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**TOWN AND COUNTRY PLANNING ACT 1990: DECISION NOTICE**

Kevin J Turner  
4 Little Oaks Close  
Shepperton Green  
Surrey  
TW17 OGA

Please contact: Planning Support

Please telephone: 0845 612 2660

Your ref:

Our ref:  
DC/BRS/10/0245/FUL/FUL

Letter Printed: 2 April 2014

**FOR DECISION DATED**  
02.04.2014

**Applicant:** Adrian Godwin

**Agent:**

**WHEREAS** in accordance with the provisions of the Town and Country Planning Act 1990 and the orders made thereunder, you have made an application received on **1 February 2010** and illustrated by plans for the permission of the Local Planning Authority to develop land situated at:

**Woodlawn Garage, 644 Hanworth Road, Whitton, TW4 5NP.**

for

**Demolition of the existing buildings and erection of 2, two storey blocks comprising 1 block at front of the site with retail unit at ground floor level, offices at first floor and 2 x 1- Bed flats located within the roof space. Erection of 1 block at the rear of the site comprising 5 no.2 bedroom flats together with ancillary car parking and access.**

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby **GRANTED** subject to the conditions and informatives summarised and listed on the attached schedule:-

Yours faithfully



Robert Angus  
Development Control Manager

<b>APPLICANT NAME</b> Adrian Godwin Woodlawn Graage 644 Hanworth Road Whitton TW4 5NP	<b>AGENT NAME</b> 4 Little Oaks Close Shepperton Green Surrey TW17 OGA
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**SITE:**

Woodlawn Garage, 644 Hanworth Road, Whitton, TW4 5NP.

**PROPOSAL:**

Demolition of the existing buildings and erection of 2, two storey blocks comprising 1 block at front of the site with retail unit at ground floor level, offices at first floor and 2 x 1- Bed flats located within the roof space. Erection of 1 block at the rear of the site comprising 5 no.2 bedroom flats together with ancillary car parking and access.

**SUMMARY OF CONDITIONS AND INFORMATIVES**

**CONDITIONS:**

AT01 Development begun within 3 years	ST03 Highway sight lines - Pedestrian
DV11 Use of roof restricted	U56413 Details
DV17A Dustbin enclosure required	U56414 Boundary treatment
DV27A Recycling - Details required	U56415 Hard surfacing
DV28 External illumination	U56416 Renewables
DV29E Potentially Contaminated Sites	U56417 Bat and bird boxes
DV30 Refuse storage	U56418 Windows - obscure glazed
DV47 Lifetimes Homes	U56419 Lighting strategy
DV44A Code for Sustainable Homes - New Build~	U56420 Noise
DV49 Construction Method Statement	U56421 Wheelchair units
LT06 Tree Planting Scheme	U56422 Approved drawings
LT09 Hard and Soft Landscaping Required	U56423 Bin store window
PK02A Parking/loading/turning ~~	
PK06A Cycle parking	

**INFORMATIVES:**

U64745 Composite Informative~~~~	IT06 Nature Conservation
IL24 CIL liable	IL13 Section 106 agreement
U64747 NPPF APPROVAL - Para. 186 and 187	



## DETAILED CONDITIONS

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### **AT01 Development begun within 3 years**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

### **DV11 Use of roof restricted**

The roof of the building shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building.

REASON: To safeguard the amenities of the adjoining premises and the area generally.

### **DV17A Dustbin enclosure required**

None of the buildings hereby approved shall be occupied until a dustbin enclosure has 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.

### **DV27A Recycling - Details required**

Recycling facilities shall be provided as part of the development hereby approved in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show position, size, design, materials, finishes and signage thereof.

REASON: To accord with this Council's policy to encourage the recycling of appropriate waste products.

### **DV28 External illumination**

Any external illumination of the premises shall not be carried out except in accordance with details giving the method and intensity of any such external illumination which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any part of the buildings.

REASON: To protect/safeguard the amenities of the locality.

### **DV29E Potentially Contaminated Sites**

1. No development shall take place until:

a) a desk study detailing the history of the site, hazardous materials, substances used together with details of a site investigation strategy based on the information revealed in the desk study has been submitted to and approved in writing by the local planning authority

b) an intrusive site investigation has been carried out comprising: sampling of soil, soil vapour, ground gas, surface water and groundwater in locations and at depths stipulated by the local planning authority. Such work to be carried out by suitably qualified and accredited geo-environmental consultants in accordance with the current U.K. requirements for sampling and testing.

c) written reports of i) the findings of the above site investigation and ii) a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the local planning authority

Note: some demolition work, if required, could be allowed beforehand for enabling the above requirement (1b), subject to the agreement of the Local Planning Authority.

2. None of the dwellings/buildings hereby approved shall be occupied until:

a) the remediation works approved as part of the remediation strategy have been carried out in full and in compliance with the approved strategy. If during the remediation or development work new areas of contamination are encountered, which have not been previously identified, then the additional contamination should be fully assessed in accordance with condition [1(b, c)] above and an adequate remediation scheme shall be submitted to and approved in writing by the local planning authority and fully implemented thereafter.

b) a verification report, produced on completion of the remediation work, has been submitted to and approved in writing by the local planning authority. Such report to include i) details of the remediation works carried out and ii) results of verification sampling, testing and monitoring and iii) all waste management documentation showing the classification of waste, its treatment, movement and disposal in order to demonstrate compliance with the approved remediation strategy.

REASON: To protect future users of the site and the environment.



### **DV30 Refuse storage**

No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area.

### **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.

### **DV44A Code for Sustainable Homes - New Build~**

The dwelling(s) hereby approved shall achieve a Code Level 3 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.

