

PLANNING REPORT

Printed for officer by
Ms Rebecca Shilstone on 20 January
2016

Application reference: 16/0058/FUL
SOUTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
08.01.2016	08.01.2016	04.03.2016	04.03.2016

Site:

29 George Street, Richmond, TW9 1HY,

Proposal:

Change of use of 2nd floor and 3rd floor level from ancillary retail to nine 1 bedroom flats (C3 use) with external alterations and enclosure of walkway at 1st floor, new residential access, bin store, bicycle storage, replacement of plant, new stairs to roof access and reconfiguration of food store at ground floor level.

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

APPLICANT NAME

C/O GL Hearn

AGENT NAME

Mr Paul Manning
280 High Holborn
London
WC1V7EE

DC Site Notice: printed on 20.01.2016 and posted on 29.01.2016 and due to expire on 19.02.2016

Consultations:

Internal/External:

Consultee

14D POL
14D POL
LBRUT Transport
14D Urban D
LBRUT Environmental Health

Expiry Date

03.02.2016
03.02.2016
03.02.2016
03.02.2016
03.02.2016

Neighbours:

- 2A Church Court, Richmond, TW9 1JL, - 20.01.2016
- ATM Site At, 29 - 34 George Street, Richmond, TW9 1HY, - 20.01.2016
- 2 Church Court, Richmond, TW9 1JL, - 20.01.2016
- Parish Church Rooms (First Floor), Church Walk, Richmond, TW9 1SN, - 20.01.2016
- 4A Church Court, Richmond, TW9 1JL, - 20.01.2016
- Ground And First Floor, 29 George Street, Richmond, TW9 1HY, - 20.01.2016
- 28 George Street, Richmond, TW9 1HY, - 20.01.2016
- 27 George Street, Richmond, TW9 1HY, - 20.01.2016
- First Floor Front, 51A George Street, Richmond, TW9 1HJ, - 20.01.2016
- First Floor Rear, 51A George Street, Richmond, TW9 1HJ, - 20.01.2016
- Second Floor, 51A George Street, Richmond, TW9 1HJ, - 20.01.2016
- 50A George Street, Richmond, TW9 1HJ - 20.01.2016
- 48 George Street, Richmond, TW9 1HJ, - 20.01.2016
- 2A Paradise Road, Richmond, TW9 1SE, - 20.01.2016
- 7 - 9 Church Court, Richmond, TW9 1JL, - 20.01.2016
- 49C George Street, Richmond, TW9 1HJ - 20.01.2016
- 49B George Street, Richmond, TW9 1HJ - 20.01.2016
- 49A George Street, Richmond, TW9 1HJ - 20.01.2016
- 3 Church Walk, Richmond, TW9 1SN, - 20.01.2016
- 4 Church Walk, Richmond, TW9 1SN, - 20.01.2016
- The Angel & Crown, 5 Church Court, Richmond, TW9 1JL, - 20.01.2016
- 5A Church Court, Richmond, TW9 1JL, - 20.01.2016

4 Church Court, Richmond, TW9 1JL, - 20.01.2016
 Flat,6 Church Court, Richmond, TW9 1JL, - 20.01.2016
 6 Church Court, Richmond, TW9 1JL, - 20.01.2016
 3 Church Court, Richmond, TW9 1JL, - 20.01.2016
 3A Church Court, Richmond, TW9 1JL, - 20.01.2016
 1 Church Court, Richmond, TW9 1JL, - 20.01.2016
 1A Church Court, Richmond, TW9 1JL, - 20.01.2016
 6 Church Walk, Richmond, TW9 1SN, - 20.01.2016
 8 Church Walk, Richmond, TW9 1SN, - 20.01.2016
 9 Church Walk, Richmond, TW9 1SN, - 20.01.2016
 49 George Street, Richmond, TW9 1HJ, - 20.01.2016
 2 Paradise Road, Richmond, TW9 1SE, - 20.01.2016
 35 George Street, Richmond, TW9 1HY, - 20.01.2016
 8 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 16 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 14 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 12 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 47 George Street, Richmond, TW9 1HJ, - 20.01.2016
 50 George Street, Richmond, TW9 1HJ, - 20.01.2016
 51-52 George Street, Richmond, TW9 1HJ, - 20.01.2016
 9 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 18 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 17 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 15 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 13 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 11 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 10 St James Cottages, Richmond, TW9 1SL, - 20.01.2016
 215 Hospital Bridge Road, Twickenham, TW2 6LH, - 20.01.2016
 4 Victoria Place, Richmond, TW9 1RU, - 20.01.2016
 Flat 4, Ardington House 31, Richmond Hill, Richmond, TW10 6RE - 20.01.2016

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

Development Management

Status: GTD Application: 14/2177/ADV
 Date: 22/08/2014 Non-illuminated delivery, fascia and ATM signage and window vinyls and internally illuminated bus stop signage (28 in total)

Development Management

Status: WNA Application: 15/2993/FUL
 Date: 01/12/2015 Change of use of the 1st, 2nd and 3rd floors from ancillary retail space to from 9 flats (C3 use) with external alterations and enclosure of walkway at 1st floor, new residential access, bin store, bicycle storage, replacement of plant, new stairs to plant access and internal reconfiguration of food store at ground floor level and offices at 1st floor.

