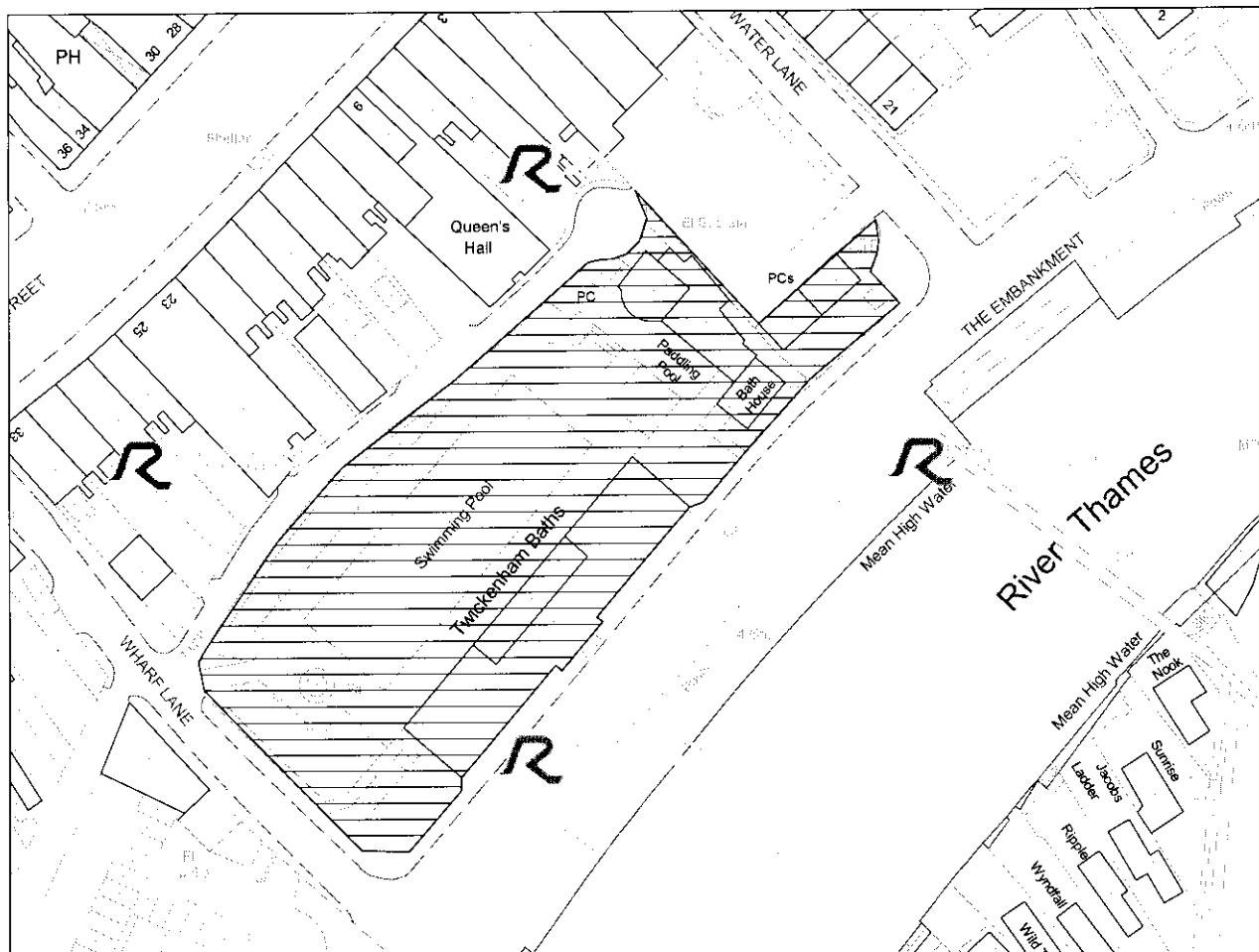


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**COUNCIL APPLICATION
03/1141/FUL
TWICKENHAM POOL SITE
THE EMBANKMENT
TWICKENHAM**

**TWICKENHAM RIVERSIDE WARD
Contact Officer:
R Summers**



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Do not scale

Proposal: Demolition of pool building (plant/changing rooms and entrance space) hard and soft landscaping of resultant footprint. Partial clearance of pool-side lido to form park and children's play area secured by fencing. Steps from lower to upper area. Short term scheme pending future development envisaged five year duration