### **DV49 Construction Method Statement**

No development shall take place, including any demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. the parking of vehicles of site operatives & visitors
2. loading/unloading of plant & materials
3. storage of plant and materials used in constructing the development
4. the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate.
5. wheel washing facilities
6. measures to control the emission of dust and dirt during construction
7. a scheme for recycling/disposing of waste resulting from demolition & construction works.
8. routing of delivery vehicles to and from the site

Reason: in the interests of highway and pedestrian safety together with the amenity of the area

### **LT06 Tree Planting Scheme**

(A) No development shall take place until a specification of all proposed tree planting has been submitted to and approved in writing by the local planning authority such specification to include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree planting included within the approved specification shall be carried out in accordance with that specification and in accordance with BS 3936:1986 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(B) If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the local planning authority seriously damaged or defective), another tree of the same species and size originally planted shall be planted at the same place in the next planting season/within one year of the original tree's demise unless the local planning authority gives its written consent to any variations.

(C) All tree planting shall be carried out in accordance with the details so approved and in any event prior to occupation of any part of the development

REASON: To safeguard the appearance of the locality.

### **LT09 Hard and Soft Landscaping Required**



(A) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing utility services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant; a program or timetable of the proposed works

(B) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); detailing the quantity, density, size, species, position and the proposed time or programme of planting of all shrubs, hedges, grasses etc, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with BS 3936:1986 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(C) All hard and soft landscape works shall be carried out in accordance with the approved details and in any event prior to the occupation of any part of the development.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests

#### **PK02A Parking/loading/turning ~~~**

No building/dwelling/part of the development shall be occupied until the access road and parking area indicated on Drawing No. 001f has been constructed to the satisfaction of the Local Planning Authority and shall at no time be used other than by occupiers/callers to the premises and for no other purpose.

REASON: To ensure that the proposed development does not prejudice the free flow of traffic, the conditions of general safety along the neighbouring highway or the amenities of the area.

#### **PK06A Cycle parking**

No building/dwelling/part of the development shall be occupied until cycle parking facilities 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 position, design, materials and finishes thereof.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

#### **ST03 Highway sight lines - Pedestrian**

Notwithstanding the provisions of the Town and Country Planning General Development Orders 1995, no wall, fence, hedge or other obstruction to visibility within any part of the areas defined hereunder which is under the control of applicant shall at any time exceed a height of 0.6m above ground level, as agreed by the Local Planning Authority: one area on each side of the proposed access, defined by:

- i. The highway boundary.
- ii. The edge of the proposed vehicular access.
- iii. A line joining a point 2.4m from the intersection of the highway boundary, with a point 2.1m from that intersection measured along the edge of the proposed access.

REASON: To provide a suitable standard of visibility to and from the highway so that the use of the access does not prejudice the safety of pedestrians in the vicinity of the access.

#### **U56413 Details**

The external surfaces of the buildings (including fenestration, refuse shutter doors, green vertical living panels) and, where applicable, all areas of hard surfacing shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority. REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

#### **U56414 Boundary treatment**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be



erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details. REASON: To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties.

#### **U56415 Hard surfacing**

That all new hard surfacing shall be of a porous or permeable material and be constructed and laid out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. REASON: In the interest of sustainable construction and to avoid excessive surface water run-off.

#### **U56416 Renewables**

Prior to the occupation of the units hereby approved, details of the photo voltaic cells and air source heat pumps and associated housing shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be fitted in accordance with these approved details and shall remain in situ thereafter. REASON: To reduce carbon emissions linked with the development in accordance with Core Strategy policy.

#### **U56417 Bat and bird boxes**

As part of development hereby approved bat and bird boxes shall be installed prior to the occupation of the development and in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development; such details to show the number, type and location of the boxes. These boxes and log piles shall be installed prior to the occupation of the buildings hereby approved and thereafter retained. REASON: To promote the interests of wildlife in the area.

#### **U56418 Windows - obscure glazed**

The proposed first floor windows in the side elevations of the rear residential buildings hereby approved shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.75 metres (5'7") above the relevant floor level. REASON: To ensure that the proposed development does not prejudice the amenities of adjoining occupiers.

#### **U56419 Lighting strategy**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a lighting strategy and such development shall be implemented in accordance with the said details and maintained thereafter. REASON: To ensure the protection of the local amenities.

#### **U56420 Noise**

The Air Source Heat Pumps hereby approved shall at all times operate at a noise level equal to the existing background noise level or 5dB(A) below if there is a particular tonal or discreet component to the noise. The measured or calculated noise shall be determined 1 metre from the façade of the nearest noise sensitive premises, and in accordance to the latest British Standard 4142; An alternative position for assessment/ may be used to allow ease of access in accordance with details to be submitted to and approved in writing by the Council. The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be maintained thereafter. Reason: To protect the amenities of future occupants and neighbouring properties.

#### **U56421 Wheelchair units**

That 10% of the residential units hereby approved and the associated parking must be specifically designed for, or be capable of easy adaptation to, the Council's standards for "Wheelchair Housing" as set out in the Core Strategy. REASON: To ensure that the proposed housing contributes to the needs of people with disabilities.

#### **U56422 Approved drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans and



documents, where applicable: 003f, 004i, 004g, 005i, 006i and 006a (existing site plan) received on 10 May 2012 and 001e, 002g, 005i and 006j received on 20 December 2012.

#### **U56423 Bin store window**

The proposed window to the bin store on the frontage building hereby approved shall at no time be openable or glazed, otherwise than in obscured glass. REASON: To ensure that the proposed development does not prejudice the visual amenities of the streetscape.

## **DETAILED INFORMATIVES**

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#### **U64745 Composite Informative~~~~~**

##### **Reason for granting:**

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

The proposed replacement of a car show room with ancillary workshops and storage and MOT garage/workshop with a mixed use development of 7 flats, office and retail space would be appropriate in this designated Area of Mixed Use and parade of shops on Hanworth Road.

