

Application reference: 13/2270/FUL
TWICKENHAM RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
25.06.2013	27.06.2013	22.08.2013	22.08.2013

Site:

9 King Street, Twickenham, TW1 3SD,

Proposal:

Partial demolition of existing building and redevelopment/conversion on ground to third floor levels for a mixed use scheme comprising Class D2 Assembly and Leisure Use together with 2no. two bed flats and 2no. one bed flats.

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

APPLICANT NAME

Mr
c/o agent

AGENT NAME

Mr Gary Thomas
71 The Ridgeway
Stanley Hill
Amersham
Bucks
HP7 9HJ

DC Site Notice: printed on 09.07.2013 and posted on 19.07.2013 and due to expire on 09.08.2013

Consultations:

Internal/External:

Consultee

LBRUT Transport
14D POL
14D Urban D

Expiry Date

23.07.2013
23.07.2013
23.07.2013

Neighbours:

Basement, 13A King Street, Twickenham, Richmond, TW9 1ND, - 09.07.2013
11A King Street, Twickenham, TW1 3SD - 09.07.2013
7A King Street, Twickenham, TW1 3SD - 09.07.2013
Flat Rear Of, 9 King Street, Twickenham, TW1 3SD, - 09.07.2013
13 King Street, Twickenham, TW1 3SD, - 09.07.2013
9A King Street, Twickenham, TW1 3SD, - 09.07.2013
13A King Street, Twickenham, TW1 3SD, - 09.07.2013
3-5 King Street, Twickenham, TW1 3SD, - 09.07.2013
7 King Street, Twickenham, TW1 3SD, - 09.07.2013
13B King Street, Twickenham, TW1 3SD, - 09.07.2013
11 King Street, Twickenham, TW1 3SD, - 09.07.2013

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

Development Management

Status: PCO

Date:

Application: 13/2270/FUL

Partial demolition of existing building and redevelopment/conversion on ground to third floor levels for a mixed use scheme comprising Class D2 Assembly and Leisure Use together with 2no. two bed flats and 2no. one bed flats.

Constraints:

Professional Comments:

Recommendation:

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

NO

I therefore recommend the following:

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

Case Officer (Initials): AB

Dated: 25-9-2013

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

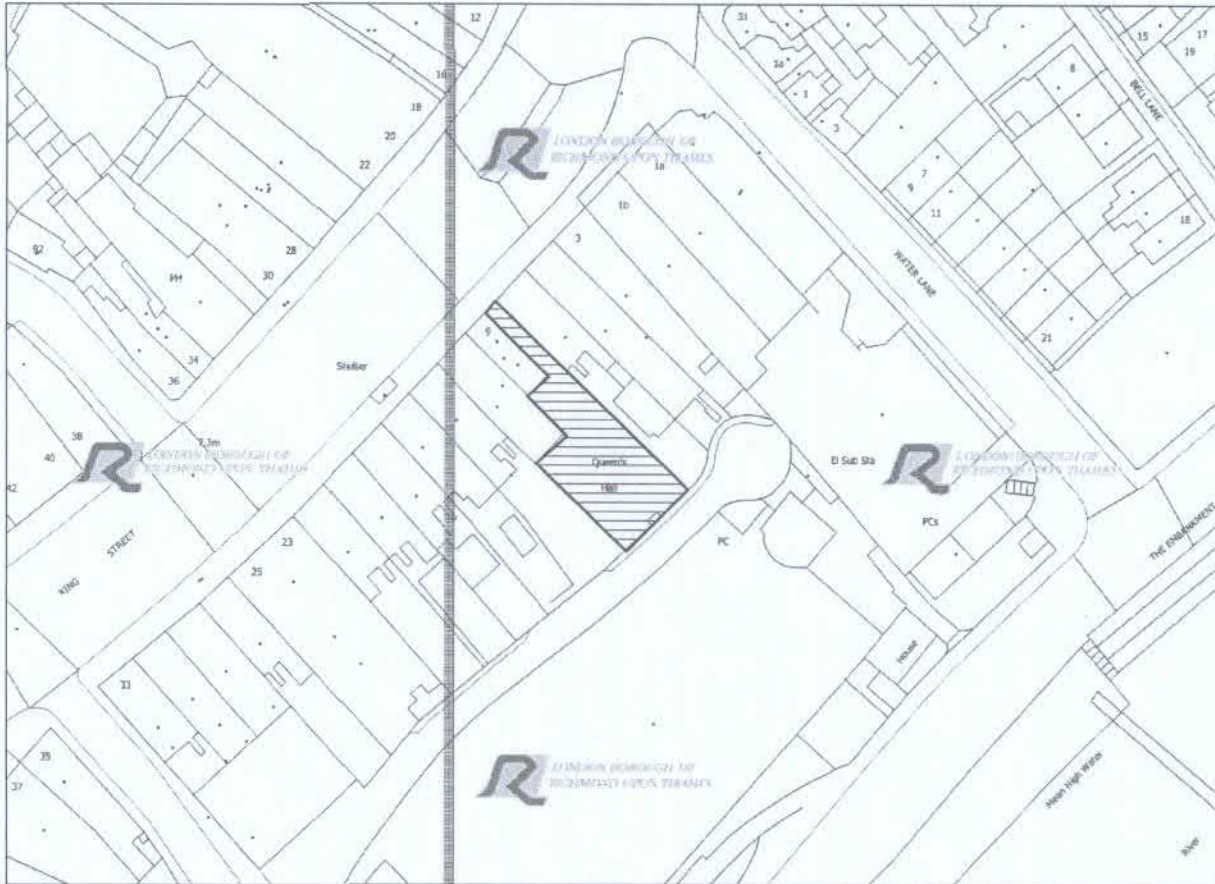
CONDITIONS:	
INFORMATIVES:	

ADDITIONAL NOTES CONTINUED FROM ABOVE:

13/2270/FUL
9 KING STREET
TWICKENHAM

TWICKENHAM RIVERSIDE WARD
Contact Officer:
A Jolly

<http://www2.richmond.gov.uk/PlanData2/ShowCaseFile.aspx?appNumber=13/2270/FUL>



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Development: Partial demolition of existing building and redevelopment / conversion on ground to third floor levels for a mixed use scheme comprising Class D2 Assembly and Leisure Use together with 2no. two bed flats and 2no. one bed flats.