Development Management

Status: PCO Application: 16/0058/FUL
 Date: Change of use of 2nd floor and 3rd floor level from ancillary retail to nine 1 bedroom flats (C3 use) with external alterations and enclosure of walkway at 1st floor, new residential access, bin store, bicycle storage, replacement of plant, new stairs to roof access and reconfiguration of food store at ground floor level.

Building Control

Deposit Date: 24.10.2011 Alterations to front entrance with new automatic sliding doors. Form new partitioning in bake off area.

Reference: 11/2041/FP

Building Control

Deposit Date: 19.01.2012 Alterations to front entrance with new automatic sliding doors. Form new partitioning in bake off area.

Reference: 11/2041/FP/1

Enforcement

Opened Date: 30.12.2013 Enforcement Enquiry

Reference: 13/0667/EN/BCN

Enforcement

Opened Date: 22.04.2015 Enforcement Enquiry

Reference: 15/0231/EN/BCN

Recommendation:

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

YES
SUBJECT TO
SLO6

I therefore recommend the following:

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

This application is CIL liable

YES* NO
(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement

YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)

YES NO

This application has representations on file

YES NO

Case Officer (Initials): NON

Dated: 18/03/16

I agree the recommendation:

Team Leader/Development Control Manager

[Signature]
22/3/16

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: *[Signature]*

Dated:

19/03/16

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

SEE REPORT

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

SEE REPORT

DELEGATED REPORT

16/0058/FUL

29 George Street, Richmond TW9 1HY

Development Plan Policies:

Local Development Framework Core Strategy 2009:

CP1, CP2, CP7, CP8, CP14, CP15 CP16 & CP19

Local Development Framework Development Management Plan 2011:

DM SD1; DM SD2; DM SD6; DM EM2; DM HO1; DM HO3; DM HO4; DM HO6; DM TC1;
DM TC3; DM TC5; DM EM2; DM TP2; DM TP6; DM TP7; DM TP8; DM HD1; DM HD3;
DM DC1; DM DC5

Supplementary Planning Guidance:

Central Richmond Conservation Area Statement

Central Richmond Conservation Area Study

Design Quality - SPD

Affordable Housing - SPD

Sustainable Construction Checklist

Residential Development Standards - SPD

Small & Medium Housing Sites - SPD

Front Garden and Other Off Street Parking Standards – SPD

Site and History:

The application site is a retail unit located on the south side of George Street, Richmond close to the where it meets Lower George Street and adjoining the pedestrian passageway of Church Court. The ground floor of the site is occupied by Tesco's Metro with the upper floors a mixture of ancillary offices and storage areas associated with Tesco's and also a betting shop occupies part of the first floor.

The area is the main thoroughfare through Richmond Town Centre and is located at the end of a terrace of shops. The site is located within the Central Richmond Conservation Area (CA17) and the building has been designated a Building of Townscape Merit (BTM). The surrounding area is commercial in nature and the shop is located in a Key Shopping Frontage.

The most recent and relevant planning history at the site is as follows:

- A previous application was submitted in September 2015 (Ref: 15/2993/FUL) for a similar scheme for the change of use of the 1st, 2nd and 3rd floors from ancillary retail space to from 9 flats (C3 use) with external alterations and enclosure of walkway at 1st floor, new residential access, bin store, bicycle storage, replacement of plant, new stairs to plant access and internal reconfiguration of food store at ground floor level and offices at 1st floor. The application was withdrawn by the applicant in favour of the new scheme proposed here.
- Advert consent was granted for the non-illuminated delivery, fascia and ATM signage and window vinyls and internally illuminated bus stop signage (Ref: 14/2177/ADV) in August 2014.