The proposal would not result in a net loss of employment floor space, with the replacement retail floor space considered an acceptable in this neighbourhood centre and Area of Mixed Use.

The proposal would provide a suitable mix housing units of a sustainable design with suitable standards of accommodation and amenity space appropriate to the location. The proposal being a mix of both infill and back land development is considered acceptable given the existing development on this site and would at least preserve the character and appearance of the locality without detriment to the character and openness of the adjacent land designated Other Open Land of Townscape Importance.

Notwithstanding the scale of development compared to that existing on site the landscape proposals, 'green walls' and siting would allow the development to assimilate with its surroundings successfully and without prejudice to the character and visual amenities of the locality or the amenities enjoyed by the occupants of adjacent properties.

Car parking is provided for each residential unit with space for the retail and office space and no objection is raised with regard to traffic generation. Improvements are proposed with respect to removing one of the existing vehicular access points and an on street loading bay secured through a Traffic Management Order benefitting the Hanworth Road shopping parade.

The development will provide the appropriate financial contributions towards the Planning Obligations Strategy in relation to Education, Transport, Open Space and Health and a contribution towards affordable housing in the borough would be secured along with the funding of the Traffic Management Order.

##### **Principal Policies:**

Where relevant, the following have been taken into account in the consideration of this proposal:-

Core Strategy: CP1, CP2, CP7, CP14, CP15.

Development Management Plan: DM SD1, DM SD2, DM SD7, DM OS3, DM TC2, DM HO2, DM HO3, DM HO4, DM HO6, DM EM1, DM EM2, DM TP8, DM DC1, DM DC2, DM DC4, DM DC5.

Supplementary Planning Documents/Guidance:

Small and Medium Housing Sites

Design Quality

Affordable Housing

Residential Development Standards

Design for Maximum Access

##### **Building Regulations:**



## **SCHEDULE OF REASONS FOR APPLICATION 10/0245/FUL**

The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control Section of the Street Scene department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 0845 612 2660).

If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Control Department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 0845 612 2660).

### **Damage to the public highway:**

Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage.

BEFORE ANY WORK COMMENCES you MUST contact Highways and Transport, London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ (Telephone 0845 612 2660 ask for the Streetscene inspector for your area or email [highwaysandtransport@richmond.gov.uk](mailto:highwaysandtransport@richmond.gov.uk)) to arrange a pre commencement photographic survey of the public highways adjacent to and within the vicinity of the site. The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works.

If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.

Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

### **Noise control - Building sites:**

The attention of the applicant is drawn to the requirements of section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites. Application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health Department.

Under the Act the Council has certain powers to control noise from construction sites. Typically the council will limit the times during which sites are permitted to make noise that their neighbours can hear.

For general construction works the Council usually imposes (when necessary) the following limits on noisy works:-

Monday to Friday 8am to 6pm  
Saturdays 8am to 1pm  
Sundays and Public Holidays- No noisy activities allowed

Applicants should also be aware of the guidance contained in British Standard 5228:2009- Noise and vibration control on construction and open sites.

Any enquiries for further information should be made to the Commercial Environmental Health Team, 2nd Floor Civic Centre, 44 York Street, Twickenham TW1 3AB.

### **IL24 CIL liable**

The applicant is advised that this permission results in a chargeable scheme under the Mayor of London's Community Infrastructure Liability.

### **U64747NPPF APPROVAL - Para. 186 and 187**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- o Providing a pre-application and duty officer service
- o Providing written policies and guidance, all of which is available to view on the Council's website
- o Where appropriate, negotiating amendments to secure a positive decision
- o Determining applications in a timely manner



## **SCHEDULE OF REASONS FOR APPLICATION 10/0245/FUL**

In this instance: (delete where applicable)

- o The application was amended following negotiations with the Council to ensure the scheme complied with adopted policy and guidance, and a decision was made without delay
- o The application was recommended for approval and referred to the first available Planning Committee, where the agents / applicants had an opportunity to present the case

### **IT06 Nature Conservation**

When submitting proposals for landscaping the site applicants are advised that in determining the suitability of such proposals the Local Planning Authority will take into account the scope for enhancing the nature conservation interest of the site.

### **IL13 Section 106 agreement**

This planning permission has a Section 106 Agreement which must be read in conjunction with it.