Applicant: Dearle and Henderson for London Borough of Richmond

Application received: 19 April 2002

Main development plan policies:

UDP 1996: ENV 1, 2, 8, 10, 17, 19, 22, 24 and 43, REC 2,7, RIV 13,

UDP - First Review BLT 2, 9, 11, 14, 16, CCE 10, ENV 1, 9, 12, 19, 26, 33

CA 8; Proposal T1; Thames Landscape Strategy; Twickenham Conservation Area Study

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Present use: Vacant

Site and proposal: The application site comprises part of the former swimming baths and includes the two storey building containing the entrance/changing rooms and part of the lido area in the south west of the overall complex. It excludes the pool and associated buildings immediately to the north and northeast and the public WCs which are now closed. The site is owned by the Council.

It is proposed to demolish the main building (see 03/1142/CAC report following) and create a landscaped sitting area on its footprint with new steps up a higher level forming a park area with play equipment and seats. The lower part adjacent to the Embankment would contain a gently ramped hard-surfaced path leading to seats and would include low walls to contain new planting areas. Part of the wall of the current building would be retained to contain the new landscaped garden.

There would also be an entrance to the upper level (the site is on a slope thus the varying levels) from Wharf Lane via a currently closed access.

The remainder of the site is not part of this application and would be enclosed by a 2.4m high fence, as initially submitted, which would sit on the retaining wall giving an overall height of 5.5m. It is intended that this would be clad in decorative timber with trailing planting to soften its appearance. There would also be a 1.8m high mesh fence on the Wharf Lane frontage on the existing wall, replacing the concrete fence, returning along the side facing the river, to give security and safety to users of the park. The upper level would be gated.

The area of trees in the southwest corner of the site would remain with the retaining wall and railings repaired. The applicant advises that trees will be kept where not causing structural damage and be supplemented by new planting and a programme of tree surgery would be undertaken in conjunction with the Council's arboriculturalist. The open area immediately adjacent to and on the north-east side of the building to be demolished would also be kept and planted where appropriate.

The applicant states that the proposal is intended to have a life span of five years so as to provide a facility for the public whilst giving time to develop a comprehensive plan for the larger site and adjoining land.

Relevant history:

- Twickenham swimming pool closed in 1980 following a decision that it was uneconomic to operate. Since its closure the baths site has remained empty apart from some of the buildings being occupied by community uses (they are not within the current application site).

Various ideas have been promoted for the site since the early 1980s which have included firstly a planning application for a Marks and Spencer food store, YMCA community centre, flats, new WCs, rear access and a pedestrian link from King Street. This was the subject of a public inquiry and was refused planning permission by the Secretary of State in 1991.

- Secondly, a planning application was received in March 2001 from the Twickenham Riverside Terrace Group (ref: 01/0540/FUL). The application proposed to remove the top floor of the baths building and create a roof terrace from it with railings to the edge of the flat roof. The ground floor would be converted into a tourist information centre, public lavatories and a boat hire and booking office and the front elevation would be altered to form a series of arched openings. The pool would be filled in and converted to a riverside park. Steps were shown on either side of the main building giving access to the new open space. The current uses on the site would be retained. The public WC land would become open space. Existing trees were shown to be retained and new ones

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planted, particularly in front of the building. Although the proposal fell short of meeting all the criteria of Proposal T1 in the UDP it was not considered to prejudice a future fuller development of the site and adjoining land and the scheme was therefore approved by Development Control Committee on 19 July 2001.

Some of the reserved matters/conditions attached to planning approval 01/0540/FUL have been approved under reference 01/0540/DD01.

- Thirdly, a further application has been submitted by the same applicant seeking to build three small A3 units on the site, two on the new roof of the remodelled building and one at the rear of the site. A pontoon in the river is also proposed. The application is currently under consideration. (ref: 02/3826/FUL).
- Fourthly, in 2001 a planning application was submitted for the comprehensive redevelopment of the pool site and adjoining land. The proposal included the demolition of the existing buildings and construction of new mixed use development including housing, A1/A3 uses, 3 screen cinema, health club and swimming pool, new public space and environmental improvements to the Embankment, Wharf Lane and Water Lane. Demolition of ground floor of No 15 King Street to create a new pedestrian link through the development to the river.

This application was approved by the then Development Control Committee in March 2002 but was called in by the Secretary of State (SOS) and a public inquiry was set for earlier this year. However, it was not proceeded with as the applicant did not provide an Environmental Impact Assessment, which the SOS considered necessary for that scheme, and the proposal has been dropped (01/2584/FUL).