- Advert consent was granted for various signs at the Tesco retail unit at 29 George Street, including three externally illuminated projecting signs; three fascia signs formed of individual letters in red and blue acrylic; and seven vinyl films (three including text) to be applied to the front, side and rear windows. (Ref: 11/3571/ADV)
- 11/1935/ADV - Erection of internally illuminated fascia and projecting signs (signs 1, 5, 6, 7 REFUSED) vinyl graphics applied to shopfront windows (signs 8 - 16 REFUSED); high level vinyl panels (signs 3, 4, 20 - APPROVED) and aluminium graphic panels fixed to walls (signs, 17, 18, 19 - APPROVED).
- 08/2952/FUL - Installation of combined heat and power (CHP) unit to provide a sustainable method of powering the store - Application Granted
- 05/1171/ADV - Projecting sign and ground floor window and fascia signage - Application Granted
- 05/1170/FUL - Erection of satellite dish and Air conditioning condenser unit - Application Granted
- 05/0569/ADV - Relocation of externally illuminated projecting sign - Application Granted
- 05/0510/COU - Change of use from A1 retail to A2 of part of first floor and part of ground floor to form new access. Alterations to existing shopfront entrance doors - Application Granted
- 03/1912/FUL - Installation Of Video Rental Dispenser Unit Within Existing Shop Front - Application Refused
- 03/0112/ADV - Erection Of An Externally Illuminated Fascia Sign - Application Granted

Proposals:

The current scheme consists of the change of use of 2nd floor and 3rd floor level from ancillary retail to nine 1 bedroom flats (C3 use) with external alterations and enclosure of walkway at 1st floor, new residential access, bin store, bicycle storage, replacement of plant, new stairs to roof access and reconfiguration of food store at ground floor level.

Public and Other Representations:

Four letters of objection have been received and the following material planning considerations have been raised:

- Location of the bin store opposite the First World War Memorial in Richmond Parish Churchyard is insensitive.
- No details of the ventilation of the bin store.
- Insensitive siting of the refuse bin storage area at the very back of the building. Concerns in respect to the servicing arrangements of the bins with regard to the noise and times that the receptacles will be moved and handled.
- The scheme is not in keeping with the conservation area.

- Lack of thought into the reconfiguration of the site and a lack of imagination combined with a lack of interest in producing something that will work to the advantage of all.
- Cycle store and bin store have been incorrectly sited as has the entrance to the proposed residential units.

There have been requests for the application to be reported to Planning Committee

Professional comment:

The main issues associated with this application are a) whether the proposal would accord with the Council's employment policies; b) does the proposal accord with housing policies; c) Community Infrastructure Levy (CIL); d) any impacts of the design on the conservation area and the host property (BTM); e) are there any negative impact in regard to neighbouring amenity; f) are there any negative impacts in regard to the additional transport and parking issues; g) does the proposal accord with the sustainability policies. These shall be dealt with in turn.

a) Acceptability of change of use:

Policy CP8 of the Core Strategy 2009 states that the Borough's town and local centres have an important role, providing shops, services, employment opportunities, housing and being a focus for community life. In regard to Richmond Town Centre the key objectives are to maintain and reinforce the centre as the location for major offices, retail (particularly comparison goods and specialist retail) and service uses, arts, culture, and leisure and tourism facilities. In terms of residential development the objective is to encourage higher density, including affordable and small units; and car free development.

Policy CP14 of the Core Strategy states that the density of residential developments should take in account the need to achieve the maximum intensity of use comparable with the local context, with particular regard to the character, quality and amenity of the established area.

Policy DM TC1 of the DMP 2011 seeks to maintain and improve town centres through the provision of appropriate development within the five identified boundaries. Proposals should contribute to a suitable mix of retail, business, leisure, tourism, community uses, health and residential. Proposals need to enhance vibrancy and vitality of the centre; be more efficient or provide benefit than previous use; reduce need to travel and pressure on parking; in scale to enhance vibrancy and vitality; sites for modern retail needs including where appropriate larger floor-plates; maintain or enhance active frontage; develop leisure, cultural and tourism facilities and respect and enhance heritage and character of centre. The site is located within a Key Shopping Frontage and thus policy DM TC3 and seeks to controlling changes of use from retail, will generally be resisted.

Richmond is the borough's main shopping centre, being a "major" centre in the London Plan's classification of town centres. The Core Strategy outlines the general location and amount of retail floorspace anticipated to be provided in the borough, and paragraph 6.1.14 indicates that most of the 8,000sqm required is expected to locate in and around Richmond. Richmond remains a relatively healthy town centre according to the latest Town Centre Health Checks and thus there may be room to consider other commercial uses which might also be acceptable.

However, at paragraph 4.2.29 it states that the frontages policy primarily protects the ground floor, street frontage part of a unit. Although the Council will seek to avoid the reduction of overall retail space, especially in Richmond town centre, it acknowledges that retail may not always be the most effective use of the upper floors of certain buildings. Providing that the viability of the ground floor unit to act in a retail capacity is not compromised (especially the case for anchor supermarkets in existing centres), changes of use away from retail on other floors would not be contrary to the frontage policy.

The Tesco Metro occupies the ground floor of the building as its trading area with Coral betting shop occupying a small section of the ground floor for access to the upper floor unit, which is sub-let space from Tesco. The betting shop unit at the first floor will remain at the site and unaffected by the proposal.

