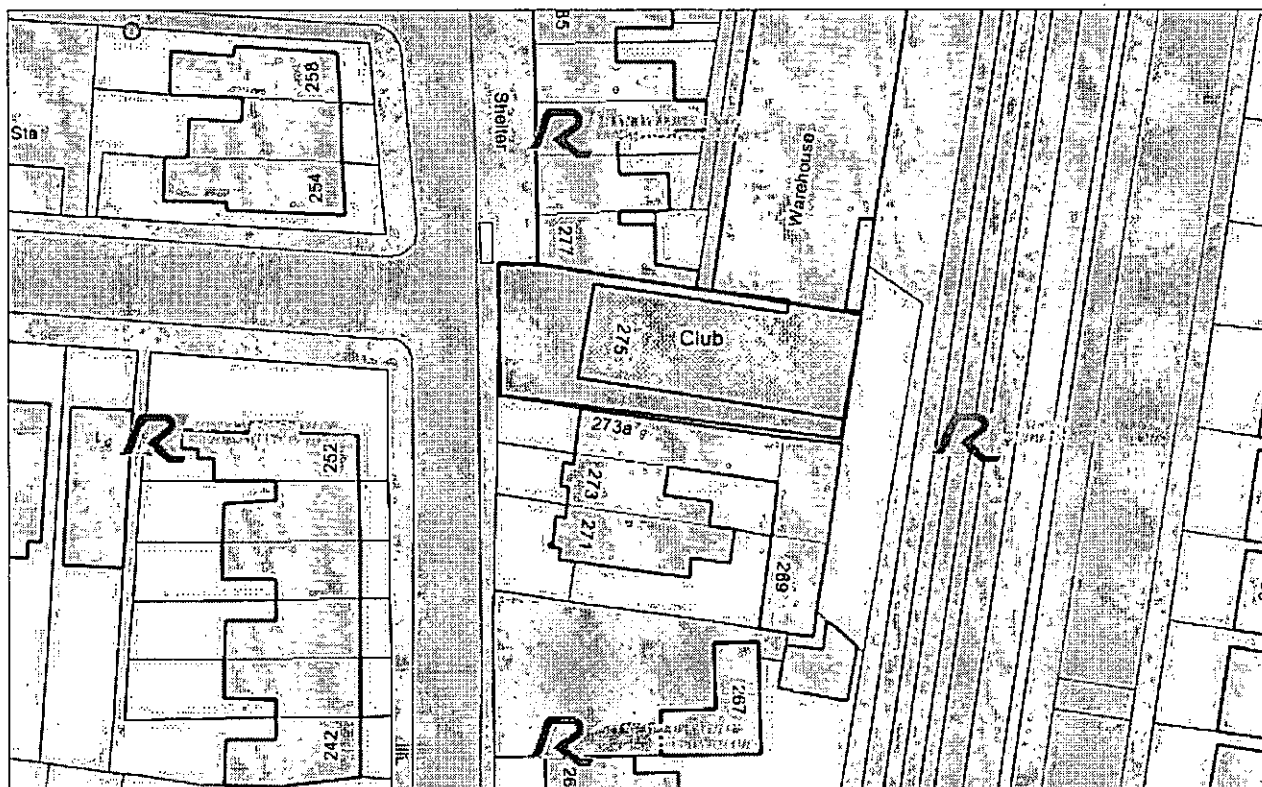


16/0905/FUL
275 SANDYCOMBE ROAD
RICHMOND

KEW WARD
Contact Officer:
Mr J. GARSIDE



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Proposal: Demolition of the existing hall and the erection of a new community facility building and 6 No. flats.

