

S106 +
CIL

PLANNING REPORT

Printed for officer by
Mrs Helen Donnelly on 25 July 2012

Application reference: 12/2327/FUL TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
20.07.2012	23.07.2012	17.09.2012	17.09.2012

Site:

Queen Dowager, 49 North Lane, Teddington, TW11 0HU

Proposal:

Demolition of vacant public house and erection of four no. three-bedroom houses

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

APPLICANT NAME

Crowton House
The Broadway
Crowborough
East Essex
TN6 1DA
England

AGENT NAME

Mrs Katie Turvey
Magdalen House
148 Tooley Street
London
SE1 2TU
England

DC Site Notice: printed on 25.07.2012 and posted on 03.08.2012 and due to expire on 24.08.2012

Consultations:

Internal/External:

Consultee
LBRUT Transport
14D POL

Expiry Date

08.08.2012
08.08.2012

Neighbours:

48 Park Lane, Teddington, TW11 0HX, - 24.07.2012
2 North Place, Teddington, TW11 0HN, - 24.07.2012
42 North Lane, Teddington, TW11 0HL, - 24.07.2012
38 North Lane, Teddington, TW11 0HL, - 24.07.2012
32 North Lane, Teddington, TW11 0HL, - 24.07.2012
28 North Lane, Teddington, TW11 0HL, - 24.07.2012
22 North Lane, Teddington, TW11 0HL, - 24.07.2012
20 North Lane, Teddington, TW11 0HL, - 24.07.2012
40 Park Lane, Teddington, TW11 0HX, - 24.07.2012
32 Park Lane, Teddington, TW11 0HX, - 24.07.2012
30 Park Lane, Teddington, TW11 0JA, - 24.07.2012
28 Park Lane, Teddington, TW11 0JA, - 24.07.2012
26 Park Lane, Teddington, TW11 0JA, - 24.07.2012
24 Park Lane, Teddington, TW11 0JA, - 24.07.2012
57 North Lane, Teddington, TW11 0HU, - 24.07.2012
55 North Lane, Teddington, TW11 0HU, - 24.07.2012
47 North Lane, Teddington, TW11 0HU, - 24.07.2012
40 North Lane, Teddington, TW11 0HL, - 24.07.2012
36 North Lane, Teddington, TW11 0HL, - 24.07.2012
34 North Lane, Teddington, TW11 0HL, - 24.07.2012
30 North Lane, Teddington, TW11 0HL, - 24.07.2012
26 North Lane, Teddington, TW11 0HL, - 24.07.2012
24 North Lane, Teddington, TW11 0HL, - 24.07.2012
25 Middle Lane, Teddington, TW11 0HQ, - 24.07.2012
23 Middle Lane, Teddington, TW11 0HQ, - 24.07.2012
21 Middle Lane, Teddington, TW11 0HQ, - 24.07.2012

Quick chat pls.
few changes req'd

16 Quay West Court, 19 Ferry Road, Teddington, TW11 9NH, - 24.07.2012
2 St Marys Avenue, Teddington, TW11 0HZ, - 24.07.2012
Thorby, Park Lane, Teddington TW11 0HY - 24.07.2012
29 St Marys Avenue, Teddington, TW11 0HZ, - 24.07.2012
127 Queens Road, Teddington, TW11 0LZ, - 24.07.2012
19 St Marys Avenue, Teddington, TW11 0HZ, - 24.07.2012
20 St Marys Avenue, Teddington, TW11 0HZ, - 24.07.2012
22 Park Lane, Teddington, TW11 0JA, - 24.07.2012
Flat, 49 North Lane, Teddington, TW11 0HU, - 24.07.2012
27 Middle Lane, Teddington, TW11 0HQ, - 24.07.2012
Elleray Hall Day Centre, Middle Lane, Teddington, TW11 0HQ, - 24.07.2012

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

Development Management Application: 80/0976
Status: GTD
Date: 27/08/1980 Demolition of existing extension and erection of a single storey extension for use as a toilet block.

Development Management Application: 07/0564/FUL
Status: GTD
Date: 27/03/2007 Removal of an existing porch canopy an installation of a wall mounted electronically remote operated retractable fabric awning within the vehicular access to the side of the existing single storey building.

Development Management Application: 07/4395/FUL
Status: REF
Date: 15/02/2008 New boundary wall to front beer garden new, new doors to front elevation, retractable blinds to front elevation, new door to rear elevation, new covered shelter to rear garden forming a new beer garden to rear.