Applicant: Omaha Properties Ltd

Application validated: 27.06.2013

Main Development plan policies:

Development Management Policies: DM SD1, SD2, SD3, SD6, DM TC1, DM HD1, HD4, DM SI1, DM SI2, DM HO2, HO4, HO5, DM TP2, TP7, TP8, DM DC1, DC5, DC6.

Core Strategy: CP1, CP2, CP5, CP7, CP8, CP9, CP14, CP16, CP17 CP19 and Twickenham Area Action Plan (TAAP) TW7.

Supplementary Documents/Guidance

Design Quality (February 2006), Residential Development Standards (March 2010), Small & Medium Housing Sites (February 2006), Sustainability Construction Checklist (August 2006) including Amendments (2008) and Updates (March 2011),

Present use: D2 Assembly and Leisure

SUMMARY OF APPLICATION

The proposal constitutes an acceptable form of development which would successfully preserve the character, appearance and setting of the application buildings and the nearby conservation areas; the proposed D2 and residential use would not raise any undue land use concerns and, subject to appropriate conditions and a S106 agreement, the proposal would not adversely affect highway and pedestrian safety and would not lead to an undue loss of neighbour amenity. As such the scheme does not prejudice the aims and objectives of the National Planning Policy Framework, policies DM SD1, SD2, SD3, SD6, DM TC1, DM HD1, HD4, DM SI1, DM SI2, DM HO2, HO4, HO5, DM TP2, TP7, TP8, DM DC1, DC5, DC6 of the Development Management Plan, Core Strategy policies CP1, CP2, CP5, CP7, CP8, CP9, CP14, CP16, CP17 CP19 or the adopted SPD 'Design Quality' and SPD 'Residential Development Standards'.

RECOMMENDATION: APPROVE subject conditions and to a legal agreement to include car club membership, restriction of parking permits for the proposed flats and education contributions.

Site description

1. The site comprises two elements, a three storey frontage building with commercial uses on the ground floor and via a ground floor link a former hall building known as Queens Hall fronting a rear service road. This building is currently occupied by a gym / martial arts use. The Queens Hall building is significantly taller than the 3 storey buildings which front King Street and is set some 6.8m away from the rear elevation of these frontage buildings. Attached to the rear of the hall is a two storey extension with space for changing rooms and exercise machines. The extension abuts the service road at the rear and represents a poor standard of design and has a negative impact on the nearby conservation areas.
2. The hall is formed of facing brick with a corrugated metal roof. On the side and front elevation (facing the properties on King Street) the windows are largely boarded up. The frontage building forms part of a terrace which runs along Kings Street. The properties along King Street are predominantly commercial units on the ground floor with residential flats above, with the entrance to the flats from the rear service road. No parking exists for cars or bicycles at the application property.
3. The building is not subject to any listings and does not either preserve or enhance the setting of the nearby conservation areas in its current state. The application site is designated within the Twickenham Riverside Opportunity Area in the Twickenham Area Action Plan (TAAP).
4. To the rear of the hall, beyond the service road, is the vacant Twickenham Pool Site which is currently subject of a proposal by the Council to redevelop. Adjacent the Pool Site is the recently developed Riverside Park.
5. The site is located immediately adjacent to the Twickenham Riverside Conservation Area to the south and opposite the proposal site and adjacent to the Queens Road Conservation Area to the north. The property is within a mixed use area.

Proposal

6. The proposal seeks to convert and extend the building into a four storey building following the demolition of the two storey rear extension. The ground and first floor would be used for D2 use with shared access for the residential units. The two floors above would be for four new residential flats with balconies overlooking the Pool Site and Richmond Gardens.
7. Internal alterations are proposed to create new floors within the existing footprint of Queens Hall. External alterations would include the installation of new/extended window openings in the flank elevations and the replacement of the corrugated metal roof with a zinc roof with conservation style rooflights. A three storey extension is proposed at the rear and would be formed largely of glass.

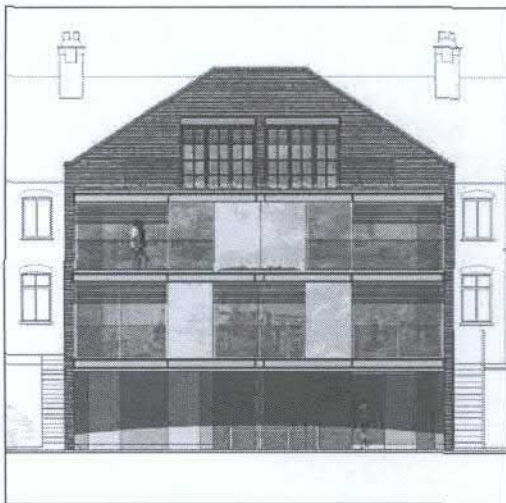
Planning history and history of the Busen

8. The Queens Hall has been a D2 Assembly and Leisure facility since its construction, being used initially as a theatre, then a dance school and as a martial arts and fitness centre since 1984.
9. The Busen Martial Arts & Fitness Centre has been based at Queens Hall since 1984. The Busen has a membership of around 600 and attracts over 1000 users per week to its martial arts classes, which include karate, judo, ju jitsu and kendo and other fitness classes and weights room.
10. Busen occupy the appeal premises on a short term lease and so the Council have been working with them to try to identify a new base, but to date the search has been unsuccessful, despite the Council's offer of financial help if alternative accommodation can be found.
11. **13/1242/FUL** - Change of use to the top floor of the property from ancillary office space to D1 Physiotherapy use – approved with conditions
12. **11/3695/FUL** - Partial demolition of existing building and redevelopment/conversion at ground to fourth floor levels for a mixed use scheme with D2 Assembly and Leisure, 4no. two bed flats and 1no. one bed flat and alterations to access and the provision of 2no. car parking spaces – Dismissed at appeal for the following reasons:
 - Design and impact on the nearby conservation area and application building
 - Transport and parking.
13. The appeal application included internal alterations which would have led to the retained / revamped D2 space no longer being suitable for the Busen Martial Arts Centre due to lowered ceiling heights in the main hall area. However, the Inspector did not refuse the application for this reason as there would have been no significant loss in D2 floor space. The Inspector therefore found that the redevelopment and modernisation of the D2 leisure space was policy compliant and therefore acceptable.