**END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 10/0245/FUL**

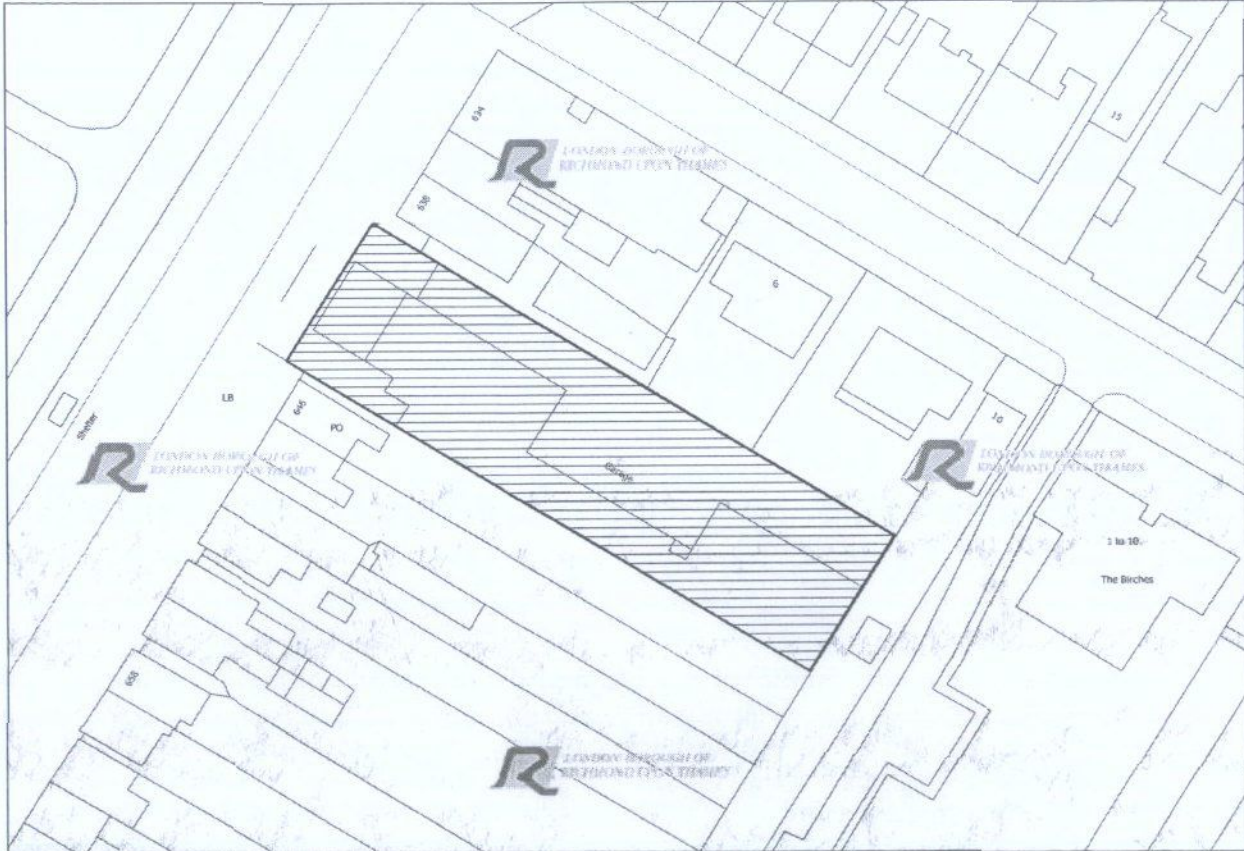
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10/0245/FUL  
WOODLAWN GARAGE  
644 HANWORTH ROAD  
WHITTON

S106  
+CIL - Pls  
check  
CIL screen + form.

WHITTON WARD  
Contact Officer:  
B.Staff



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**Proposal:** Demolition of the existing buildings and erection of 2, two storey blocks comprising 1 block at front of the site with retail unit at ground floor level, offices at first floor and two 1- Bed flats located within the roof space and the erection of 1 block at the rear of the site comprising five 2 - bedroom flats together with ancillary car parking and access.

**Applicant:** Mr K Turner on behalf of Mr Godwin.

**Application received:** February 2010.

**Main development plan policies:**

Core Strategy: CP1, CP2, CP7, CP8, CP14, CP15.

Development Management Plan: DM SD1, DM SD2, DM SD7, DM OS3, DM TC2, DM HO2, DM HO3, DM HO4, DM HO6, DM EM1, DM EM2, DM TP8, DM DC1, DM DC2, DM DC4, DM DC5, DM TC2.

Supplementary Planning Documents/Guidance:

Small and Medium Housing Sites

Design Quality

Affordable Housing

Residential Development Standards

Design for Maximum Access

**Present use:** Car showroom with ancillary storage, offices, workshops and an MOT garage.



#### **SUMMARY OF APPLICATION:**

The proposed replacement of a car show room with ancillary workshops and storage and MOT garage/workshop with a mixed use development of 7 flats, office and retail space would be appropriate in this designated Area of Mixed Use and parade of shops on Hanworth Road.

The proposal would not result in a net loss of employment floor space, with the replacement retail floor space considered an acceptable in this neighbourhood centre and Area of Mixed Use.

The proposal would provide a suitable mix housing units of a sustainable design with suitable standards of accommodation and amenity space appropriate to the location.

The proposal being a mix of both infill and back land development is considered acceptable given the existing development on this site and would at least preserve the character and appearance of the locality without detriment to the character and openness of the adjacent land designated Other Open Land of Townscape Importance.

Notwithstanding the scale of development compared to that existing on site the landscape proposals, 'green walls' and siting would allow the development to assimilate with its surroundings successfully and without prejudice to the character and visual amenities of the locality or the amenities enjoyed by the occupants of adjacent properties.

Car parking is provided for each residential unit with space for the retail and office space and no objection is raised with regard to traffic generation. Improvements are proposed with respect to removing one of the existing vehicular access points and an on street loading bay secured through a Traffic Management Order benefitting the Hanworth Road shopping parade.

The development will provide the appropriate financial contributions towards the Planning Obligations Strategy in relation to Education, Transport, Open Space and Health and a contribution towards affordable housing in the borough would be secured along with the funding of the Traffic Management Order.

**RECOMMENDATION: PERMISSION** subject to a S106 legal agreement securing financial contributions towards education, health, transport, the public realm, affordable housing and a Traffic Management Order.

#### **Site description and planning history:**

1. The application site comprises a car showroom with ancillary workshops, storage facilities and offices and a MOT garage on a relatively large rectangular property sited towards the northern end of the shopping parade on Hanworth Road. The site lies within the Mixed Use Area designation although it is not included as part of the Secondary Shopping Parade which lies to the south. The rear gardens of the Hanworth Road properties to the south west are designated as Other Open Land of Townscape Importance (OOLTI).