Development Management Application: 09/0792/FUL
Status: GTD
Date: 29/06/2009 New boundary wall to front beer garden new, new doors to front elevation, retractable blinds to front elevation, new door to rear into landscape garden, removal of existing retractable blind to side elevation and erection of new timber pergola

Development Management Application: 11/4041/FUL
Status: REF
Date: 20/02/2012 Demolition of public house and erection of 5 x 4 bed town houses

Development Management Application: 12/2327/FUL
Status: PCO
Date: Demolition of vacant public house and erection of four no. three-bedroom houses

Building Control Structural alterations and provision of ladies toilets.
Deposit Date:
18.11.2002
Reference:
02/2215/FP

Enforcement
Opened Date:
19.11.2002
Reference:
02/00403/EN

Enforcement Enquiry

Enforcement
Opened Date:
23.10.2007
Reference:
07/0470/EN/UBW

Enforcement Enquiry

Enforcement
Opened Date:
18.11.2011
Reference:
11/0675/EN/UCU

Enforcement Enquiry

Constraints:

Professional Comments:

12/2327/FUL
QUEEN DOWAGER PH
49 NORTH LANE
TEDDINGTON

TEDDINGTON WARD
Contact Officer:
S Graham-Smith

Proposal: Demolition of vacant public house and erection of four three-bedroom houses

Applicant: Planning Potential Ltd for Crowton Properties Ltd

Application received: 23rd July 2012

Main development plan policies:

Local Development Framework

Core Strategy Policies: CP 1, 2, 3, 7, 14, 15, 16, 18

Development Management Plan Policies: DM SD 1, 2 ; TC 4 ; HO 2; 4, 6; SI 1; TP 2, 8; DC 1, 4, 5

SPD: Design Quality

SPD: Sustainable Construction Checklist

SPD: Small and Medium Housing Sites

SPD: Residential Development Standards

SPD Affordable Housing

Present use: Vacant public house

Summary:

The proposal follows a refusal of a similar scheme. The reasons for refusal related to the loss of the public house, the proposed design, mass and scale, the impact on on-street parking and the lack of contributions towards affordable housing and infrastructure. In relation to the loss of the public house, additional marketing information has been supplied and the requirements of the relevant policy in the Development Management Plan are considered to have been met. A more traditional design approach with a reduction in the number of houses and significantly reduced mass have addressed the concerns relating to design. The applicant has demonstrated that the development can be accommodated without on-street parking levels exceeding 90%. It is not considered that neighbours will be unreasonably affected. Appropriate contributions will be made towards infrastructure and affordable housing.

Recommendation: Approve subject to a S106 legal agreement securing contributions towards infrastructure and affordable housing.

Site, proposal and history:

The site contains a disused public house with a wide frontage sited towards the southern end of the otherwise mainly residential North Lane. There are houses either side, 47 and 55. Between the main building and 55 is a beer garden. There is open land to the rear. There are no special designations attached to the building or land.

Recent planning permissions have related mainly to cosmetic changes.

However an application (Ref 11/4041/FUL) was made towards the end of 2011 for demolition of the building and its replacement with five three storey townhouses. Five parking spaces were

provided. This application was refused permission (delegated decision) on the following five grounds:

The proposal would result in the loss of a local public house and in the absence of evidence that has been marketed for alternative compatible uses, which could include uses which serve the community, before residential use, the proposal would be contrary to policy DM DM TC 4 of the Richmond upon Thames Development Management Plan.