In regard to the upper floors these are under Tesco's ownership and are currently ancillary office, storage and training space in conjunction with the Tesco's unit on the ground floor. In terms of the 1st floor the facilities these include a meeting room and three office and back of house storage and staff offices and welfare space.

The 2nd floor space is currently used by Tesco for occasional storage and was also used as a training room for the Tesco business and has been indicated as surplus to requirements. The 3rd floor within the roof spaces is void with maintenance access only and is in need of restoration and repair, again this is currently surplus to requirements.

The site has been subject to two previous pre-application enquiries and also the previously withdrawn application (Ref: 15/2993/FUL) which the Council as Local Planning Authority (LPA) have not previously objected to in regard to the potential loss of ancillary retail space. The main difference between the previously submitted scheme and the current application is that the ancillary offices on the first floor will be retained, previously these were proposed as residential units. The applicants have indicated that Tesco have reviewed the store and how it operates and have decided that at this time the office space located at first floor cannot be lost to residential use.

As such, where previously it was suggested to create a 2 bed flat this space will now remain as ancillary retail space used as offices linked to the store across a secure lobby area. There are concerns that the additional floorspace, originally earmarked for residential use, is being under-utilised to avoid an affordable housing contribution and a scheme could be capable of more units, however it is for the applicant to set out their operational requirements and difficult for the LPA to otherwise assess.

There is a very minor reduction in the existing ground floor retail space by 35sqm from 1,390sqm to 1,365sqm. In order to be consistent with the approach taken previously there is no retail objection. The retailer is best placed to ascertain whether they have sufficient ancillary retail space such that the viability of the shop can be maintained. Clearly with a store this size it would be difficult to argue that the proposal would result in a store which was not of a viable size, given that the current operation still requires the retention of the first floor for ancillary use.

In principle additional residential use can add to the vitality and viability in such a town centre location where it is above commercial frontage, in general accordance with Policies CP1, CP8 and CP14 of the Core Strategy and DM TC3 of the DMP, as such the

proposed change of use would be acceptable in principle. Therefore it becomes appropriate to consider Policies CP15 and DM HO6 which set out the framework to require financial contributions to affordable housing from all small sites. Further details are set out in the Affordable Housing SPD. The SPD sets out that a contribution of 36% would be sought for nine units created from converted floorspace. The commuted sum can be calculated using the pro-forma Annex A to the SPD.

The applicant states that on the basis of the 9 units proposed and using the Council calculator this would provide a contribution of £620,000. The applicant confirms acceptance to this contribution and as such a S106 agreement will be required to secure this payment.

The Council's Planning Viability Advisor has reviewed the suggested contribution in line with the current open market value. The Council's Viability officer has looked at prices for 1 beds in the vicinity and compared this to the values achieved on similar schemes in the locality. This has generated a higher suggested contribution of £686,894. In particular this was based on the recent sales from 1 bed units at The Quadrant, a very similar scheme in type and location. The agent suggested using these values would result in a lower contribution, but the Council's Planning Viability Advisor advised the values would need to be updated in line with the House Price Index since the date of sale and would therefore result in the slightly higher contribution.

While the Council's Planning Viability Adviser has not agreed the details of the basis of the applicant's calculation with regard to the open market value, this has a marginal impact overall. Given the offer of a significant contribution of £620,000 and that further interrogation by the Council may not achieve a significantly higher contribution, on this basis it is recommended that the contribution of £620,000 should be secured via a legal agreement.

Given that the application is for nine units which is close to the threshold of ten units for on-site provision of affordable housing in terms of the number of units proposed, therefore the Council need to be satisfied the site is not being under-utilised to deliberately avoid an affordable housing contribution if it is capable of more units. As previously stated Tesco's have assessed their operational requirements and difficult for the LPA to otherwise assess. Nevertheless, it is considered prudent that an informative is added to any approval to flag up that should additional floorspace in the building come forward for change of use to residential under another application within the short-term, any affordable housing calculation would have regard to these units approved and therefore the issue of on-site affordable housing may need to be explored.

b) Housing mix and standards

Policy DM HO1 sets out criteria to assess whether properties are suitable for conversion and the design considerations (which are considered at point d) below). The proposed mix is offering 100% small (studio or 1 bed) units, which meets the requirements of Policies CP14 and DM HO4 given this highly sustainable location. The standards set out in Policy DM HO4 and the Residential Development Standards SPD should be addressed. From 1 October 2015 the Council will be applying the nationally described space standard. The nationally described space standard sets a minimum gross internal floor area of 50sqm for a 1 bed 2 person one storey dwelling which is met for the proposed units see table below:

Number	Units	Tenure	Internal floor space (sqm)
3.01	1 bed	Private	56.7
3.02	1 bed	Private	51.0
3.03	1 bed	Private	51.0
3.04	1 bed	Private	56.7
2.01	1 bed	Private	55.6
2.02	1 bed	Private	50.0
2.03	1 bed	Private	50.0
2.04	1 bed	Private	50.0
2.05	1 bed	Private	55.0

Therefore it is considered that the housing standards have been met in this respect. The requirements of Policy DM HO4 and the Residential Development Standards SPD still apply to external amenity space. The SPD further indicates that a minimum of 5sqm for outdoor amenity space should be provided for a 1-2 person flat, plus an additional 1sqm for each additional occupant. Accommodation likely to be occupied by families (such as the new builds) should have direct and easy access to a good sized private garden. The aspect, useability and sense of enclosure will all be taken into account in assessing whether the private garden provided sufficiently good living conditions.