2. The site is bordered by mixed commercial and upper residential development to the north and south (typically two storey semi detached buildings and short terraces) and residential to the east (three storey flatted development) and north east (detached bungalows and a two storey dwelling).
3. A Certificate of Lawful Development was granted under ref.02/3354/ES191 establishing the use of the site for car sales, mechanical repairing, Mot's, body repairs and spraying.
4. The proposal is for the demolition of all buildings on site and the erection of two 2-storey buildings. The frontage building would comprise ground floor retail (310sqm) with ancillary storage, refuse storage and WC's and kitchen with first floor offices (240sqm) and two 1-bedroom flats within the roof space. The rear two storey building would comprise five 2-bedroom flats over three floors.
5. The site currently benefits from dual access (off of Hanworth Road) and it is proposed to provide access from the north of the site (i.e. along the boundary with no.638 Hanworth Road) to eleven car parking spaces, one for mobility impaired users, three for the retail, one for the offices and the rest for the residential units. The southern access would be reinstated to a footway.
6. Communal amenity space is provided to the rear of the site (to the east of the residential building) with soft landscaping along the boundary with no. 8 Heathside. Residential refuse and cycle storage is proposed to the side and rear of this building respectively.
7. The private forecourt to the west of the frontage building would comprise planting and public bicycle stands for the retail unit.

**Public and other representations:**

8. Thames Water has no objection related to water and sewerage infrastructure.
9. Objections have been received from 7 properties citing the following:
  - Under utilisation of available land.
  - The proposal would landlock the rear of properties to the south.
  - Security concerns.
  - Overlooking and loss of privacy.
  - Noise and disturbance.
  - Position of refuse near the boundary with residential properties.
  - Negative impact of additional retail on existing businesses.
  - Traffic generation and parking problems
  - Lack of amenity space.
  - Poor quality development.
  - Lack of pedestrian access to the rear
  - Limited turning space for refuse vehicles
  - Non planning matters (noise and disturbance during construction and need for retail).
10. One letter of support received citing the positive addition to the parade and the locality, helping to revitalise the area.

**Amendments**

11. The application has been through a number of amendments and the latest set is as follows:
12. Access and parking:
  - Access revised and positioned to the north of the site.



- Incorporation of refuse and recycling from the car park into the frontage building.
13. Frontage building:
- Re-siting of the frontage building and greater projection of the ground floor.
  - Revisions to the front and rear elevations and addition of dormer windows to the side and rear elevations.
  - Replacement of first floor residential with offices
  - Addition of one flat on the second floor.
14. Rear building:
- Addition of dormers to the front and rear elevations.
  - Addition of green 'living panels' to the side (north facing) elevation.
  - Addition of air source heat pumps to the side elevation

**Re-consultation:**

15. Two letters of objection received reiterating the above and citing the following:

- Proximity of the access road and Heathside and danger for turning traffic.
- Noise and disturbance from vehicle movements

**Professional comment:**

Land Use/principle of development

16. The Development Management Plan policy DM EM2 requires that sites in use or previously in use for employment purposes shall be retained.
17. The car showroom to the front of the site would provide a limited number of employees on site and does not benefit from a recognised use as set out in the Use Class Order. It would therefore be difficult to argue that there is an employment use with respect to this element of the property.
18. Furthermore there is no policy reason to protect the use under changes of use in other shopping frontages policy.
19. In addition, the site has been marketed prior to its submission with limited interest in the workshops and other buildings on site. This is not surprising as the buildings are not in the best state of repair and site not arranged in a manner that may be conducive or compatible with a similar type of use.
20. The marketing of alternative uses and for redevelopment purposes was initially unsuccessful and not pursued given that the majority of the site forms an ancillary role to the workshop as set out above.
21. The storage areas, workshop to the rear of the showroom, car display areas, valet/cleaning areas etc are ancillary to the showroom where vehicles are restored or stripped of parts and rebuilt for sale.
22. Heathside is a neighbourhood centre in the hierarchy and policy CP 8 of the core strategy states in relation to retail development in local and neighbourhood centres that local shops to be located within, or well-related to designated shopping frontages be appropriate for the size and function of the centre in order not to have an adverse effect within the centre or on other neighbouring centres. DM TC2 of the DMP requires proposals in AMUs to provide appropriate mixes of use, are of a scale which would enhance the vibrancy and vitality of the centre, respect character and local distinctiveness, include overall improvements or



modernise outmoded premises, locate retail in shopping frontage or an AMU and not add disproportionately to pressure on parking.

23. In terms of location (within an AMU and along a shopping parade) the proposal is considered acceptable, and in relation to scale, a shop of approximately 300m<sup>2</sup> is also appropriate. The increase in retail floor space amounts to a total gross internal floor space of 310m<sup>2</sup> which is a net increase of 173.5m<sup>2</sup>.
24. The current parade has two small supermarkets which will be affected, plus dispensing chemist, post office and newsagent. However, due to the size of the unit proposed which is modest and that the increase in size is relatively small, no objection is raised from a retail policy perspective and the proposal is considered to comply with policies mentioned above.
25. The objections regarding need and impact on services along Hanworth Road are noted however it is considered that a larger retail unit as opposed to two or more smaller units would be sustainable where there is a high turnover of smaller retail in the parade.
26. The MOT section to the rear of the site and including the paint booth are not considered to ancillary to the showroom and to compensate for the loss of this employment floorspace a suitable area of office space is proposed above the retail unit.
27. Given the location within an AMU, having regard to the existing uses, the existing predominantly retail parade, it is considered that this mixed use proposal would be compatible in this locality.
28. With respect to the objections raised regarding wider development and landlocking the rear gardens of the Hanworth Road properties, these have during the course of the application and adoption of the DMP been designated Other Open Land of Townscape Importance and a wider housing development may not be appropriate on such land.
29. The residential mix of one and two bedroom flats would not be out of character with the pattern of development on Hanworth Road and flatted development also exists in close proximity to the site on Heathside.