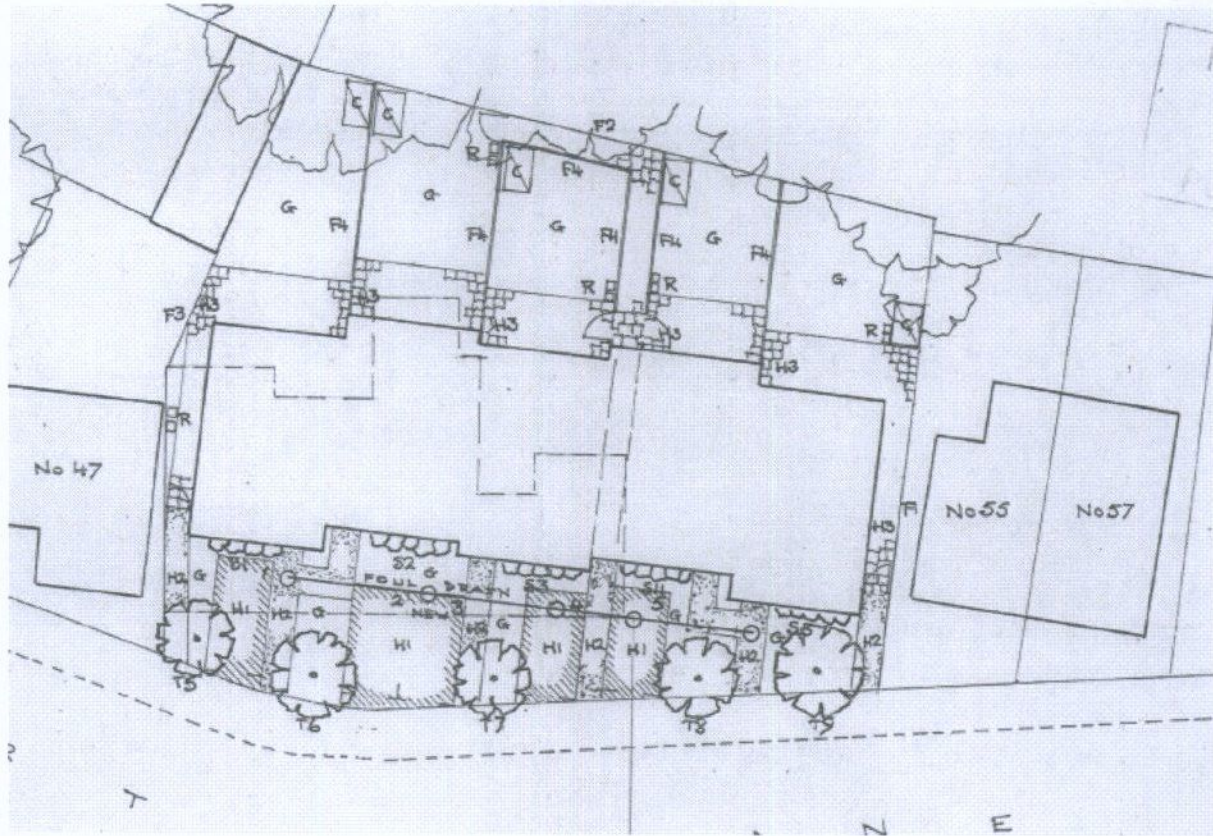
By reason of the design, mass and scale of the proposed development the scheme would constitute an overdevelopment of the site which would be visually intrusive and out of character with the surrounding development. The proposal would therefore be contrary to policies DM HO 2 and DM DC 1 of the Richmond upon Thames Development Management Plan and Supplementary Planning Documents - Residential Development Standards, adopted March 2010 and Small and Medium Housing Sites, adopted 2006.

The proposal would result a change of use of the site without the provision of sufficient off street parking to comply with the parking standards and it has not been demonstrated that there would be no adverse impact on the area in terms of the impact on on-street parking. The proposal is therefore contrary to policy DM TP 8 of the Richmond upon Thames Development Management Plan.

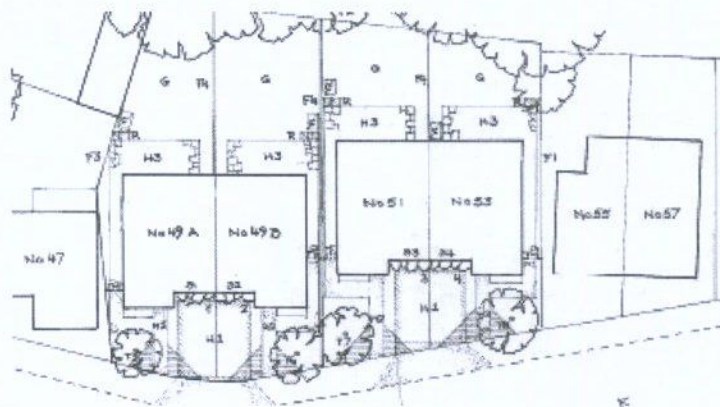
The proposal fails to make any provision for affordable housing in association with the development. It would therefore be contrary to policy CP15 of the London Borough of Richmond upon Thames Local Development Framework Core Strategy and policy DM HO 6 of the Richmond upon Thames Development Management Plan.

The absence of a legal agreement in accordance with the Council's adopted Public Obligations Strategy Supplementary Planning Document in conjunction with the proposed development would place an increased burden on transport, health, public realm and education infrastructure and services in the locality. This would be contrary to Policies DM TP 2 of the Richmond upon Thames Development Management Plan and Policies CP16, CP 17 and CP 18 of the Local Development Framework Core Strategy.





This new application also seeks residential development in the form of two pairs of semi detached houses, each with a single parking space.