Difference between the appeal scheme and current scheme:

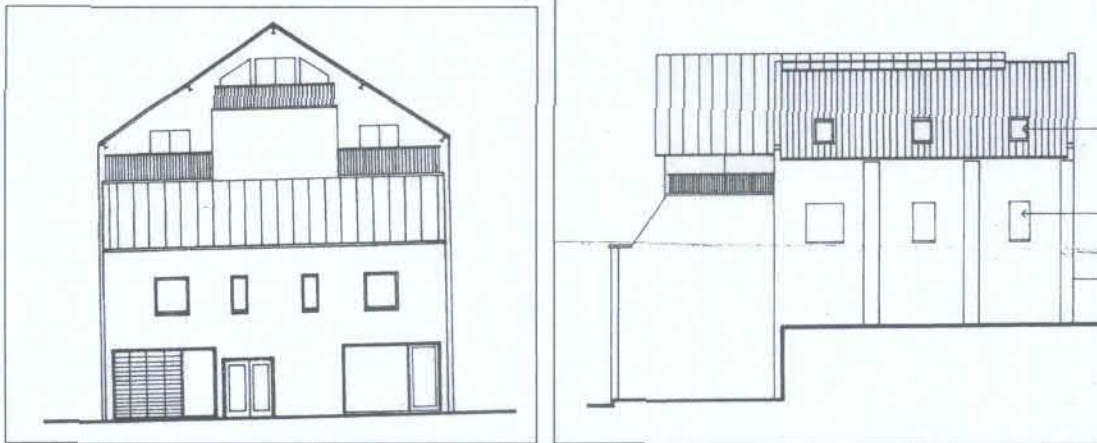


Refused 11/3695/FUL application service road elevation and flank elevations. Queens Hall building extended and significantly higher than frontage properties. Solid brick extension at rear facing the service road. Car parking proposed in undercroft.



Current application; no increased height or footprint of Queens Hall. Glazed extension at rear facing the service road with access to the redeveloped D2 space. Refurbishment of existing elevations and installation of new windows. Car free development.

14. **06/0132/FUL** - Rearrangement of uses on ground and first floors to provide class A1 retail unit and leisure facility, alterations to access to upper part of 9 King Street and the conversion of the upper part of the existing hall structure to form six flats, including demolition and rebuilding of the rear part of hall - granted permission 31-Mar-2006



06/0132/FUL: Approved elevations as viewed from the service road at the rear

15. **05/2492/FUL** - Rearrangement of leisure and retail floorspace, alterations to access to upper part of 9 King Street, conversion of upper part of existing hall structure to form 6 flats, including demolition and rebuilding of rear part of hall - refused permission 29-Sep-2005
16. **04/3420/FUL** - Re-arrangement of existing leisure and retail units. Alterations to access to upper part of no. 9 King Street and conversion of the upper part of existing hall structure to form 6 flats including demolition and rebuilding of rear part of hall - Non Determination - REF recommendation 24-Aug-2005. Appeal dismissed on 06-Jan-2006
17. **02/0547** - Change Of Use From A3 And D2 Use To A1 And D2 Use - refused permission 02-Dec-2002
18. **99/1263** - Conversion Of Existing Hall To Provide 3 New Dwellings On Upper Floors, Gymnasium Relocated From Ground To First Floor Level And Additional Retail Accommodation At Ground Floor Level, Including The Demolition And Re-building Of Existing Rear - granted permission 21-Dec-1999
19. **98/2162** - For Use as Either Self Contained Flat - 5 Rooms, Kitchen, Bathroom And Separate W.c Or For Office Use Within B1 Use Class - granted permission 28-Oct-1998

Public and other representations:

20. Letters were sent to local addresses a site notice was erected and the application was published in the Richmond and Twickenham Times.
21. 15 letters of objection have been received from neighbouring residents. The points of objection are as follows:
 - Design and impact on the conservation area
 - Not traditional in style
 - Design would not be compatible with the redevelopment of the Richmond Pool Site
 - Impact on the private parking at the rear of 13a King Street
 - Loss of Busen martial arts centre
 - Already enough flats in Twickenham

Urban Design and Conservation: No objections subject to conditions

English Heritage: No objections

Policy: No objections

Transport: No objections subject to conditions and S106 agreement for car club users and parking permits

LBRUT Leisure Services: Objection to internal alterations which would result in the loss of the Busen Martial Arts Centre

Thames Water: No objections

Professional comments

Key planning issues

22. The main issues for consideration are:

- Impact of the design on the neighbouring conservation area and on the area generally.
- The acceptability of the D2 space.
- The provision of the residential units.
- Neighbour amenity.
- Parking and highways consideration.
- Planning obligations.
- Whether the previous reasons for refusal have been addressed.

Whether the replacement D2 floor space would be acceptable

23. As stated above Busen occupy the application premises on a short term lease and in the past the Council have been working with them to try to identify a new base, but to date the search has been unsuccessful, despite the Council's offer of financial help if alternative accommodation can be found. Clearly this is a valuable community facility in this area.
24. The current layout of the hall includes a ceiling height of approximately 5m which benefits the martial arts centre as they require the high ceilings for their activities. There are changing rooms located adjacent the hall at ground level and an exercise and weights room on the first floor as well as ancillary offices. The current building provides some 359m² of D2 use which includes the ancillary changing rooms and office space above.
25. The proposed D2 floor spaces measures some 314m² and would include an internal extension to the existing first floor which would reduce the ceiling height of the hall. The internal alterations would include improvements to the changing rooms and toilets and a dedicated reception would be located at the service road entrance. An entrance to the D2 use would also be provided from King Street.
26. The reduction in ceiling heights would mean the D2 space would no longer be suitable for martial arts classes and it is understood that the space would be used as a fitness gym with weights rooms and fitness machines.
27. Policy DM SI1 of the Development Management Plan seeks to retain health and community facilities where they continue to meet or can be adapted to meet residents' needs unless the facilities are adequately re-provided elsewhere. In this case a slightly smaller D2 facility would be provided in a different format therefore it is considered that there would not be an unacceptable loss of D2 floor space.
28. Whilst there would be a loss of D2 floor space, the loss of some 45m² equates to approximately 14% reduction only, which is not considered significant and would be

offset by the improvements to the existing D2 space, including revamped toilets and changing rooms which are in particular need of modernisation as indicated by the Inspector when considering the previous application (ref: 11/3695/FUL).