#### Density

30. The residential development would amount to 50 units per hectare. The London Plan's Density Matrix sets out that a density range of 50-75u/ha in such a location with a PTAL of 1b (Public Transport Accessibility Level) should be achieved. The flats above the shops along Hanworth Road are typically 1 and 2-bedroom units and as such it is considered the proposal would be appropriate in this respect.

#### Suitability of accommodation

31. The Council's Residential Development Standard SPD requires residential developments to meet a minimum criteria insofar as gross internal floor area, room sizes, amenity space etc.
32. The proposed 2- bedroom flats would have an area of 70sqm and in excess of the 60sqm required with main bedrooms having an area of 12.5sqm with single bedrooms exceeding 7sqm and living areas in excess of 22sqm. The calculations exclude areas under 2.3m within the 2nd floor flat.
33. The 1-bedroom flats have an area in excess of 45sqm and all rooms meet the required standards taking into consideration the required headroom given that these are set within the roof space. The living rooms are slightly short of the 22sqm however this is not considered to be so insufficient to warrant withholding permission.



34. The flats would be provided with suitable levels of light, outlook and ventilation with dormer windows performing this role within the flats set in the roof space of the buildings.
35. Communal amenity space for the flats is proposed to the rear of the site and behind the residential building. The aforementioned SPD requires 5sqm per 1-bedroom flat with an additional 1sqm per additional person per flat. The amenity space provided would exceed that required.
36. The child yield of the development is below 10 and thus private on site play space is not required. In addition to amenity space provided, the site is not designated as being poorly provided with public open space and it is noted that Hounslow Heath is within walking distance albeit on the other side of a relatively busy highway.
37. The proposed flats would comply with Lifetime Homes? and 10% of the development would comply with wheelchair housing standards and this would be conditioned.

Affordable Housing

38. DMP Policy DMHO6 requires contributions to affordable housing from all small sites. The Council's suggested approach to calculating affordable housing on this site is based on the principle set out in Policy DMHO6 of capturing 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 35% affordable housing, given the proposal is to create 7 units and equates to £23,142
39. The applicant has agreed to this being secured through a S106 legal agreement.

Planning Obligation Strategy

40. Commensurate with the scale of development the Council is seeking a contribution towards an education contribution under the Planning Obligation Strategy, which was adopted as Supplementary Planning Guidance 6th June 2005.
41. The contribution being sought for the above is £71,240.57 and is broken down as follows:

Transport: £42,960  
 The Public realm: £7,534.40  
 Health: £1628.76  
 Education: £15,725 (Primary £9,841 and Secondary £5,884)  
 Management fee: £3,392.41

42. The applicant has agreed to the contributions and these will be secured through a S106 legal agreement.

Design and impact of infill and backland development

43. As the proposed development is a replacement of the showroom with buildings replacing those to the rear of the site, both the infill and backland development policies, DM HO2 and DM HO3 are applicable and notwithstanding the fact that the site does not result in any loss of garden land, the objectives of the latter policy are relevant.
44. The Hanworth parade is predominantly defined by pairs of two storey semi detached buildings. The application site is the exception to the norm having a single storey form and a plot width that exceeds those others, particularly to the south of the site.
45. The frontage building would take the form of a two storey detached building with a central gabled bay. Whilst having a building width wider than the semi detached pairs adjacent to the site and a crown roof, it is not considered that the proposal is significantly dissimilar to those and given the existing form of the showroom and the removal of one of the vehicular



access points, the proposal can be argued to be an improvement in streetscape terms subject to securing suitable materials and landscaping to the frontage through conditions. The spacing between the buildings would be suitable and the fenestration proposed would be proportionate to that on adjacent buildings in the parade.

46. As set out above the proposal would not result in a loss of garden space and no trees exist on site and thus the site has a limited contribution to biodiversity and the visual amenities of the locality. The site is classified as a brownfield site and whilst buildings are set to the rear of the site, the proposed residential building to the rear of the site is of greater height, bulk and mass. That said, it is not considered that it would present an incongruous form of development in this setting and the impact of the building on neighbour amenity is set out below in more detail.
47. Whilst the residential building would have a larger scale than the existing workshop the application must be assessed in the round with benefits derived from the application such as improved levels of soft landscaping and biodiversity with buildings that would appear an improvement visually compared to those in situ.
48. With regard to the adjacent OOLTI, it is not considered that the proposal would detract from the openness and character of this swathe of open land particularly as the built form on the application site exists and the proposal would provide a defined boundary and clear distinction in the urban fabric to the northern corner of Hanworth Road and Heathside and the open land to the south and it should be noted that this boundary is softened by the proposed landscaping and vertical green panels to the flank of the rear building.

#### Impact on neighbour amenity

49. The authorised use of the site involves in the main the repair and testing of vehicles with the associated movement of vehicles and employees in addition to the noise and disturbance that accompanies such activities. The points made by neighbours are noted (that the site does not operate on weekends with limited hours of operation during the week) however there are limited planning conditions restricting activities which could be more harmful than existing particularly if the site were sold for the purpose of car repairs and testing on a larger and more frequent scale although environmental health legislation could control statutory nuisance should it occur.
50. The access road would be located in close proximity to the properties to the north of the application site more less where the current vehicular access is to the rear of the site. The majority of the access road lies adjacent to no.638 Hanworth Road (which is commercial on the ground floor) with a small section of the road adjacent to the rear of 6 Heathside where the parking area is set off the site boundary with this property by 1.5m.
51. The existing relationship is one where the garden of no.6 Heathside lies adjacent to a hard surfaced area with the coming and going of vehicles separated by a relatively high boundary wall. It is acknowledged that traffic movements would be increased given the use and at different times of day not associated with the existing use however the height and nature of the site boundary wall is considered to be sufficient to mitigate for such noise.
52. Given the height of the aforementioned wall it is not considered that light pollution from vehicles would be detrimental to amenity.
53. With respect to the objection to the siting of the refuse store, details of a covered enclosure are recommended by way of a condition. Given its proximity to the residential block it is unlikely that this would result in unpleasant odours and vermin that would not otherwise be controlled by residents.