Strategic policy

At the strategic level Central Government issued Strategic Planning Guidance for London Planning Authorities, RPG 3, in May 1996, complemented and further developed by Strategic Planning Guidance for the River Thames, RPG 3B/9B, issued in 1997. RPG 3B/9B introduced the concept of the Thames Policy Area which requires that policies should be included in UDPs to protect the special character of the Thames. It also indicated that Local Planning Authorities should prepare detailed appraisals of their stretches of the River and its environs. The site is adjacent to but not within the Thames Policy Area.

The Major's London Plan, which will supersede Strategic advice in due course, builds upon the concept of viewing the Thames, and other rivers/canals, as a special resource. A 'Blue Ribbon' network is to be developed to, inter alia, ensure new development contributes to the character of the river...and achieves a high quality of urban design, especially improving public access to the riverside.

Local policy

Following the change in Administration last year the site has been reconsidered and an amended Proposal T1 produced. It is at Appendix B. It will be the subject of examination by an Inspector at the public inquiry currently running into Modifications to the UDP - First Review. It is largely based on previous proposals for the site but includes for the possibility of temporary uses for the site and specifically excludes 1-33 King Street but makes reference to that frontage in the explanatory comment.

The proposal seeks 'Enhancement of riverside and Shopping Area, Leisure Uses, Housing, Limited Improvements to Rear Servicing, Car parking and Public Conveniences, Possible Temporary Uses Including Open Space'.

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The proposal should also be considered against the previous T1 proposal, which included 1-33 King Street etc. This is at Appendix C.

The Thames Landscape Strategy

This recommends under specific policies for this site that development should conserve the intimate scale and working character of the Twickenham and Eel Pie Island waterfront; conserve the tree framed setting of Twickenham Riverside; secure possible connections to the town centre; encourage a passenger boat stop; set car parking back from the river's edge and improve the layout and seating of the public spaces.

The Twickenham Riverside and Queens Road Conservation Area Study

This refers to the Unitary Development Plan and Thames Landscape Strategy as setting the site in context and identifies it as a major problem which blights the western end of the Embankment in particular. The Study picks up on the points already made above under the Thames Landscape Strategy policies/proposals.

Other local policy issues

The site falls within an Archaeological Priority Area, an Area of Mixed Use and adjoins Metropolitan Open Land and Other Site of Nature Importance (The latter two designations are centred on the Thames itself.)

Other matters

The Government Office for London (GOL) has served a Holding Direction, under Article 14 of the TCP(General Procedures)Order1995, on the Local Planning Authority confirming that if the Council grant planning permission for the scheme it must be referred to GOL to decide whether the Secretary of State wishes to determine the application. The recommendation at the end of the report reflects this Direction.

Public and other representations: 12 residents have written objecting on the following grounds:-

1. Potential noise disturbance.
2. Entire site should be returned to public use.
3. Wholly unacceptable to fence off site for several years.
4. Building should be renovated and used by the community in the interests of sustainability.
5. Insufficient information to make a decision for a site in a conservation area.
6. 2.4m high fence on top of wall will be harmful to the conservation area and Thames Policy Area.
7. Views from play area will be blocked by fence and uses are unrelated to the river contrary to environmental policies.
8. Limited public use for money being spent.
9. No ecological study carried out by applicant and vegetation will be destroyed.
10. No proposals for riverside use.
11. Concern over loss of trees.
12. Loss of building that is an important feature in the area and is worthy of retention.
13. 5 year duration only and could then result in more dereliction.
14. Insufficient facilities being provided to draw the public to the site.
15. Demolition should be controlled to minimise disturbance to the area.

English Heritage (Conservation Area reference) has no objections to the scheme noting the building makes no particular contribution to the character or appearance of the conservation area but stresses the importance of securing a long term solution for the site and ensuring the landscaping is of sufficient quality to last for 5 years.

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English Heritage (Archaeology reference) recommends that demolition work be only carried out to the existing floor level as going below that might affect the potential archaeological resource.

The Environment Agency has no objections in principle subject to conditions to enhance landscaping/nature conservation interest based on the Thames corridor. The EA is satisfied with the Flood Risk Assessment submitted by the applicant.