Public and other representations:

One adjoining neighbour has written several letters of objection. The following reasons are given:

- Loss of light and overshadowing of the rear garden and conservatory
- Overlooking and loss of privacy
- Inadequate parking provision
- Loss of trees
- Inaccuracies in the plans and supporting documents are cited

Nine other letters of objection have been received from other Teddington residents, five in St Mary's Avenue, two in Middle Lane and two from further afield. These cite the following grounds for objection:

- Impact on infrastructure
- Loss of light
- Loss of privacy
- Inadequate parking provision
- Loss of a use which serves the community
- Loss of trees
- Overdevelopment
- Inappropriate design

Amendments

Elevations were incorrectly labeled on the initial drawing and this has been corrected.

Professional comments:Land Use

Sufficient justification would need to be provided to accept the loss of the public house under Development Management Plan (DMP) Policy DM TC 4. This states: *Before accepting the loss of any local pub or shop unit, the Council will require satisfactory evidence of full and proper marketing normally for at least 2 years, and will need to be satisfied that reasonable endeavour has been made to find new occupants for a full range of appropriate uses. If the retention of the pub or shop use is proven to not be possible then other compatible uses should be considered before residential.*

With the previous application information was provided regarding the loss of the public house, including a statement outlining the marketing undertaken and reasons why the pub has struggled to be viable given its location. The marketing had been undertaken since October 2009, and the property was advertised on the website of the specialist leisure agents Christie & Co.

The information submitted did not suggest that it has been marketed for alternative uses, which could include uses which serve the community, and therefore it was not considered that the requirements of the policy have been met in a manner which justified allowing the loss of the public house..

The key question regarding this new application from the perspective of policy DM TC 4 is whether the marketing for alternative uses including community uses has been addressed. Since the previous refusal the applicant has provided additional information on marketing for alternative uses to support the application seeking to address the reason for refusal.

There is further evidence with this application, that in particular since February 2012 marketing has been widened indicating that community uses may be considered (subject to planning permission). The details are still advertised on the website of the specialist leisure agents Christie & Co. Despite some initial enquiries, it remains the case that there has been no substantive interest.

With the proximity to Teddington town centre, and the range of community uses already on offer in the locality, officers are not aware any specific outstanding needs for social infrastructure in the locality which might suit this site.

Overall, with the additional marketing information, the Council can be satisfied that alternative social infrastructure uses that would meet local needs and are suitable and viable for the site, have not been identified. A change of use to residential can therefore be considered in principle and the first reason for refusal has been overcome.

The DMP emphasizes a need for family homes (policy DM HQ 4) and the houses proposed reflect this.

Design and Appearance

Policy DM DC 1 states:

New development must be of a high architectural and urban design quality based on sustainable design principles. Development must be inclusive, respect local character including the nature of a particular road, and connect with, and contribute positively, to its surroundings based on a thorough understanding of the site and its context.

In assessing the design quality of a proposal the Council will have regard to the following: compatibility with local character including relationship to existing townscape and frontages, scale, height, massing, proportions and form sustainable development and adaptability, subject to aesthetic considerations, layout and access, space between buildings and relationship to the public realm, detailing and materials

Policy DM HO 2 is also of relevance in this case:

Infill Development

All infill development must reflect the character of the surrounding area and protect the amenity of neighbours. In considering applications for infill development the following factors will be taken into account:

- 1. Plot width - plots must be sufficient width to allow a dwelling(s) to be sited with adequate separation between dwellings;*
- 2. Spacing between dwelling - new dwellings must have similar spacing between buildings to any established spacing in the street;*
- 3. Height - dwelling height should reflect the height of existing buildings;*
- 4. Materials - where materials on existing dwellings are similar, new dwellings should reflect those materials;*
- 5. Architectural details - new dwellings should incorporate or reflect traditional architectural features;*
- 6. Trees, shrubs and wildlife habitats - features important to character, appearance or wildlife must be retained or re-provided;*
- 7. Impact on neighbours - including loss of privacy to homes or gardens.*

The loss of the building would be regrettable as it has some merit. However, in the absence of a Listed or locally listed designation it would be difficult to argue for its retention if an appropriate replacement was proposed.

The refused scheme involved a terrace of five 3-storey buildings with the third storey partially within the roofspace. This approach reflected neither the existing building nor any others on this side of the road. Whilst the ridge height was similar to the adjoining 55 North Lane the vertical emphasis of having a third storey was wholly out of character. The massing and scale were clearly excessive and the proposal was out of character with other development on this side of the road.

Townhouses exist on the opposite side of the road, but these are clearly two storey with rooms wholly within the roofspace. Their design is considered to be inferior to the designs of properties on the eastern side of North Lane and should not be taken as a template. A new design on the eastern side of the road needs to take into account the other designs on that side and it was not considered that the refused scheme did this. As a consequence the proposal was also contrary to Supplementary Planning Document 'Small and Medium Housing Sites'.

