Erection Of A Dwelling House At End Of Terrace (amendment To Planning Permission 02/2983/ful).

Development Management

Status: REF

Date:16/03/2006

Application:05/3089/FUL

Proposed Redevelopment Of The Site To Provide 29 No. Residential Units, 6 No. Work/Live Units And 34 Car parking Spaces.

Development Management

Status: WDN

Date:22/05/2006

Application:06/0548/CAC

Demolition Of Two Main Buildings On Site And Maintain The Third Remaining Building.



<u>Development Management</u> Status: REF Date:19/03/2007	Application:06/3890/FUL  Part Demolition And Part Refurbishment Of The Site To Provide 31 No. Residential Units, 1 No.B1 Work/Live Unit And 32 Car parking Spaces.
<u>Development Management</u> Status: NRE Date:20/04/2007	Application:06/4229/CAC  Demolition Of Site Buildings.
<u>Development Management</u> Status: NRE Date:01/10/2009	Application:08/2870/FUL  Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.
<u>Development Management</u> Status: NGT Date:01/10/2009	Application:08/3000/CAC  Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.
<u>Development Management</u> Status: GTD Date:23/03/2009	Application:08/3871/COU  Temporary retention of a trailer in the rear yard to demonstrate the production of Biodiesel for a period of two years.
<u>Development Management</u> Status: NRE Date:17/05/2011	Application:10/1691/FUL  Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.
<u>Development Management</u> Status: NRE Date:17/05/2011	Application:10/1692/CAC  Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.
<u>Development Management</u> Status: PCO Date:	Application:10/1691/DD01  Details pursuant to conditions 4 (External Details) and 17 (Construction Method Statement) of planning application 10/1691/FUL, Allowed on appeal Ref: APP/L5810/A/11/2147776 dated 05/07/2011.
<u>Development Management</u> Status: GTD Date:02/08/2012	Application:10/1692/DD01  Details pursuant to condition 2 of planning application 10/1691/FUL, Allowed on appeal Ref: APP/L5810/A/11/2147776 dated 05/07/2011.
<u>Development Management</u> Status: PCO Date:	Application:10/1691/DD02  Details pursuant to conditions 3 (External Materials), 5 (Boundary Treatments), 6 (Site Contamination) and 12 (Hard And Soft Landscaping) of planning application 10/1691/FUL, Allowed on appeal Ref: APP/L5810/A/11/2147776 dated 05/07/2011.



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Appeal

Validation Date:

03.04.2007

Reference:

07/0038/AP/REF

Part Demolition And Part Refurbishment Of The Site To Provide 31 No. Residential Units, 1 No.B1 Work/Live Unit And 32 Car parking Spaces.

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Appeal

Validation Date:

03.04.2007

Reference:

07/0039/AP/NON

Part Demolition Of The Site.

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Appeal

Validation Date:

12.08.2009

Reference:

09/0111/AP/NON

Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.

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Appeal

Validation Date:

12.08.2009

Reference:

09/0112/AP/NON

Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.

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Appeal

Validation Date:

21.02.2011

Reference:

11/0041/AP/NON

Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.

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Appeal

Validation Date:

21.02.2011

Reference:

11/0042/AP/NON

Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces.

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Building Control

Deposit Date:

07.02.2003

Reference:

03/0237/FP

New house (built under land adj. 35 Hamilton Road)

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Building Control

Deposit Date:

26.03.2003

Reference:

03/0237/1/FP

New house.

(Built under Land adj. 35)

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Enforcement

Opened Date:

15.08.2008

Reference:

08/0484/EN/UCU

Enforcement Enquiry

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Enforcement  
Opened Date:  
08.06.2012  
Reference:  
12/0314/EN/UBW

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Enforcement Enquiry

**Constraints:**

Professional Comments:



**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

Case Officer (Initials): CSH

Dated: 23/10/12

**I agree the recommendation:**

Team Leader/Development Control Manager

Dated: 25/10/12

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

Development Control Manager: .....

Dated: .....

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

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:**

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**INFORMATIVES:**

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**ADDITIONAL NOTES CONTINUED FROM ABOVE:**



**File Reference: 10/1691/DD02**  
**Address: 37 Hamilton Road, Twickenham.**

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**Proposal:**

The 'parent' permission was granted on appeal on 5<sup>th</sup> July 2011 for a development described as –

'Conversion of existing redundant industrial building into 21 flats, demolition of minor buildings and structures and construction of 6 new residential units, with 24 car parking spaces'.

This submission seeks to discharge the requirements of Conditions 3 (External Surfaces), 5 (Boundary Treatment), 6 (Site Contamination) and 12 (Hard and Soft Landscaping).

**Representations:**

Although no consultation exercise was carried out, a number of representations have been received from local residents objecting to the works to wall.