The application is a conversion of a BTM within a town centre location and given the current layout of the building there is no scope for the provision of any further private outdoor amenity space, without reducing the footprint of the building, which would in turn reduce either the number of units provided or the internal dimensions and quality of accommodation.

Paragraph 5.1.28 of policy DM HO4 indicates that in town centres the onus is on the applicant to show that usable roof terraces, roof gardens and balconies have been considered and the standards cannot be met. Given the location of the application site within the conservation area; its designation as a BTM, it is considered that no additional external amenity space can be accommodated on the street facing façade in this particular location, and the incorporation of balconies/terraces in this location would be considered out of keeping and unneighbourly. As such the scheme would not meet the external amenity standards in this regard. However as most of the units only just meet the baseline internal space standard, and are small units which are less likely to be occupied by small families and the LPA would not object to the lack of amenity space in this particular case.

Policy CP14 states that all new homes should be built to Lifetime Homes Standards. From 1 October 2015 all new housing would be expected to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings'. It has been noted the units on upper floors are not served by a lift. Both the Planning and Design & Access Statements refer to the constraints of the existing BTM and uses, stating no lift can be configured. As M4 (2) requires step free access it should not be applied, where the mandatory M4 (1) would be applicable (as a default, no condition is required). Building Regulations M4(2) and M4(3) equally cannot be applied to conversions and change of use proposals. Any measures to improve access would be welcomed. Nevertheless this requirement can be secured by way of a condition.

c) CIL

The scheme is a chargeable development under both Mayoral and Borough CIL whose current rates are set at £50 and £250 per square metre respectively.

d) *Impacts on the conservation area and Building of Townscape Merit (BTM)*

The National Planning Policy Framework advises the Government attaches great importance to the design of the built environment stating that developments should be visually attractive as a result of good architecture. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

The NPPF advises that a heritage asset can include a locally listed building, and is identified as having a degree of significance. Further, councils should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Further, significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

The NPPF goes on to advise that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.*

Policy DM HD1 of the DMP 2011 has a presumption to protect areas of special significance by designating Conservation Areas. Impact of proposals within and affecting the setting of Conservation Area will be taken into account. Features that contribute to character and appearance of the area will be retained, whilst new development should conserve and enhance the character and appearance of the area.

Policy DM HD3 seeks to preserve and enhance Building of Townscape Merit (BTM) by protecting their significance, character and setting. Alterations and extensions should be based on an accurate understanding of the structure and respect the architectural character and detailing of the original building.

Policy DM DC1 further states that new development must be of a high architectural and urban design quality. 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. Particular regard should be had to the compatibility with local character and detailing and materials.

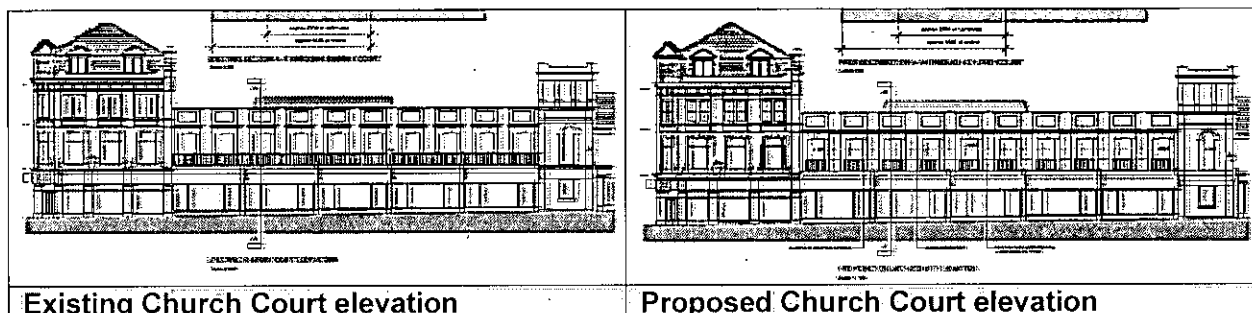
As stated the site is located with the Central Richmond conservation area. The Central Richmond conservation area statement indicates that the character of the area is mainly

a commercial shopping area and the townscape is noteworthy for its variety with a consistently high quality and many exuberant individual buildings. The area faces problems and pressures in regard the potential for the loss of traditional architectural features and materials due to unsympathetic alterations. The statement further identifies that there are areas of opportunity of enhancement in particular with regard to the improvement and protection of its setting and seeks the preservation, enhancement and reinstatement of architectural quality and unity.