54. The rear residential building would be set off the site boundary with the Heathside properties by 3.6m with a height of 5.1m to the eaves. To mitigate the visual impact of the building the applicant proposes a subtle recess to the centre section of the side elevation thereby breaking up the otherwise monotonous mass of the side of the building. Those elements of the side elevation not recessed would be clad in green vertical 'living panels' to provide a 'softer' appearance in addition to the proposed soft landscaping between and beyond the building and site boundary with no.8 Heathside and the trees within neighbouring gardens.
55. Given the mitigation measures set out above, the set in from the site boundary and height of the boundary wall and the appearance of the existing buildings on site it is not considered on balance that the proposed building to the rear of the site would appear unduly dominant, intrusive or un-neighbourly.
56. Those windows on the flank elevation would be fixed and obscure glazed to protect privacy and this is recommended by condition. Views from the upper floor windows on the front and rear elevations would not permit overlooking albeit it at very acute angles and to the very rear of those gardens to 6 and 8 Heathside.
57. The rear windows in the frontage building would be set in excess of 20m from the site boundary with no.6 Heathside and not considered to result in unreasonable overlooking.
58. With respect to no.10 Heathside, the windows in the rear elevation of the proposed residential building would be sited 9m from the eastern site boundary and a degree of soft landscaping is proposed along this site boundary which is considered to preserve the privacy enjoyed to this garden. The nearest window to window relationship is 20m and accepted as not contributing to a loss of privacy.
59. Building Research Establishment (BRE) tests confirm that the proposal would not result in an unreasonable loss of daylight to the properties of no.6 and 8 Heathside (including the conservatory to no.8 although this is not specifically required to be tested under BRE guidelines). The sunlight indicator test undertaken by the Council conclude that a shadow would be cast by the proposed residential block particularly over the garden of no.8 Heathside increasing into the late afternoon evening. However this would not result in an unreasonable loss of sunlight to the garden with the centre and half of the garden benefitting from at least two hours of sunlight in accordance with the guidance set out by the BRE. Limited shadow would be cast over no.6 and 10 Heathside. The property to the south, no.646 comprises a ground floor post office and first floor self contained flat. The access to the flat is via an external staircase to the side of the building and the first floor flank elevation of the building contains one window which serves a non habitable room (a bathroom). The rear upper floor window serves a kitchen and BRE tests reveal that no unreasonable loss of light would be experienced to this room. The garden area to this property is not accessible from the first floor flat.
60. The property to the north of the application site comprises a ground floor commercial business with a first floor flat. No unreasonable loss of light to the rear windows to this property is envisaged and this flat does not benefit from a garden area.

#### Transport, traffic generation and parking

61. With seven off street parking spaces proposed (including a space for those with disabilities), the residential element of the development would comply with the maximum parking standards set out in the DMP.
62. The offices would comprise 240sqm and one space per 200sqm is required. The submitted drawings indicate one allocated space for this office and no objection is raised in this regard.



63. The retail area totals 310sqm and 1 space per 50sqm is required. Three spaces are allocated to the retail element thus representing a shortfall of 3 spaces.
64. A Transport Statement has been submitted and amended to show the traffic generation from a food retail store and whilst the Statement shows that there will be an increase of 90 car trips per day compared to the existing use. Trip generation has been calculated using recognised databases and models (in this case TRAVL) and the TS sets out that the daily trips would be equivalent to theoretical increases on Hanworth Road of the order of less than 1.2%. On this basis and given the on site parking proposed, available on street parking on Hanworth Road and that the surrounding roads are densely populated residential roads that will generate visitors to the retail who in all likelihood would walk, no objection is raised by transport planners and engineers.
65. In relation to parking it is noted that with the exception of the double yellow lines near the junction of Hanworth Road and Heathside no parking restrictions apply along Hanworth Road.
66. As set out above, access to the site would be via the existing vehicular access point to the north of the site. The access road would have a width of 3.5m with a widened area adjacent to the junction to allow vehicles to pass given the aforementioned width. Sight lines would be achieved and it is recommended that these are kept free of obstruction by way of condition.
67. Pedestrian access to the rear of the site is provided with a minimum width of 1.2m adjacent to the access road and to the rear of the frontage building and whilst pedestrians would be required to cross the parking area to access the rear residential building this is not considered unreasonable or likely to prejudice pedestrian safety.
68. Cycle parking facilities are proposed to the rear of the site for residents and whilst details would be secured by condition, it is considered that the size would be sufficient to accommodate bicycles from the residential element of the development.
69. Cycle storage is also proposed within the frontage building for the two flats, office space and retail unit employees.
70. Cycle space is proposed for shoppers on the site's forecourt and details of this along with the landscaping in this area is recommended to be secured by condition.
71. Residential refuse and recycling facilities are proposed adjacent to the rear building and considered to be of sufficient size to accommodate the required containers. Details of the storage unit would be conditioned.
72. It is not envisaged that a refuse vehicle would be able to access the site and perform sufficient manoeuvres within the car parking area and as such details of a refuse collection strategy are proposed to be secured by condition setting out the responsibility for the movement of refuse and recycling containers from the store to a suitable area near the public highway on collection days.
73. Refuse areas are also proposed within the frontage building (set aside for the retail, office and residential units) and accessed off of the internal access road.
74. With regard to servicing it is proposed to reinstate the southern vehicular access point which is welcomed by highway engineers as this would allow the provision of an on street loading bay. The funding of the Traffic Management Order to construct the bay would be secured through a S106 legal agreement which the applicants have agreed to. Whilst loading can



take place on the private forecourts for smaller vehicles, the provision of a dedicated on street loading bay is considered a benefit to the centre.