**Professional comments:**

3 **Condition 4 - External Surfaces**

*The external surfaces of the buildings (including fenestration) shall not be constructed other than in materials, details and / or samples of which shall previously have been submitted to and approved in writing by the Local Planning Authority. With regard to the brickwork, the sample / details shall be in the form of a sample panel of at least 1m<sup>2</sup> in area, to be constructed on site, of the brick, bonding, and pointing to be used. The Local Planning Authority shall be informed on completion of the sample panel which shall then be inspected. All subsequent external walling shall match the sample panel, subject to any modifications required in writing by the Local Planning Authority.*

No samples were submitted with the application, the applicant relying on drawing 3903/404 which depicts the proposed brickwork, render, windows and paving.

Notwithstanding these details, the condition is clear in that it explicitly states that a sample panel must be provided on site. Although the bricks chosen may be acceptable, until such time that samples are provided on site in accordance with the Inspector's condition, the condition cannot be discharged.

It although photographs of the replacement metal windows have been provided, it is considered that there is insufficient detail to approve, including the openings and the reveals. In the same light rigid polycarbonate panels are to be used in the internal courtyard but it is considered that there is insufficient detail to approve.

When a comparison is made between the submitted plans pursuant to this condition and that approved by the Inspector it is clear that there have been numerous, material, amendments made such that it is materially different from that approved. As such, this condition cannot be discharged.

**Condition 5 – Boundary Treatment**

*Notwithstanding condition 2 above, no development shall take place until details of the design and materials for the boundary treatment to the site and for the boundaries between plots 22-27 (as shown on plan No.3903PL112A), have been submitted to and approved in writing by the Local Planning Authority. None of the residential accommodation hereby permitted shall be*



*occupied until development has been carried out in accordance with the approved details'.*

(N.B. – condition 2 is the approved plans)

In response to this submission, a number of objections were received and an amended plan which clarified the proposals was received. This plan (1000 Rev B) provided a section through the proposed boundary treatment with the properties backing onto Talbot Road. It shows that the existing boundary wall would be rebuilt / repaired as necessary, that there is a change in ground levels between the site itself and the gardens of the Talbot Road properties and that the proposal is to add 1.2m of trellis above this brick wall.

Whilst this proposal would provide screening for the future occupiers of plots 22 to 27, it is considered that the height when viewed from the gardens of the Talbot Road properties, at 3.2m in height, would be excessive and would appear visually intrusive. There is also concern at the lack of detailed information in respect of the existing wall itself. The need to repair sections is acknowledged, but the repeated references to the rebuilding, without providing any specifics as to how much would be re-built, is especially concerning given that the wall is within a Conservation Area and consent would be required for the substantial demolition of this wall, which has not been sought.

Aside from part of the southern and part western boundary where the existing walls are to be retained, to the northern and part of the western boundaries of the site, the plan is annotated to show 2.5m high acoustic fencing. However, the plan is also annotated to show that the specification is to be agreed. Without details of the external finish of this fencing, it is not possible to discharge the condition in question.

The remaining part of the southern boundary shows a new 450mm brick wall with railings over (650mm), whilst this could be acceptable, it is considered that insufficient information has been provided for this detail to enable this part of the condition to be discharged.

The 1.8m high close boarded fencing in between the plots 22 – 27 would be acceptable.

#### Condition 6 (Site Contamination)

*No development shall take place until a site investigation of the nature and extent of contamination on the site has been carried out in accordance with a methodology which shall have previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.*

*If during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.*



The Council's Scientific Officer has reviewed the Phase 3 GeoEnvironmental Report which was submitted with the application.

The current site investigation and contaminated land assessment does not provide a robust assessment of the site. In the main this is due to the uneven spatial coverage of samples taken on the site as well as insufficient / absence of data relating to groundwater quality and soil vapour. This is particularly the case in relation to the absence of any soil vapour data from beneath the former Power Station building as well as the proposed residential units on the northern and eastern edges of the site.

As such, the condition cannot be discharged.

Condition 12 (Hard and Soft Landscaping)

*No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved prior to first occupation of any part of the development. The details to be submitted shall include proposed finished levels or contours; hard surfacing materials; the method of construction for the new access road and turning head; and the method of construction of the junction of the site access with the highway, including kerb alignment. Details of soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, size and proposed numbers/densities; an implementation programme; and an indication of how they are expected to integrate with the development in the long term with regard to their mature size and anticipated routine maintenance. All tree and shrub planting shall be carried out in accordance with the relevant parts of BS 3936:1986, BS 4043:1989 and BS 4428:1989.*

When a comparison is made between the submitted site layout plan and that approved by the Inspector it is clear that there have been numerous, material, amendments made such that it is materially different from that approved. As such, this condition cannot be discharged.

Notwithstanding this, parts of the soft landscaping could be acceptable, but, for example, the choice of Amelanchier Lanarckii adjacent to Plot 2 and 3 is inappropriate as these trees will outgrow their position and become in contact with the adjacent structure and potentially lead to damage. Furthermore, an implementation programme which is a specific requirement of the condition has not been submitted.

In terms of the hard landscaping, again this could be suitable but as the layout is materially different to that approved, this part of the condition cannot be discharged.

Furthermore, the submission has omitted other details required by this condition including finished levels and contours, method of constructing new access road and turning head, method of constructing the junction of the site access with the highway including kerb alignment.

As such, the condition cannot be discharged.

Conclusion.

Refuse