The application site is located in a very sensitive area given its central position within the conservation area, with a grade II* listed building to the south along with the adjoining grade II listed cottages and to the majority of the surrounding properties are locally listed as BTMs. Therefore any scheme would need to be sensitively designed, be of a high design standard and would need to preserve and enhance the character and appearance of the conservation area and neighbouring properties.

The existing building despite some unattractive "recent" additions to the side and rear, is a prominent and eye-catching development and thus any development should seek to retain and preserve the character and appearance of the existing property. The majority of the works to the main host property are internal alterations to create the proposed units at the site. In terms of the host property there are no external alterations proposed the main unit fronting George Street, although there are concerns in regard to levels of pollution received from future residents (see point e below) raised by the Environmental Health team, which may require changes to the window units. As such the windows to the existing unit may need to be fixed shut and internal ventilation maybe required however any improvements should be timber framed windows and double glazing should be secondary glazing/slimlite only. Any alterations proposed to the windows should be sensitively achieved and as such a protective condition is deemed appropriate.

The main changes at the site involve the filling in of the existing "emergency access" at the first floor level fronting Church Court, to create a new entrance and access way to the proposed units on the upper floors. The application proposes to replicate the existing building form and pattern, albeit with increased glazing to create a light access route through to the proposed units. The new fenestration pattern will follow the existing pattern, but will incorporate obscured glazing to protect surrounding residents amenity (see point e below) and this can be conditioned as part of any approval. As part of the application the Councils conservation team has been consulted in respect to the current proposal. The difference between the existing and proposed elevation is highlighted below:



The Conservation Team have no objection subject to materials and larger scale drawings of fenestration which can be secured by way of a condition. It is acknowledged that the whole of the building is a BTM, not just the façade, and this includes the section at the rear. The scheme requires a new entrance to the proposed flats and given the orientation and the current use and requirements of the retail unit at the ground floor the only suitable entrance would be via the staircase at the rear of the site. The proposals will have minimal architectural impact on the existing buildings and surrounding area whilst at the same time reinforcing the existing residential uses in Church Court. Utilising and adapting the existing stair tower in Church Walk will also only result in minor elevational changes.

Adjoining the residential entrance will be the refuse and recycling store. The new entrance door and frames and the store door frames and louvres will be constructed from panelled hardwood with obscured toughened and laminated glazed panels. Subject to detailed larger scale drawings of fenestration which can be secured by way of a condition this would be considered acceptable.

Overall, the alterations are sympathetic to the host property and the scheme relates well to the existing BTM with regard to these alterations. Subsequently, and subject to conditions on further details it is considered that the scheme adequately retains the external character of this BTM whilst allowing the building to become more viable. It is considered that the proposal respects the historic and established character of the building and would have a neutral impact on the conservation area and BTM thus at the very least preserves the setting within the Central Richmond conservation area. Consequently it is considered that attention has been paid to the form, scale, proportions, rhythm, materials and spatial characteristics of the new development is considered consistent with policies DM DC1, DM HD1 and DM HD3 of the DMP 2011 and the National Planning Policy Framework.

e) Impacts on neighbouring amenity

Policy DM DC5 seeks to ensure that the design and layout of buildings is sufficient to ensure that adjoining land or properties are protected from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance.

Policy DM DC6 encourages purpose built, well-designed and positive balconies where new residential units are on upper floors. However, the addition of balconies to existing properties will not generally be permitted unless it can be demonstrated that they do not cause overlooking or unreasonable disturbance to neighbouring properties.

- *Visual relationship:*

The proposal seeks only minimal alterations to the external appearance of the existing BTM. As previously stated the site occupies a prominent and sensitive location, and the current design of the new access way is of a suitable design that could be accommodated within this area. The main change in the visual appearance will be experienced at the rear of the site. The scheme maintains the surrounding street proportions when considered in context the height is not considered unduly overbearing or visually intrusive. Subject to conditions, in visual terms the scheme is not considered unduly unneighbourly and on balance is deemed acceptable.

- *Privacy:*

The proposal seeks only minimal alterations to the external appearance of the front and sides of the existing BTM. The existing fenestration will be retained and as such there will be no increase in overlooking or loss of privacy already experienced from the site. The main alteration is on the Church Court flank elevation which faces a number of existing residential units particularly on the upper floors. The provision of the covered walkway incorporates very large windows. However it is proposed that the windows are obscured glazed and fixed shut which can be secured by way of a condition. As such it is not considered to afford any unacceptable additional overlooking that is already experienced from the existing BTM site.