The new proposal is for two pairs of semi detached houses. These would have rooms which are wholly within the roofspace with front and rear facing dormer windows. The ridge height would be slightly lower than the adjoining pair of semi detached houses, 55 and 57. It would be slightly higher than the detached adjoining property, No 47.

The design is more traditional than previously submitted and although not a copy of 55/57, is more reflective of them. Neither of those properties have roof extensions, however the more modern houses in the vicinity including those opposite have wide front dormers. The dormers proposed here are, by comparison, small with pitched roofs. There will be reasonable spacing between the existing and proposed buildings. Whilst the footprints of the houses are slightly larger than 55/57, so are the plots.

On the basis of the above points it is considered that the proposed design would not be detrimentally out of character. The mass and scale take into account adjoining properties. The density will be noticeably less than other developments in the area. The second reason for refusal is considered to have been overcome.

Impact on neighbours

Policy DM DC 5 states:

In considering proposals for development the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance. To protect privacy, for residential development there should normally be a minimum distance of 20 m between main facing windows of habitable rooms. The Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings, and that adjoining land or properties are protected from overshadowing in accordance with established standards.

The property most affected by the proposal would be 47 North Lane the detached house to the north west. Currently part of the public house is located on the boundary. This element is single storey and projects 1.5m rearwards of the original part of No 47 and is to the side of the conservatory which has been added to that property. The refused application indicated a house which projected 3.4m further back than the original rear wall of 47, albeit 1.5m from the side boundary. As the proposed building lies to the south, light to the rear conservatory and garden would have been significantly affected.

The new scheme shows the nearest house projecting 2.6m beyond the original rear wall of 47. It would be 1.5m away from that property.

In association with policy DM DC 5 the DMP states that with respect to light, the Council will be guided in general terms by the standards set out in Site Layout, Planning for Sunlight and Daylight, and in Sun on Ground Indicators published by the Building Research Establishment (BRE).

As the impact on 47 had been noted with the previous application the applicant commissioned a study on the impact on light of this new proposal. With regard to daylight, there will be a minor effect on the side facing rooflights on the main roof, however these are already affected to some extent by the existing building and it is not considered that the change will be significant. There is a rear conservatory built in 2006 and this has a glazed pitched roof facing the application site. Although the south east facing wall is in brickwork, the rear and other side facing walls are mostly glazed with no nearby obstructions. Bearing this in mind it is not considered that there would be an unreasonable impact on daylight.

In relation to sunlight, the only southerly facing windows are the rooflights and as these are in the roof above the first floor sunlight will not be greatly affected by the new building. The main concern of the neighbour is the loss of sunlight received through the glazed roof of the conservatory which she uses for painting. A conservatory is not generally taken to be a 'habitable room' but BRE guidance acknowledges that sunlight is needed. It is acknowledged that there will be a reduction in the amount of sunlight received through the glazed roof. However it has been possible for officers to consider this using sunlight indicators. The height of the existing extension on the boundary is 3.7m and the eaves height of the proposed house is 5m, however this will be 2m from the boundary. To some extent the increased height is mitigated by the increased distance from the boundary and it has been concluded there would be a minor loss of sunlight. On this basis the loss of sunlight to the conservatory is not seen as a reason for refusal.

Overshadowing of the rear garden of 47 has also been considered. The BRE guidelines state that that at least half it should receive at least two hours of sunlight on 21 March. The proposal would not breach this requirement according to the BRE tests applied..

The other near neighbouring property is 55 North Lane to the south east. There would be a minor impact on daylight to two windows towards the rear portion of the building, however the nearest proposed house will be over 4m from the outrigger to 55 and would not unreasonably affect daylight. The vertical sky component on one would remain above 27% as required by the BRE guidelines and the other is a secondary window to a room with a rear facing window.

Taking into account the separation from the side boundaries and the proposed rearward projection it is not considered that the proposed development would be overbearing.

Parts of rear gardens in Broad Lane would be overlooked, but only at an angle. Due to the distances involved and the orientation of the site it is not considered that other properties would be unreasonably affected by loss of light. No upstairs side facing windows in clear glass are proposed.

Transport

Policy DM TP 8 states the following:

Off Street Parking - Retention and New Provision

Developments, redevelopments, conversions and extensions will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.

A set of maximum car parking standards and minimum cycle parking standards are set

out in Appendix Four - Parking Standards 'Appendix Four - Parking Standards' for all types of development, these take into account bus, rail and tube accessibility as well as local highway and traffic conditions including demand for on-street parking. These standards will be expected to be met, unless it can be shown that in proposing levels of parking applicants can demonstrate that there would be no adverse impact on the area in terms of street scene or on-street parking.