29. When assessing the previous scheme the Inspector did not raise any objections to the internal rearrangement and reduced ceiling heights which would not have been suitable for the current user, the Busen Martial Arts Centre. The appeal scheme proposed a 20% loss of D2 floor space, a greater loss than the current scheme. In regard to the modernisation and the internal alterations of the D2 floor space the Inspector stated that the proposal would not *'conflict with CS policies CP16 or CP17 as they do not seek to protect such uses for specific occupiers or sports. They seek to retain community facilities and encourage and promote health and well being, which this proposal would do. I am also mindful that the building is privately owned and Busen occupy the building on a short term lease and so they could loose the use of this building in the future in any event, if their lease were not renewed. Moreover, the proposal would retain the D2 use, just in a different format and so the proposal would accord with DMP policy DM SI 2.'*
30. Therefore, whilst it would be regrettable to loose the high ceiling hall which benefits the Busen Martial Arts Club and its current users, the proposed internal alterations and modernisation of the D2 floor space would be inclusive and accessible to all members of the community and, the alterations to the toilets and changing rooms and general modernisation and installation of cycle parking, represent an improvement to the existing facilities and an acceptable amount of D2 floor space would be provided. For the same reasons the Inspector raised no objection to the appeal scheme, the current proposal would retain the D2 use, just in a different format and so the proposal would accord with DMP policy DM SI 2.

Residential use

31. Subject to design and transport matters, the principle of additional housing in Twickenham centre is supported by policies CP1, CP14 and TAAP.
32. Core Strategy policy CP1 refers to the appropriate location of land uses and advises residential uses are encouraged in town centres and near to public transport to reduce the need to travel by car. CP14 advises the Council will exceed the minimum strategic dwelling requirement where this can be achieved in accordance with other Local Development Framework policies. Further, policy DM HO 4 advises town centres provide the most appropriate locations for small units and schemes would be expected to provide more small units in the most accessible areas of the Borough.
33. The Twickenham Area Action Plan provides a framework for achieving the revitalisation of the centre, through the redevelopment of key sites, reduction in the impact of traffic and environmental improvements. The plan encourages residential units as they can help to enliven the town centre, bring in additional spending and ensures that the area has activity throughout the day and evening.
34. The building is located within the Twickenham town centre and the proposed mix of 2no. two bed flats and 2no. one bed flats is therefore acceptable and would constitute an efficient use of the site and would be compliant with policy CP14 which advises between 25% and 75% smaller units should be provided in sustainable locations.
35. Internal and external space standards set out in policy DM HO4 and the SPD Residential Design Standards would be met at all the properties. The provision of private roof terraces are welcomed at these new properties and are considered to meet the criteria set out in policy DM DC6 'Balconies and Upper Floor Terraces'.

36. Core Strategy policy CP14 requires 10% of all new housing to be to wheel chair standards and this could be incorporated considering the proposed scheme has a lift to the residential units. A condition will be attached to ensure the proposed housing is built to Lifetimes Homes Standards.
37. In addition, the principle of a mixed use scheme would contribute to vitality and viability of the Twickenham town centre and is therefore considered to be in accordance with the Twickenham Area Action Plan

Design and impact on the nearby conservation area

38. The National Planning Policy Framework advises that developments should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. Further, planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles and, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
39. Core Strategy CP7 (Maintaining and Improving the Local Environment) requires all new development to recognise distinctive local character and contribute towards creating places of a high architectural and urban design quality that are well used and valued.
40. Policy DM HD 1 requires that new development (or redevelopment) or other proposals should conserve and enhance the character and appearance of the area. The text to DM HD 1 states that high quality new development and exceptional design which responds to local and historic context can make a very positive contribution to the setting of conservation areas.
41. Policy DM DC1 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 design quality this policy requires proposals to have regard to:
 - 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
42. Also relevant is the text to this policy listed under 6.1.1 which states 'schemes that are not of a high design quality, and will not result in the improvement of the area where they will be built or implemented, will not be acceptable, nor will schemes which depart from the coherent and predominant character of a road or neighbourhood'.
43. Policy DM HO2 (Infill Development) requires that all infill development must reflect the character of the surrounding area and protect the amenity of neighbours and sets out seven criteria which a proposal must take into account; plot width, spacing between dwelling, height, architectural details, trees and impact on neighbours.