Overall it is considered that there are no issues of overlooking or creation of any additional loss of amenity, to warrant the refusal of the application.

- *Noise and disturbance:*

Policy DM DC5 seeks to protect residents from loss of amenity in terms of pollution which can also include noise and light pollution. It is recognised that the scheme will have a different pattern of activity and noise generation when compared to the previous use of the site as an ancillary office use to the supermarket at the ground floor.

Concerns have been raised in respect to the location of and the servicing arrangements of the refuse store and the potential movement of the bins for collection given that this would occur during unsociable hours and along Church Court which has residential units on the upper floors. The applicant has indicated that the bin store has been located in the current position so that it can be accessed from the residential lobby and for access directly onto Church Court so that the bins can be moved on collection day to a designated area. It is proposed that there is a management plan in place, and controlled by planning condition. The bins can also be installed with noise dampeners on the wheels to reduce the noise causes when moved into the collection positions. Details can be secured by a condition.

The Environmental Health Officer (EHO) has reviewed the scheme in regard to potential noise impacts and they do not have any in principal objections to the proposed development subject to conditions being implemented. A post completion acoustic report should be submitted which demonstrates if the development has complied with the proposed conditions.

The surrounding area is a mix of commercial and residential uses thus the residential development is considered of a use akin to the surrounding area and thus unlikely to create any significant impact in terms of noise, disturbance and light given the town centre location and this is deemed an acceptable relationship.

- *Daylight/Sunlight:*

In terms of massing the proposed development seeks to reinforce the character of the street. Care has been given to design a scheme which does not have any adverse impact upon surrounding properties by way of daylight/sunlight.

In terms of daylight amenity on Church Court apartments using the Vertical Sky Component (VSC) test the VSC value would be in excess of 27% and deemed acceptable. With regard to sunlight amenity these properties would comfortably meet the BRE's recommendations, with windows achieving at least 25% of the annual available sunlight hours including 5% of the available winter sun.

Overall, given the schemes acceptable siting, scale and design, and with the use of safeguarding conditions, the development is not deemed to result in an unacceptable relationship with surrounding residential properties as sought by DM DC5.

f) Impacts of transport and parking

Policy CP5 identifies that the need for travel should be reduced by the provision of employment, shops and services at the most appropriate level locally, within the network of town centres. The policy further highlights developments which would generate significant amounts of travel to be located on sites well served by public transport. The policy also requires new car free housing in Richmond and Twickenham town centres and in other areas where there is good public transport in exceptional circumstances.

Policy DM TP2 states that the impact of new development on the transport network will be assessed against other plan policies and transport standards. The policy indicates that it is necessary to consider the impact of any new development on the existing wider and local transport network for all modes, how it links to the network, impacts on highway safety, the impact of parking and servicing, and with larger developments what provision has been made for the movement and parking of vehicles.

Policy DM TP7 states that new developments should provide appropriate cycle access and sufficient and secure cycle parking facilities. The cycle parking standards indicate that the site should accommodate 9 cycle spaces at the site (one per residential unit). As originally submitted the applicant provided the cycle storage close to the servicing compound, and would have resulted in a loss of a staff parking space within the site. Transport raised concerns that outside CPZ hours night staff may park on street. Also there were significant concerns raised in respect to the safety of users as the original position was not ideal and of concern due to large Lorries using the yard and manoeuvring. Ideally the cycle store should be close to the residential units.

The applicant considered the proposed location was the best and most suitable, given that there are no set standards on distance to cycle parking from flats. The proposed position was within acceptable walking distances however there was a perception on public safety. As such the applicants reviewed the proposed layout of the flats in order to find a safer and closer location however due to a lack of suitable and accessible space in the building, and the fact that designated storage areas were at 2nd and 3rd floor levels, it was not considered acceptable to provide a secure grade level enclosed cycle store proposed.

As such an alternative location was proposed and shown on a sketch plan 3341/110 Rev D received at the LPA on 16th March 2016. The new location proposed would provide a small secure cycle store located at the top of the access route to the service yard closer to Paradise Road. The location would allow for direct access from the pavement without residents having to even cross a single road to get to a cycle store and would be closer to the entrance to the flats.

This has been reviewed by the Transport Team and found as acceptable. The proposal indicates that there will be cycle spaces provided at the ground floor level and this could be considered in accordance with the requested standards and therefore would be in accordance with policy DM TP7. However these will need to be more secure and enclosed and further details are required this can be secured by way of a condition.

Policy DM TP8 seeks to ensure that developments provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions. The site is located within the Richmond Town CPZ that operates Monday to Saturday 8:30am to 6:30pm (part); Monday to Saturday 8:30am to 6:30pm and Sun, Bank Holidays 11am to 5pm (part), mainly to prevent commuter parking associated with Richmond Station, and provide time limited parking for visitors to the shops.