The Eel Pie Island Association (EPIA) is broadly supportive of the long term objectives for the site but considers the scheme could be improved and that it may become a long term development by default. It approves of the partial clearance of the site; its use for leisure, the play ground is a good idea, as is the open space; retention of existing parking and traffic arrangements are supported; but objects to the removal of the toilets which need to be provided to support increased usage of the area.

It is suggested that the viewing areas could be improved by the introduction of a board work at a higher level and the location of the WCs should be brought into use at this stage as a playground as it is better sited for users.

However, this application could have a longer life than intended and this would not be supported as more of the site should be given over to open space use, as suggested above and for public events etc.

The York House Society welcomes the proposal although would prefer to see more of the site used and the children's playground moved to the east end of the site.

Amendments: The 2.4m high fence has been reduced to 1.8m where located on the retaining wall facing the Thames; a low wall has been introduced to contain the planting area if the site floods; the upper level seating area has been enlarged; an environmental audit has been submitted providing information about the site and conclusions with regard to the ecology of it, the need to deal with potential asbestos pollution and the suggestion of an Environmental Management Plan to deal with demolition etc.

Reconsultation: Interested parties have been notified of these changes and one neighbour reiterates their opposition noting the proposal only part opens the site for public access.

Professional comments:

Land use

Amended Proposal T1 seeks, inter alia, 'possible temporary uses including open space'.

The application has been submitted with the intention of being for a five year period to enable more time for careful attention to be paid to developing a long-term solution for the site.

Notwithstanding the applicant's time scales the Local Planning Authority has to consider whether the application will in any way, inter alia, prejudice the full implementation of either of the T1 proposals produced at Appendices B and C.

On this issue none of the work proposed would prevent a more comprehensive scheme being taken forward. Indeed the removal of the main building could be said to be a step in this direction to enable a more wide ranging proposal being developed. This might not be the case if major new building works were being contemplated but this is clearly not the case.

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It is also the case that this application will not prejudice other versions of Proposal T1 in that it will not place any development on the site which could be said to prevent the long term comprehensive development of it. Its intention is to create a useable space for the public's enjoyment with views of the river and a play ground, as an interim leisure use activity. Whilst this clearly does not provide the mix of uses contemplated by T1 proposals it is not intended to be in perpetuity and only covers part of the site.

Currently it is clearly an eyesore and provides little in the way of benefit to the town.

The application seeks to remove the building and replace it with a garden for public use and to provide a children's playground, plus seating which is intended to become an attraction and destination in its own right. This in turn should generate more activity along the Embankment encouraging the public to enjoy the riverside. Wharf Lane could become a better-used route.

Whilst it is accepted that this only covers part of the site it is considered that this proposal will enhance the riverside and thus the conservation area by introducing planting, open space, seats and play space all for public use which can collectively contribute to the amenities of the area. A careful clearing of some self-seeded trees, subject to ecological considerations and officers agreement, would also be beneficial in producing a scheme which would improve the environs of the Thames at this juncture.

It may not be considered by some to be the most desirable solution but the test from the planning application perspective is whether it is preserving or enhancing the character or appearance of the conservation area and thus the Thames Landscape Strategy and the Thames Policy Area. There may be other ways of achieving improvements in the area, some suggested by third parties, but this proposal must be considered on its own merits without comparison to other possible solutions.

English Heritage supports the proposal and whilst noting the objections to the principle of the scheme, and support, by third parties, officers take the view that if properly detailed and landscaped this will benefit the area both visually and in terms of activity. It is therefore a major step towards bringing the site back into beneficial use which can be supported in terms of UDP ENV and BLT policies, Proposal T1 and to the general advantage of the locality.

Objections have been raised to the loss of a useable asset in the interests of sustainability. It is recognised that both Government and local planning policies promote conservation of resources and the recycling of land.

Notwithstanding the merits or otherwise of other schemes, proposed Proposal T1 effectively has been drawn up with the explicit understanding that the site would be cleared to enable a comprehensive scheme to be prepared. There was no objection last year to the application to do that and there have been no material changes since then to take a different view.

The building has no intrinsic visual value, the DCMS has recently declined to grant it Listed Building status. English Heritage agree with this view. The approved scheme (ref: 01/050/FUL) seeks to remove the whole of the top floor of the building. However, it is not considered that a planning argument has been made that, to retain part of the building, should prevent the current planning proposal from being approved.