44. As shown above the previously refused scheme (ref: 11/3695/FUL) would have retained little of the original Queens Hall, included an increase to the overall height of building, with projecting dominant windows and a bulky extension fronting the service road. All of which the Inspector raised objections to.
45. Even though Queens Hall is formed of recessive and muted materials, externally it is a substantial building and is highly visible from a number of views along Twickenham Riverside and Water Lane. Any alterations and extensions to Queens Hall need to be carefully considered as they will be highly visible within the surrounding area. Further the building is located adjacent a conservation area and the newly developed Riverside Gardens an important public open space in Twickenham.
46. It is considered that the current scheme has addressed the previous reasons for refusal and the existing form of the Queens Hall would be retained with sympathetic alterations proposed to incorporate new fenestration into the building. The Inspector noted of the appeal scheme that of particular concern were the projecting side windows. These have been omitted from the design and more sympathetic recessed openings are proposed in the flank elevations. The proposed openings are considered to be of a size and design which compliment the style of the building, would be uniformly positioned and would preserve the character and appearance of the building and nearby conservation areas.
47. Overall the proposed materials would be successfully muted and the glass extension to the rear, whilst modern in appearance constitutes a high standard of design, is not overly complicated or fussy and would have a visually light weight appearance, therefore achieving a subservient relationship with the host property due to the sympathetic use of materials, set in from the flank walls and set down from the main ridge. Moreover, the glass extension would visually enhance the neighbouring conservation area and in particular the area at the rear of the property fronting onto the service road, which the Inspector described as 'aesthetically poor'. In this regard the extension would enhance the setting of the conservation area. The glazed extension and location of the entrance to the D2 unit at the rear would generate an active frontage onto the rear service road which is one of the Key objectives of TAAP in this location.
48. The existing corrugated metal roof would be replaced with a zinc roof with conservation roof lights to match the colour of the roof. The new roof would constitute a visual improvement over the existing corrugated roof and the zinc would weather to a suitably muted appearance in this prominent setting.
49. The proposed residential units and balconies would overlook the Riverside Gardens providing natural surveillance of this public area creating a safer public environment as supported by *Manual for Streets* and *By Design* which advises that '*Streets and spaces that are overlooked allow natural surveillance, feel safer and generally are safer*'.
50. Overall the current proposal is considered to be considerably more sympathetic than the scheme approved back in 2006 and the refused scheme in 2011. The proposed scheme retains the envelope of Queens Hall along with the original roof form, a good proportion of the external fabric and the spirit of the external character of the building. In design terms the three storey extension reads as an honest new addition as the materials are visually lightweight and contrast with the brick of the main building. The external alterations and extension are considered to enhance the character of the building and setting of the nearby conservation area.
51. The Urban Design and Conservation Officers are supportive of the redevelopment of the Queens Hall and the design of the rear extension.

Residential amenity

52. Policy DM DC 5 (Neighbourliness, Sunlighting and Daylighting) states that in considering proposals for development the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance.
53. Policy DM DC 6 supports the addition of purpose built well designed and positioned balconies or terraces providing amenity issues are acceptable.
54. The proposed balconies would overlook the Pool Site and Richmond Park and therefore do not give rise to any unacceptable overlooking directly towards any habitable windows or outdoor private amenity areas of any neighbouring residential properties.
55. There would be no openings in the back of the Queens Hall facing toward the rear of the residential flats fronting Kings Street.
56. Development on either side of the Queens Hall building consists of a private garden, ground floor extensions with ducting on the flat roofs serving for the commercial units on King Street and off-street parking spaces and refuse areas.
57. The boarded up openings on the flank walls would be utilised as new windows for the residential properties and the D2 use. The flank windows utilised by the D2 use would be obscure glazed below 1.8m above internal floor levels to give a degree of privacy to users of the D2 space. The top section of these windows would be fully glazed to allow natural light into these rooms.
58. The flank windows serving the residential flats would utilise obscure glazing up to 1.2m above internal floor levels. The obscure glazing would not prevent views out of these windows due to the height of the obscure glass, however, given that the windows would be recessed and set at a 90 degree angle to the rear of the properties fronting King Street only oblique views would be afforded toward the rear windows of the King Street flats, which is deemed acceptable from an amenity perspective.
59. Some of the flats fronting King Street appear to utilise the ground floor flat roofed extensions at the rear as private outdoor space on an informal basis. These rear roof top patio spaces are already overlooked from the rear windows of the neighbouring flats on King Street, therefore, the proposal would not unacceptably increase to the existing levels of common overlooking.
60. One residential property located directly adjacent the Queens Hall building has created a private garden at street level which fronts onto the service road at the rear. Shared access to several flats and the Queens Hall building runs parallel to the private garden and the garden does not benefit from any real privacy from the neighbouring uses. The flank windows of the proposed flats would afford oblique views down into this garden space, however, any additional overlooking is not considered unacceptable due to the open character of the garden, the location directly adjacent to the shared access and the existing overlooking from the King Street flats.
61. The opening hours of the D2 use will be similar to the exiting use and the same as the restricted hours attached to the scheme approved in 2006 (ref: 06/0132/FUL) to ensure there is no unacceptable impact on neighbour amenity.

Highways and car parking

62. Policy DM TP 8 advises 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.

63. DPD policy TP8 seeks to encourage maximum parking standards are met on new developments and fewer car parking spaces can be provided if it can be demonstrated that there would be no adverse impact on amenity, street scene and road safety in the surrounding area. In high PTAL areas, parking provision at lower levels or a car free development can sometimes be acceptable.
64. The site is located in a PTAL 5 at the front onto King Street while the service road at the rear is classified as PTAL 4. The CPZ in the surrounding area is operational Monday to Saturday 8.30am - 6.30pm.
65. As the site has a high PTAL rating of 4/5 it is accepted that a reduction in the parking standards can be allowed. The site is located in close proximity to bus links, Twickenham train station and it is also within walking distance of the town centre.
66. No parking is proposed for the new residential units and the applicant has agreed to enter the two flats in to car club membership and has also agreed to a restriction on parking permits for all of the proposed flats, both of which will be addressed by the legal agreement should members decide to approve the scheme.
67. The D2 use proposes a new public access onto the service road at the rear of the site which as stated above is supported and is one of the main objectives set out in TAAP for redevelopment of this area. Access to the D2 use would also be provided via the King Street entrance.
68. The proposed development would result in the relocation of one street lamp along the service road which has been secured via a S106 agreement. Notwithstanding the relocation of the street light the Transport Officer has indicated that the service road is poorly lit and unsafe at present. The new glazed entrance to the D2 use would generate light spillage out into the service road and there is an opportunity to include spot lights in the underside of the first floor balcony, all of which would improve the lighting in this section of the street. As stated above the addition of the residential flats and balconies would offer natural surveillance and improve the safety along the service road.
69. No dedicated cycle parking is currently provided on site while secure and weatherproof cycle parking would be provided for the D2 use and the new flats which would be in accordance with DM TP7.
70. One residential neighbour mentioned that the private residential parking spaces at the rear of 13a King Street would become blocked or taken up by users of the new development. These spaces are privately managed therefore the Council has no control over how they are used.