The current car parking standards for residential development it states a maximum of 1 space for 1-2 bedroom flats thus equating to the provision of 9 spaces for the development proposed. The applicant has indicated that the scheme will be a car free development for residents that there will be no onsite parking provided, nor is it feasible.

The site is within a town centre location, an area of excellent (6a) PTAL (13 bus routes within at Wakefield Road and Richmond Station); and a CPZ. Given the hours of the CPZ residents would not be able to park in the surrounding roads during the day (during the week and at weekends), unless on pay and display meters that would be costly and time limited. Furthermore the applicant has indicated that they are willing to enter into a Section 106 agreement to remove access to resident permits and season tickets, all zone permits and contracts within Council car parks. The first occupiers will be made members of a car club for 5 years, the nearest cars being at The Green.

It is acknowledged that representations received have raised concern in respect to the provision of the development without any car parking spaces. These concerns have been fully considered, and the Councils Highways Team have indicated that given its high PTAL rating of 6a, parking provision can be at a lower level, and given the proximity to good public transport links, and being within walking distance to the centre and other transport node, it is not considered to result in an unacceptable pressure on-street parking.

The Highways team have raised concerns in connection with the demolition and construction phases of the proposed development particularly given its location and access. Given the relative constricted nature of the site and the existing difficulties in accessing the site it is considered prudent in this instance that the applicant submits a detailed Construction Method Statement (CMS) particularly in respect to the demolition, to mitigate disruption. As such it is not considered that this could be a ground for refusal.

g) Sustainability issues

Policy CP1 of the Core Strategy states that developments will be required to confirm to the Sustainability Construction Checklist, including meeting the BREEAM level "excellent" for conversions. Policy DM SD1 of the DMP 2011 states that new homes must meet Code for Sustainable Homes Level 3. Furthermore and conversions should meet the BREEAM Domestic Refurbishment "excellent" rating in accordance with the requirements of policy DM SD3.

The application has submitted details in the form of Energy Statement and A BREEAM Pre-Assessment. Following the energy hierarchy has enabled carbon reductions to be calculated for the proposed redevelopment of the site, with the total overall carbon reduction is predicted to be approximately 69% through high levels of fabric efficiency,

high efficiency gas boilers and secondary glazing. The residual carbon emissions meet the 36% target.

The BREEAM pre-assessment for the redevelopment demonstrates that the non-domestic part of the building can achieve a BREEAM 'Excellent' rating. The proposal is therefore considered generally compliant with the sustainability aims and objectives of the DMP.

Conclusion:

The principle of development for change of use from employment to a residential development is considered acceptable and a viability assessment has been undertaken in respect of providing affordable on-site housing and the provision of £620,000 for an off-site provision secured by a S106 agreement has been accepted by the Councils Planning Viability Advisor.

The scheme is proposed as a car free development, however given the high PTAL level, proximity to good public transport links, and being within walking distance to the centre and other transport nodes in this case it is considered acceptable. Nevertheless the applicant has indicated that they are willing to enter into a Section 106 Agreement to restrict permits.

Details in the form of a completed Energy Statement and A BREEAM Pre-Assessment, the scheme should meet the "excellent" rating under BREEAM Non-Domestic. The proposal is therefore considered generally compliant with the sustainability aims.

The design is considered of a high standard and is compliant with policies CP7 of the Core Strategy and DM HD1, DM HD3 and DM DC1 of the DMP. The provision of 9 one bedroomed units is compliant with policy DM HO4 which encourages smaller units in these locations with good public transport links and access to facilities. Subject to conditions the amenity of neighbouring residents is respected with no additional overlooking, loss of light or loss of privacy, thus compliant with policies DM DC5.

I therefore recommend **PERMISSION** subject to the following:

Recommendation A:

Grant Planning Permission Subject to Conditions and a Planning Obligation under S.106 to secure the following:

- Financial contributions of £620,000 for affordable housing
- Restriction of parking permits and membership of a car club

And DELEGATE to the Development Control Manager the authority to agree the precise terms of the agreement and issue the planning permission following completion of the S.106 Agreement.

Recommendation B:

In the event that the S.106 Agreement specified in Recommendation A is not completed by 1st July 2016 or a date otherwise agreed in writing with the applicant, planning permission may be **REFUSED** for the following reason:

In the absence of a binding obligation securing an appropriate financial contribution towards the provision of affordable housing and parking permits the proposal would be prejudicial to meeting the Council's affordable housing objectives and planning obligations and policy CP14 of the Core Strategy, policy DM HO6 of the Development Management Plan and Supplementary Planning Document for the Planning Obligation Strategy and the Affordable Housing SPD.