It is understood that the applicant has considered the alternative suggestion but does not concur with the promoters that it would be financially viable. Whatever the arguments might be about whether alternative ideas are practical or not the application must, in my view, be considered on its own merits with particular reference to Proposal T1.

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Nature interests

The issue of nature conservation has been carefully considered by officers following third party comments and a full environmental report. The latter concludes that the development will not cause a material and unacceptable loss of fauna and flora but suggests that further studies be carried out for bat and slow worm habitat. The conclusions of these reports will be available at the committee meeting.

It is worth noting that this was not a significant issue when the applications for the development of this site and adjoining land were considered in the recent past. However, there is now an opportunity to enhance the potential of the site for nature conservation through selective planting and other measures. There are no overriding reasons that have been put forward to prevent the careful development of the site subject to compliance with the suggested conditions for wildlife protection and improvements.

The audit has referred to the possibilities of asbestos presence and this, whilst not being directly related to the planning application consideration, needs to be dealt with via other legislation.

Visual impact

The fencing to keep intruders out of the remainder of the site is necessary but will need to be carefully handled to avoid it becoming over dominant. Its height has been significantly reduced for part of its length during the consideration of the application and climbers can be introduced to soften its impact. Other planting will also help to improve the appearance of the land. This should be done in conjunction with promoting nature conservation interests. There may be an opportunity to introduce a mural facing the play area which could enliven the space being created.

A different form of fencing is proposed to Wharf Lane to ensure the site is secure and safe but also to allow views into and out of the playground and seating areas. The Crime Prevention Officer has advocated this approach. It is also necessary adjacent to the highway as the pavement drops away towards the river and thus there could be danger for users falling from the higher level without some physical barrier.

The exact type and design of play equipment is still under consideration but the drawings give a useful illustration of the likely level of facilities and their appearance. Both the lower and upper levels will be accessible by the disabled and those pushing prams etc.

Archaeology

The applicant has confirmed that the floor of the building is not to be disturbed so archaeology should not be harmed. However, it should be noted that the comprehensive scheme considered last year proposed major earth works and a condition on the planning permission was considered the appropriate way of dealing with that issue. I do not therefore consider that this scheme, which clearly is a much less intrusive development in terms of surface changes, threatens any historic artefacts.

Other issues

The uses of the land as a garden and children's play area are not likely to cause harm to neighbours amenities particularly as the playground is not to be available for use late into the evening.

With regard to granting approval for a limited period, the advantage of restricting the permission to five years would be to enable the Local Planning Authority to review the situation at that time with regard to any changes in circumstances that may have occurred. Moreover, the applicant has only applied for five years so it is possible to condition it for that reason alone. A condition is recommended.

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I therefore recommend that the **Planning Committee consider whether to grant planning permission subject to the conditions and informatives listed below and subject to no adverse direction from the Secretary of State:-**

Standard conditions:

- BD11 - Miscellaneous details - 'lighting, gates, seats, bins'
- BD12 - Details - materials to be approved
- LA04A - Protect trees - shown on plan
- LA08 - Protect major roots and site inspection - 'trees on plan'
- LA11A - Landscaping require - hard and soft
- LA30 - Landscape works - implementation
- LA34 - Landscape maintenance
- LB01 - Part demolition - safeguard wall
- LP01A - Use - buildings and works - '5' '31 July 2008'. REASON: To accord with the terms of the application and to provide an opportunity for the Local Planning Authority to review the situation in the light of Proposal T1 of the UDP.

Standard informatives:

- IE05A - Noise control - building sites
- IH06 - Damage to public highway
- IL12 - Approved drawing Nos - ' C2799/100P4, 101P4 and 102/P4 received on 2 July 2003'
- IM12 - Graffiti ✓ ✓ ✓
- IT06 - Nature conservation
- IX12 - Environment Agency - add 'The applicant is reminded of the need to take into account the contents of the EA's letter dated 11 June 2003, reference SL/2001/004236-4/2.'

Non-standard informatives:

- NI01 - The applicant is advised of the need to liaise with the Health and Safety Executive with regard to the removal of asbestos from the site prior to the commencement of any work

Background papers:

Application forms, drawings, Design Report Supporting Planning Application, Environmental Audit Letters of representation including amenity groups.
Letters from English Heritage, Environment Agency,
Previous applications (refs: 90/1213/FUL Inspectors decision only, 01/0540/FUL, 01/2584/FUL)
Thames Landscape Strategy,
Twickenham Riverside Conservation Area Study