Sustainability

71. Core Strategy Policy CP1 (Sustainable Development) seeks to maximise the effective use of resources and assist in reducing any long term adverse environmental impacts of development. Development will be required to conform to the Sustainable Construction Checklist including the requirement to meet the Code for Sustainable Homes Level 3. Core Strategy Policy CP2 (Reducing Carbon Emissions) states the Borough will reduce its carbon dioxide emissions by requiring measures that minimise energy consumption in new development and by requiring all new development to achieve a reduction in carbon dioxide emissions of 20%. Policy DM SD 1 (Sustainable construction) states that all

development should include measures capable of mitigating and adapting to climate change to meet future needs. There is also a policy requirement to reduce the carbon dioxide emission by 40% above building regulations.

72. The buildings are designed to be energy efficient and incorporate the following key features:
- The annual heating demand will be reduced by using insulation values better than the limiting standards. The target air permeability is 3m³/hr/m². Approved construction details will be used to reduce heat loss due to thermal bridging.
 - The dwelling will have a whole house ventilation system with a heat recovery efficiency of 90% and a fan power of 0.7 W/l/s or less.
 - The dwellings will be provided with 100% low energy luminaires.
 - Controls and monitoring systems will be provided to each dwelling and commercial unit. The common spaces will also be provided with energy monitoring facilities.
73. The combined impact of the energy efficiency measures and renewable energy technologies on the dwellings is to reduce the regulated carbon emissions by 26.8%.
74. The applicant has submitted a Sustainable Construction Checklist, BREEAM pre-assessment and comprehensive Energy Statement which indicates the converted D2 space would achieve an Excellent BREEAM rating and the four new flats would achieve Code Level 4 which exceeds the targets set by the Council. In addition, the dwellings will be provided with solar thermal collectors installed on the flat roof area. As a result the proposal is considered to represent a sustainable form of development and accords with policy.
75. The proposal also includes a small section of green roof which would improve the sustainable credentials of the building in accordance with policy DM SD5 which states that the use of living roofs in smaller developments, renovations, conversions and extensions is encouraged and supported.

Planning Obligations Strategy

76. Policy CP19 and SPD on 'Planning Obligation Strategy' requires developers to take into account the potential need to contribute towards the infrastructure and services in the Borough. The scheme would attract a P.O.S. contribution towards public infrastructure services and facilities due to the increased burden which would be placed on these. The policy requirement has to be viewed in the context of the applicant's viability appraisal, considered
77. Planning contributions are sought when there is an increase of housing units on a site which put an additional burden on existing borough facilities. Contributions are sought at the following trigger points for four new residential units:
- Education net 3 units
78. In this instance £3,936 towards primary education and two thousand three hundred and fifty four pounds (£2,354) towards secondary education is sought with £314.50 provided as a 5% management fee. The education contribution is required for the provision of additional capacity within (or improved facilities within) primary and/or secondary education services serving the Development. The applicant has agreed to make a contribution to education in the sum of 6,604.50 which is being secured by a S106 agreement.

Conclusion

79. The proposal constitutes an acceptable form of development which would successfully preserve the character, appearance and setting of the application building and the nearby conservation areas; the proposed D2 and residential use would not raise any undue land use concerns and, subject to appropriate conditions and a S106 agreement, the proposal would not adversely affect highway and pedestrian safety and would not lead to an undue loss of neighbour amenity. As such the scheme does not prejudice the aims and objectives of the National Planning Policy Framework, policies DM SD1, SD2, SD3, SD6, DM TC1, DM HD1, HD4, DM SI1, DM SI1, DM HO2, HO4, HO5, DM TP2, TP7, TP8, DM DC1, DC5, DC6 of the Development Management Plan, Core Strategy policies CP1, CP2, CP5, CP7, CP8, CP9, CP14, CP16, CP7 CP19 or the adopted SPD 'Design Quality' and SPD 'Residential Development Standards'.

I therefore recommend **PERMISSION** subject to a legal agreement to include car club membership and a restriction to parking permits and the following conditions and informatives:-

Standard conditions:

- AT01 - Development begin within 3 years
- BD12 - Details - Materials to be approved
- BD09A - Brick work to match existing
- BD10 - Sample panels of brickwork
- PK06A - Cycle parking
- DV30 - Refuse storage
- DC49 - Construction Method Statement
- LT09 - Hard and Soft Landscaping Required
- DV49 - Approved Drawings

Non standard conditions:

- U64167 - Rooflights
The proposed rooflights shall be conservation style and fixed flush to the roof.
REASON: To preserve the character and appearance of the conservation area.

- U63625 - Code for Sustainable Homes
The dwelling(s) hereby approved shall achieve a Code Level 4 in accordance with the terms of the application & requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme).
REASON: in the interests of promoting sustainable forms of developments and to meet the terms of the application.

BREEAM for Non-Housing
The development hereby approved shall achieve BREEAM Rating Excellent; in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).

REASON: In the interests of promoting sustainable forms of developments and to meet the terms of the application.

- DV47 - Lifetimes Homes
The dwellings hereby approved shall not be constructed/adapted other than to Lifetime Homes standards as shown on the approved plans and/or 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.

U64160 - Details to specified scale

The development shall not be carried out other than in accordance with detailed scaled drawings which shall be submitted to and approved in writing by the Local Planning Authority, such details to show:

- The internal pedestrian ramp up to the lobby space which should not exceed a gradient 1;12.
- Large scale joinery details of all new external windows and doors.

REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

U64170 - Renewable energy design

Prior to installation, details/samples of the proposed renewable energy technologies shall be submitted and approved in writing by the Local Planning Authority. Details should include (but may not be limited to) details of the design and location of the proposed tube hot water panels including roof plans and elevations and manufacturers specifications for panels. The development shall thereafter be carried out in accordance with the approved details.

REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

U64206 - Obscure windows

Full details of the obscured windows including details of the white translucent film shall be submitted to and approved by the Local Authority and shall remain in place thereafter unless agreed in writing by the Council

REASON: To preserve the amenity of the neighbouring properties

U64207 - Painted timber joinery

All external timber joinery shall be of painted timber.

REASON: To ensure that the proposed development is in keeping with the existing building and does not prejudice the appearance of the locality

U64208 - Soundproofing within building

The development hereby approved shall not be occupied until the walls/floors, as applicable, have been insulated to provide sound attenuation against internally generated noise in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the amenities of the occupiers of the adjoining residential property/ies.

U64209 - Gym opening times

The D2 use hereby approved shall not be used between the hours of 12 midnight and 6.30am Monday to Friday and 12 midnight and 7.30am Saturday and Sunday and bank holidays.

REASON: To safeguard the amenities of neighbouring residents.

Standard Informatives:-

Reason for granting: (Refer to summary)

U72207 - Building Regulations

U72208 - Damage to the public highway

- U72209 - Noise control – building sites
- U72214 - NPPF APPROVAL - Para. 186 and 187
- IL07 - S106 Agreement

Non Standard Informatives

- U71650 - S106 agreement

This planning permission should be read in conjunction with a S106 agreement to include education contributions, removal of parking permits and car club membership.

- U72213 - Advice to applicant

The applicant is advised that repointing of the existing building *should only occur* where new repointing is need, not the entire building.

PLANNING COMMITTEE

Minutes of the meeting held on Thursday 10 October 2013.

PRESENT: Councillor David Linnette (Chairman), Councillor Gemma Stockley (Joint Vice-Chairman), Councillor Jean-Francois Burford, Councillor John Coombs, Councillor Martin Elengorn, Councillor Liz Jaeger, Councillor Virginia Morris, Councillor Stephen Speak and Councillor Nicola Urquhart

ALSO PRESENT: Councillor Susan Chappell and Councillor Thomas O'Malley

174. APOLOGIES

No apologies were received.

175. DECLARATIONS

Councillor Stockley declared that her husband was a member of Barnes Rugby Club but that she had not formed a prior view on the Thames Tideway Tunnel report.

Councillor Chappell declared that her Mother lived in Lebanon Court situated adjacent to the site for applications **13/1352/FUL** and **13/1482/CAC**, but that she was speaking as an interested Councillor on behalf of the residents of Sion Court.

Councillors Linnette and Burford declared that they had already pre-determined their views on applications **13/2228/FUL** and **13/2229/FUL**. They undertook to leave the Committee for the duration of this item.

176. MINUTES

It was **RESOLVED:**

That approval of the minutes of the meeting held on 26 September 2013 be **DEFERRED**.

177. THAMES TIDEWAY TUNNEL, BARNES ELMS, QUEEN ELIZABETH WALK, BARNES (THAMES WATER UTILITIES LTD)

The Development Control Officer introduced the item and explained that the Committee were being asked to agree the contents of the report for recommendation to the Strategic Cabinet Member for Environment and Planning, Parks and Highways to form the Local Impact Report which would be submitted to the Examining Authority. It was emphasised that the project had been agreed in principle and therefore the matters under consideration were the construction processes which would be conditioned through project wide and site specific conditions.

The Development Control Officer highlighted some areas of concern regarding the scheme as set out in the report and published addendum. Officers had requested that the council receive the final construction plans for agreement prior to the commencement of development. Negotiations were being conducted with Thames Water; however a separate Infrastructure Provider was being commissioned by the Government to manage the project and it was this Provider that would have overall control of the project.

Officers invited questions and comments from the Committee. The Committee

were advised that there were safeguards against construction on Sundays which would require the Infrastructure Provider to obtain consent from Environmental Health before undertaking any works on a Sunday. Members felt that construction should also be limited on Saturdays and controls placed on the lighting connected to the proposed 24 hour working.

It was **RESOLVED**:

That the contents of the report be recommended to the Strategic Cabinet Member for Environment, Planning, Parks and Highways for approval to form the Local Impact Report.

178. APPLICATIONS FOR DEVELOPMENT PERMISSION; LISTED BUILDING CONSENT; AND ENFORCEMENT OF PLANNING CONTROL

179. 13/0906/FUL - 210 KINGSTON ROAD, TEDDINGTON (JB PLANNING FOR FRONTDOOR PROPERTIES)

The Development Control Officer introduced the item and made amendments to the report as set out in the published addendum.

The Committee heard a representation in support of the application from Mr Dixon, the agent.

The Committee considered points raised by the speaker in conjunction with the report.

Members accepted the Officers' assessment that the revised design on the Bushy Park Road elevation of the Scheme had overcome the Inspector's reason for refusal. The Committee discussed parking and servicing arrangements. Some Members felt that the servicing arrangements were not adequate; however the consensus view was that parking and servicing arrangements were adequate given the views expressed by the inspector in the earlier appeal.

It was **RESOLVED**:

That the application be **APPROVED** subject to the conditions and informatives set out in the officer's report and addendum and the completion of a Section 106 legal agreement.

180. 13/1352/FUL AND 13/1482/CAC - SION COURT, SION ROAD, TWICKENHAM (CRD PARTNERS LLP)

The Development Control Officer introduced the item and made amendments to the report as set out in the published addendum.

The Committee heard representations against the application from Mr Kingston and Mr Cronwright-Brown, neighbours adjoining the site and Mr Hutchings, a residents' association representative.

The Committee heard a representation in support of the application from Mr Measures, the architect.

The Committee heard a representation from Councillor Chappell who spoke as an interested Councillor.

The Committee considered points raised by speakers and information provided

by officers in conjunction with the report.

Members recognised the parking stress in the local area, however it was noted that the application provided sufficient parking for the proposed *additional units*. Some Members were concerned that the landscaping of the communal gardens was not required to be subject to public consultation, however it was noted that this could be controlled through a condition. Some Members raised additional concerns regarding backland development; however Members recognised that the development site was a brownfield site and so backland development policies only applied to the communal gardens. It was noted that there were additional conditions to control screening to safeguard neighbours' amenity.