On the basis of the adopted parking standards the current lawful use would require around 22.5 spaces for the public house and 2 spaces for the flat above. The parking requirement for the proposal would be 6 spaces off street (1.5 per dwelling). Whilst this is a significant reduction in overall demand the peak parking for residential is overnight (between 1am and 5am) whereas parking peak for the pub would be during operational hours. 4 spaces are proposed and this would not satisfy the parking policy unless the applicant demonstrated that there would be no adverse impact on the area in terms of street scene or on-street parking. The new parking spaces would also result in the loss of on street parking.

A parking survey has been submitted and it is possible to assess the loss of on street parking and also the potential displacement on further parking on street given the shortfall of off street parking proposed. The survey shows that the proposal would not reduce the available parking on street to under 10% and would therefore not be contrary to Supplementary Planning Document 'Front Garden and other Off Street Parking Standards' which states that parking at more than 90% full is considered heavy. The application therefore is acceptable in policy terms.

The proposed crossovers are wider than acceptable and this could be dealt with by condition as could details of cycle and refuse storage.

Residential Development Standards

The proposed dwellings are of a reasonable size and the layouts are generally acceptable, The Residential Development Standards SPD in conjunction with policy DM HO 4 also has minimum private amenity space requirements. The policy states: *For houses a minimum total private space of 70 sq m for 3 or more beds and 40sqm for 2 beds should be provided.* Whilst the plots shown as 49A and B achieve the 70 sq m, 51 and 53 fall short by 10 – 15 sq m. However, private amenity space has been taken as the rear gardens. The applicant has argued that 'private amenity space' could be taken as any amenity space which is privately owned rather than amenity space which is 'private' –screened from public view. In which case the front garden could be included and the 70 sq m will be greatly exceeded.

Whilst arguably not complying with the normal space requirements the site needs to be considered in a context where other family housing exists with smaller gardens space. The rear garden of No 57, for example, is only 35 sq m. Other nearby family houses have even smaller rear gardens. On balance it is not considered that this element on its own would constitute a robust reason for refusal if the scheme was otherwise acceptable for the reasons given above.

Affordable Housing

Policy DM HO 6 requires new private housing to contribute towards affordable housing and the amount is calculated using a formula which captures a proportion the subsidy that a developer would have put in, had the scheme been for affordable housing. The contribution that would be sought would be discounted to represent 20% affordable housing, given the proposal is to create four units as outlined in the policy. The amount was calculated using the method explained in supplementary planning guidance as £224,642. This does not necessarily take into account specific site related factors and the applicants stated that payment of such a sum would render the scheme unviable. Following submission of documentation substantiating this claim a sum of £133,000 has been agreed. The Planning Viability Advisor of the Council considers this

reasonable.

Planning Obligations Strategy

The following contributions to infrastructure would normally be expected:

EDUCATION	
Primary	£17,834.00
secondary	£10,663.00
5% Management	£1,424.85
TOTAL DUE	£29,921.85

The applicant has agreed to this being secured by a S106 agreement.

Trees

Policy DM DC 4 of the DPD seeks to protect existing trees and landscaping.

Although not protected by any preservation order or Conservation Area status a number of trees have been removed at the side and rear. A landscaping condition would be attached to any approval which would allow for some replacements as mitigation of their loss.

Sustainability

Policies CP1 and CP2 of the Adopted Core Strategy place increased emphasis on new development being of a sustainable nature, with CP2 in particular requiring that all new development achieves a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation. Council also expects a scheme such as this to be subject to the Sustainable Construction Checklist. These requirements are carried through to Policies DM SD1, DM SD 2 and DM SD 4 of the DM DPD.

The proposed development would also be required to meet the relevant Code for Sustainable Homes Code Level 3 standard as outlined by Policy DM SD 1 of the DM DPD. The proposal is accompanied by a pre-assessment report confirming that Code Level 3 will be met. The proposal narrowly fails to meet C grade on the Sustainable Construction Checklist, however photovoltaic panels will be used as a source of renewable energy, and the overall saving on carbon dioxide of 21%. Although slightly deficient in terms of the checklist other sustainable requirements are met and in terms of sustainability the overall scheme is considered to be acceptable.

Community Infrastructure Levy

The scheme will be liable for the Mayor of London Community Infrastructure Levy.