75. Finally a construction method statement is recommended to be secured via condition to assess impact of construction traffic on the local highway network and control emission of dust and dirt etc.

#### Sustainability

76. The submitted Code for Sustainable Homes pre assessment sets out that Code level 3 would be achieved for the flats with a BREEAM pre assessment for the retail and office meeting an excellent rating in accordance with policy DM DC1.
77. In accordance with DM DC2 20% of CO2 emissions would be offset by the use of air source heat pumps and solar photo voltaic panels.
78. A condition is recommended that notwithstanding the existing hard surfacing on site, that the proposed areas of hard standing should be permeable or other sustainable urban drainage systems incorporated and details of such to be submitted and approved by the Council.

#### Contamination

79. In view of the high likelihood of contamination existing on site it is agreed that an intrusive site investigation be undertaken. This should be in the form of a phased investigation and should include an intrusive site investigation including both soil, soil vapour, ground gas and ground water and a Risk Assessment relating to each and remediation thereafter if necessary.

On this basis a suitable condition is recommended.

I therefore recommend **PERMISSION** subject to a S106 legal agreement securing financial contributions towards education, health, transport, the public realm, affordable housing and a Traffic Management Order and the following conditions and informatives:

#### **Standard conditions:**

- AT01 - Development begun within 3 years
- DV11 - Use of roof restricted
- DV17A - Dustbin enclosure required
- DV27A - Recycling - Details required
- DV28 - External illumination
- DV29E - Potentially Contaminated Sites
- DV30 - Refuse storage
- DV47 - Lifetimes Homes
- DV48 - Approved drawings: Insert: 001f and 002f received on 6 August 2012, 003f, 004i, 004g, 005i, 006i and 006a (existing site plan) received on 10 May 2012.
- DV44 - Code for Sustainable Homes - New Build~ Insert '3'.
- DV49 - Construction Method Statement
- LT06 - Tree Planting Scheme.
- LT09 - Hard and Soft Landscaping Required.
- PK02A - Parking/loading/turning. Insert 'access road and parking spaces' and '001f'
- PK06A - Cycle parking.
- ST03 - Highway sight lines - Pedestrian

#### **Non standard conditions:**

- NS01 - The external surfaces of the buildings (including fenestration, refuse shutter doors, green vertical living panels) and, where applicable, all areas of hard surfacing shall not be constructed other than in materials details/samples of



which shall be submitted to and approved in writing by the Local Planning Authority. REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

- NS02 - No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details. REASON: To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties.
- NS02 - That all new hard surfacing shall be of a porous or permeable material and be constructed and laid out in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. REASON: In the interest of sustainable construction and to avoid excessive surface water run-off.
- NS03 - Prior to the occupation of the units hereby approved, details of the photo voltaic cells and air source heat pumps and associated housing shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be fitted in accordance with these approved details and shall remain in situ thereafter. REASON: To reduce carbon emissions linked with the development in accordance with Core Strategy policy.
- NS04 - As part of development hereby approved bat and bird boxes shall be installed prior to the occupation of the development and in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development; such details to show the number, type and location of the boxes. These boxes and log piles shall be installed prior to the occupation of the buildings hereby approved and thereafter retained. REASON: To promote the interests of wildlife in the area.
- NS05 - The proposed first floor windows in the side elevations of the rear residential buildings hereby approved shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.75 metres (5'7") above the relevant floor level. REASON: To ensure that the proposed development does not prejudice the amenities of adjoining occupiers.
- NS06 - No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a lighting strategy and such development shall be implemented in accordance with the said details and maintained thereafter.  
REASON: To ensure the protection of the local amenities.
- NS07 - The Air Source Heat Pumps hereby approved shall at all times operate at a noise level equal to the existing background noise level or 5dB(A) below if there is a particular tonal or discreet component to the noise. The measured or calculated noise shall be determined 1 metre from the façade of the nearest noise sensitive premises, and in accordance to the latest British Standard 4142; An alternative position for assessment/ may be used to allow ease of access in accordance with details to be submitted to and approved in writing by the Council.  
The plant shall be supported on adequate proprietary anti-vibration mounts as necessary to prevent the structural transmission of vibration and regenerated



noise within adjacent or adjoining premises, and these shall be maintained thereafter.

Reason: To protect the amenities of future occupants and neighbouring properties.

- NS08 - That 10% of the residential units hereby approved and the associated parking must be specifically designed for, or be capable of easy adaptation to, the Council's standards for "Wheelchair Housing" as set out in the Core Strategy.  
REASON: To ensure that the proposed housing contributes to the needs of people with disabilities.

**Standard informatives:**

- IE05C - Noise Control - Building Sites
- IL13 - Section 106 agreement
- IH06D - Damage to public highway
- IL10A - Building regulations required
- IM13 - Street numbering
- IL16F - Relevant policies/proposals FUL. Insert: Core Strategy: CP1, CP2, CP7, CP14, CP15.  
Development Management Plan: DM SD1, DM SD2, DM SD7, DM OS3, DM TC2, DM HO2, DM HO3, DM HO4, DM HO6, DM EM1, DM EM2, DM TP8, DM DC1, DM DC2, DM DC4, DM DC5.  
Supplementary Planning Documents/Guidance:  
Small and Medium Housing Sites  
Design Quality  
Affordable Housing  
Residential Development Standards  
Design for Maximum Access
- IL19 - Summary Reasons for Granting PP~ see conclusion
- IL24 - CIL liable
- IT06 - Nature Conservation

**Background papers:**

Application forms, transport statement and letters of representation.