It was **RESOLVED**:

That applications **13/1352/FUL** and **13/1482/CAC** be **APPROVED** subject to the *conditions and informatives* set out in the officer's report and addendum and the completion of a Section 106 legal agreement and the following additional conditions and informatives:

Informative

- The applicant is encouraged to ensure that the ventilation units are directed away from adjoining properties and are not visible from adjoining properties.

Conditions

- That the portal shaped first floor window facing 19 Lebanon Court be obscure glazed and fixed shut.
REASON: To protect neighbour amenity.
- That the residents of Sion Court be consulted on the discharge of condition LT09.
REASON: To safeguard the appearance of the locality.

181. 13/2270/FUL - 9 KING STREET, TWICKENHAM (OMAHA PROPERTIES LTD)

The Development Control Officer introduced the item and made amendments to the report as set out in the addendum.

The Committee heard a representation in support of the application from Mr Fitzgerald, a consultant on behalf of the applicant.

The *Committee considered points raised by the speaker and information provided by officers in conjunction with the report.*

The Committee discussed the historical theatrical frieze in the existing building. Members recognised that the ceiling height of the proposed scheme would not allow for the Martial Arts Club to continue holding sessions in the building. However, Members received assurances from Officers that the council was working with the Club to find a suitable alternative space.

It was **RESOLVED**:

That the application be **APPROVED** subject to the conditions and informatives set out in the officer's report and addendum and the completion of a Section 106 legal agreement and the following *additional informative*:

- The applicant is encouraged to retain the historic frieze

182. 13/2228/FUL AND 13/2229/FUL - 30 CUMBERLAND ROAD, KEW (MRS JOANNA BRACKENBURY, THE GOVERNORS OF KEW COLLEGE)

[Having declared that they had pre-determined their views on this item, Councillors Linnette and Burford left the room for the duration of this item.]

[The Vice Chairman in the Chair.]

The Development Control Officer introduced the item and made amendments to the report as set out in the published addendum.

The Development Control Officer summarised a further late letter of support:

- The school cannot be relocated
- The scheme does not increase pupils – only improve facilities, and therefore not result in additional traffic
- The garden will not be used for play time
- The school is closed 20 weeks a year
- No changes are being made to the front elevation
- The extension is modest and does not change the buildings character

The Committee heard representations against the application from Mr Underhill, a neighbour adjoining the site, Mr Taylor, a residents' association representative and Ms McGrath, a local resident.

The Committee heard representations in support of the application from Mr Fenhalls, a Governor at Kew College, Ms Austin, the applicant and Ms Mann, the agent.

The Committee considered points raised by speakers and information provided by officers in conjunction with the report.

Officers advised the Committee that as the applicant had lodged an appeal for non-determination, the decision of the Planning Committee would be used to instruct Officers in their appeal case. Members accepted Officers' assessment that the improvement in the quality of education was sufficient to justify the change of use and the loss of residential space. The Committee were satisfied that conditions safeguarded against increased pupil numbers. Whilst sympathetic to residents' concerns regarding traffic and parking, this was not considered as a sufficient reason to warrant refusal; however Members felt that a condition to control the drop off and collection of pupils would mitigate concerns.

In relation to the proposed two storey side and rear extensions and rear dormer roof extension in application **13/2229/FUL**, Members accepted Officers' assessment that this would have a significantly detrimental on the character and appearance of the locality and that the extensions would appear visually intrusive.

It was **RESOLVED**:

That had appeals against non determination not had been lodged and the Committee been in a position to determine the application:

Application **13/2228/FUL** be **APPROVED** subject to the conditions and informatives set out in the officer's report and addendum and the following additional condition:

- No.59 Leybourne Park or 30 Cumberland Road shall not be used at any

time for the dropping off and picking up of pupils. Drop-off and collection of pupils shall not take place other than via the front entrance of Kew College at 24-26 Cumberland Road.

REASON: In the interests of highway and pedestrian safety and to safeguard the amenities of neighbouring residents.

Application **13/2229/FUL** be **REFUSED** for the reasons set out in the officer's report.

183. 13/2538/HOT - 9 ALBURY CLOSE, HAMPTON (MS SALLY JANMAN)

The Development Control Officer introduced the item and made amendments to the report as set out in the published addendum.

The Committee heard a representation against the application from Ms White, a neighbour adjoining the site.

The Committee heard representations in support of the application from Ms Janman and Mr Haley, the applicants.

The Committee considered points raised by speakers and information provided by officers in conjunction with the report.

Some Members felt that the proposed scheme was not compatible with the local character; however the consensus view was that the scheme was similar to many extensions already in the road and that there was not substantial harm in the application to warrant refusal.

It was **RESOLVED:**

That the application be **APPROVED** subject to the conditions and informatives set out in the officer's report and addendum.

184. 13/2826/FUL - CHRIST'S SCHOOL, QUEENS ROAD, RICHMOND (EDUCATION, CHILDRENS AND CULTURAL SERVICES, RICHMOND COUNCIL)

The Development Control Officer introduced the *item* and made amendments to the report as set out in the published addendum.

The Committee heard representations in support of the application from Mr Brennan, the architect.

The Committee heard a representation from Councillor O'Malley who spoke as an interested Councillor.

The Committee considered points raised by speakers and information provided by officers in conjunction with the report and addendum, in particular the design, sustainability and landscaping.

Officers explained that as Sport England had raised objections, the Scheme would have to be referred to the National Planning Casework Unit for consideration (and final decision). However, it was explained that negotiations with Sport England are continuing to take place and therefore as an alternative and more expedient option the Committee, if agreeing with the approval of the scheme, could delegate the issuing of the decision to the Assistant Director of Environment for Development and Street Scene to allow for the negotiations to continue. If such negotiations fail, the final decision would need to be referred

to the National Planning Casework Unit.

It was **RESOLVED**:

That the Planning Committee agreed with the approval of the scheme, and the issuing of the decision be **DELEGATED** to the Assistant Director of Environment for Development and Street Scene pending negotiation with Sports England.

CHAIRMAN

The meeting, which started at 7.02pm, and adjourned between 9pm and 9.13pm ended at 11.05pm.