Conclusion

The proposal follows a refusal of a similar scheme. The reasons for refusal related to the loss of the public house, the proposed design, mass and scale, the impact on on-street parking and the lack of contributions towards affordable housing and infrastructure. In relation to the loss of the public house, additional marketing information has been supplied and the requirements of the relevant policy in the Development Management Plan are considered to have been met. A more traditional design approach with a reduction in the number of houses and significantly reduced mass have addressed the concerns relating to design. The applicant has demonstrated that the development can be accommodated without on-street parking levels exceeding 90%. It is not considered that neighbours will be unreasonably affected. Appropriate contributions will be made towards infrastructure and affordable housing.

Recommendation:

APPROVE subject to S106 legal agreement securing contributions towards infrastructure and affordable housing.

:

: Standard conditions:

AT01 - Development begun within 3 years
BD12 - Details - Materials to be approved
DV02A – Boundary Treatment
DV15 – Windows obscure – first floor side elevations
DV44A – Code for Sustainable Homes – Level 3
LT09 – Hard and soft landscaping required
DV48 – Approved Drawings – 300312/03A and 05 received on 20th July 2012; 300312/03B and 04E and received on 20th August 2012
DV49 – Construction Method Statement
GD02A – Restrict alterations/extensions
GD08A – Restrict outbuildings

Non-standard conditions:

NS01 - None of the buildings hereby approved shall be occupied until refuse enclosures and cycle storage for the proposed dwellings have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the siting and design thereof.

REASON: To safeguard the appearance of the property and the amenities of the area and comply with the transport policies of the Council.

NS02 - The dwellings hereby approved shall not be constructed other than to Lifetime Homes standards as described in the Design & Access Statement & shall thereafter be maintained to those standards.

Reason: To ensure adaptable homes to meet diverse and changing needs.

Standard informatives:

IE05A – Noise control
IH06B – Damage to highway
IL10A – Building Regulations
IL16HA – Policies:
Local Development Framework
Core Strategy Policies: CP 1, 2, 3, 4, 7, 10, 14, 15, 16, 17, 18
Development Management Plan Policies: DM SD 1, 2; OS 2, 4, 5, 6; HD 1, 2, 3; HO 4, 6; SI 1; TP 2, 8; DC 1, 5, 6
SPD: Design Quality
SPD: Sustainable Construction Checklist
SPD: Small and Medium Housing Sites
SPD: Residential Development Standards
SPD Affordable Housing
IL13 – Section 106 agreement
IL19 - Summary reasons for granting planning permission: See conclusion
IL24 – CIL Liable

Non Standard informative:

NI01 - The applicant is advised that the proposed vehicular crossovers exceed the width quoted by the published guidelines of the Council and will need to be reduced to 3.5m.

Background papers:

Application forms and drawings

Letters of representation

Application forms, drawings for previous application 11/4041/FUL

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): SGS.....

Dated: 12/11/12.....

I agree the recommendation:

Team Leader/Development Control Manager

Dated:

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:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

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

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS:	
INFORMATIVES:	

ADDITIONAL NOTES CONTINUED FROM ABOVE:

12/2327/FUL
QUEEN DOWAGER PH
49 NORTH LANE
TEDDINGTON

TEDDINGTON WARD
Officer:
S Graham-Smith



© Crown copyright. All rights reserved. London Borough of Richmond Upon Thames LA 100019441[2012].'- Do not scale '

Proposal: Demolition of vacant public house and erection of four three-bedroom houses

Applicant: Planning Potential Ltd for Crowton Properties Ltd

Application received: 23rd July 2012

Main development plan policies:

Local Development Framework

Core Strategy Policies: CP 1, 2, 3, 7, 14, 15, 16, 18

Development Management Plan Policies: DM SD 1, 2 ; TC 4 ; HO 2; 4, 6; SI 1; TP 2, 8; DC 1, 4, 5

SPD: Design Quality

SPD: Sustainable Construction Checklist

SPD: Small and Medium Housing Sites

SPD: Residential Development Standards

SPD Affordable Housing

Present use: Vacant public house

SUMMARY OF APPLICATION:

The proposal follows a refusal of a similar scheme. The reasons for refusal related to the loss of the

public house, the proposed design, mass and scale, the impact on on-street parking and the lack of contributions towards affordable housing and infrastructure. In relation to the loss of the public house, additional marketing information has been supplied and the requirements of the relevant policy in the Development Management Plan are considered to have been met. A more traditional design approach with a reduction in the number of houses and significantly reduced mass have addressed the concerns relating to design. The applicant has demonstrated that the development can be accommodated without on-street parking levels exceeding 90%. It is not considered that neighbours will be unreasonably affected. Appropriate contributions will be made towards infrastructure and affordable housing.

Recommendation: Approve subject to a S106 legal agreement securing contributions towards infrastructure and affordable housing.

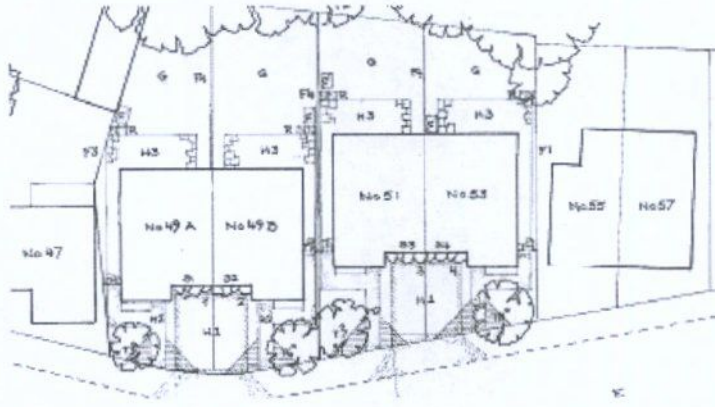
Site, proposal and history:

- 1 The site contains a disused public house with a wide frontage sited towards the southern end of the otherwise mainly residential North Lane. There are houses either side, 47 and 55. Between the main building and 55 is a beer garden. There is open land to the rear. There are no special designations attached to the building or land.
- 2 Recent planning permissions have related mainly to cosmetic changes.
- 3 However an application (Ref 11/4041/FUL) was made towards the end of 2011 for demolition of the building and its replacement with five three storey townhouses. Five parking spaces were provided. This application was refused permission (delegated decision) on the following five grounds:
 - *The proposal would result in the loss of a local public house and in the absence of evidence that has been marketed for alternative compatible uses, which could include uses which serve the community, before residential use, the proposal would be contrary to policy DM DM TC 4 of the*
 - *Richmond upon Thames Development Management Plan.*
 - *By reason of the design, mass and scale of the proposed development the scheme would constitute an overdevelopment of the site which would be visually intrusive and out of character with the surrounding development. The proposal would therefore be contrary to policies DM HO 2 and DM DC 1 of the Richmond upon Thames Development Management Plan and Supplementary Planning Documents - Residential Development Standards, adopted March 2010 and Small and Medium Housing Sites, adopted 2006.*
 - *The proposal would result a change of use of the site without the provision of sufficient off street parking to comply with the parking standards and it has not been demonstrated that there would be no adverse impact on the area in terms of the impact on on-street parking. The proposal is therefore contrary to policy DM TP 8 of the Richmond upon Thames Development Management Plan.*
 - *The proposal fails to make any provision for affordable housing in association with the development. It would therefore be contrary to policy CP15 of the London Borough of Richmond upon Thames Local Development Framework Core Strategy and policy DM HO 6 of the Richmond upon Thames Development Management Plan.*
 - *The absence of a legal agreement in accordance with the Council's adopted Public Obligations Strategy Supplementary Planning Document in conjunction with the proposed development would place an increased burden on transport, health, public realm and education infrastructure and services in the locality. This would be contrary to Policies DM TP 2 of the Richmond upon Thames Development Management Plan and Policies CP16, CP 17 and CP 18 of the Local Development Framework Core Strategy.*



- 4 This new application also seeks residential development in the form of two pairs of semi detached houses, each with a single parking space.





Public and other representations:

- 5 One adjoining neighbour has written several letters of objection. The following reasons are given:
- Loss of light and overshadowing of the rear garden and conservatory
 - Overlooking and loss of privacy
 - Inadequate parking provision
 - Loss of trees
 - Inaccuracies in the plans and supporting documents are cited

Nine other letters of objection have been received from other Teddington residents, five in St Mary's Avenue, two in Middle Lane and two from further afield. These cite the following grounds for objection:

- Impact on infrastructure
- Loss of light
- Loss of privacy
- Inadequate parking provision
- Loss of a use which serves the community
- Loss of trees
- Overdevelopment
- Inappropriate design

Amendments

- 6 Elevations were incorrectly labeled on the initial drawing and this has been corrected.

Professional comments:

Land Use

- 7 Sufficient justification would need to be provided to accept the loss of the public house under Development Management Plan (DMP) Policy DM TC 4. This states: *Before accepting the loss of any local pub or shop unit, the Council will require satisfactory evidence of full and proper marketing normally for at least 2 years, and will need to be satisfied that reasonable endeavour has been made to find new occupants for a full range of appropriate uses. If the retention of the pub or shop use is proven to not be possible then other compatible uses should be considered before residential.*
- 8 With the previous application information was provided regarding the loss of the public house, including a statement outlining the marketing undertaken and reasons why the pub has struggled to be viable given its location. The marketing had been undertaken since October 2009, and the property was advertised on the website of the specialist leisure agents Christie & Co.