Applicant: Mr B Doherty; **Agent:** Miss Beverley Tourle

Application received date: 08.03.2016

Development Plan Policies:

National Planning Policy Framework, 2012 (NPPF)

London Plan (Minor Alterations to the London Plan), 2015

Policy 3.5 (Quality and design of housing developments)

Policy 5.2 (Minimising Carbon Dioxide emissions)

Policy 6.13 (Parking)

Core Strategy, 2009

CP1 (Sustainable Development)

CP2 (Reducing Carbon Emissions)

CP3 (Climate Change - Adapting to the Effects)

CP4 (Biodiversity)

CP5 (Sustainable Travel)
CP7 (Protecting Local Character)
CP14 (Housing)
CP15 (Affordable Housing)
CP16 (Local Services/Infrastructure)
CP17 (Health and Well-being)

Development Management Plan, 2011 (DMP)

DM SD 1 (Sustainable Construction)
DM SD 2 (Renewable Energy and Decentralised Energy Networks)
DM SD 7 – Sustainable Drainage
DM OS 5 (Biodiversity and new development)
DM OS 8 (Sport and Recreation Facilities)
DM SI 1 (Encouraging New Social Infrastructure Provision)
DM SI 2 (Loss of Existing Social Infrastructure Provision)
DM TP 1 (Matching Development to Transport Capacity)
DM TP 2 (Transport and New Development)
DM TP 7 (Cycling)
DM TP 8 (Off Street Parking - Retention and New Provision)
DM HD1 (Conservation Areas)
DM HD 3 (Buildings of Townscape Merit)
DM HO 2 (Infill Development)
DM HO 4 (Housing Mix and Standards)
DM HO 6 (Delivering Affordable Housing)
DM DC 1 (Design Quality)
DM DC 2 (Layout of Mixed Use Schemes)
DM DC 5 (Neighbourliness, Sunlighting and Daylighting)

Publication Local Plan (2016)

LP1 - Local Character and Design Quality
LP2 - Building Heights
LP3 - Designated Heritage Assets
LP4 - Non-Designated Heritage Assets
LP8 - Amenity and Living Conditions
LP11 – Subterranean Developments and Basements
LP17 - Green Roofs and Walls
LP20 - Climate Change Adaptation
LP28 – Social and Community Infrastructure
LP30 – Health and Wellbeing
LP31 – Public Open Space, Play Space, Sport and Recreation
LP34 - New Housing
LP35 - Housing Mix and Standards
LP36 - Affordable Housing
LP39 - Infill, Backland and Backgarden Development
LP45 - Parking Standards and Servicing

Supplementary Planning Documents

Sustainable Construction Checklist SPD

Design Quality SPD
 Affordable Housing SPD
 Residential Development Standards SPD
 Small and Medium Housing Sites SPD
 The Kew Village Planning Guidance SPD

SUMMARY OF APPLICATION:

The improved and additional community space (provided at the basement and ground floor level of the rear building) is considered a significant benefit to this scheme and the proposed frontage building and associated front landscaping relate well to the area and would make a positive contribution to the surrounding townscape and the setting of the Lawn Crescent Conservation Area (especially given the dilapidated condition of the existing building). On this basis, the loss of the host building (BTM) is justified.

The scheme is less than ideal with respect to its impact on the living conditions of the upper floor flat of 277 Sandycombe Road and the design of the rear mixed use building. The scale, bulk and footprint are considered to be at the maximum without representing an overdevelopment of the site. These concerns are however outweighed by the benefits of the scheme, including the community floorspace and delivery of new residential units. On balance, the proposal is considered acceptable by reason of its design, scale, form, mass, spacing and layout in accordance with CP1 and CP7 of the Core Strategy and policies DM SI1, SI2, HD1, HD3, HO2, HO3, HO4, HO6, TP8, DC1 and DC5 of the Development Management Plan.

Recommendation: Approval subject to conditions

Site Description:

1. The application site consists of a metal clad building used for sport and recreation purposes by the Anglo-Japanese Judo Club for more than 60 years and located on the eastern side of Sandycombe Road. The metal clad building, of which the site consists of, dates from 1892 and has been in community use for more than 100 years being first erected as St. Luke's Church. Its close association with the history of Kew has prompted its designation as a Building of Townscape Merit. It has been used for sport and recreation by the Anglo-Japanese Judo Club since 1929. The site is not in a conservation area; however it is prominent from the Lawn Crescent (CA20) Conservation Area opposite.
2. The building is set 8m behind the Sandycombe Road footway and backs onto the railway. To the south of the site at No.273a Sandycombe Road is a single storey design studio building with 2-storey residential properties further south. To the north is a 3-storey terrace with shops and restaurants on the ground floor with flats above, and behind that, mixed use development of residential and B1(a) office space.

Relevant Planning History

3. The relevant planning history of the site is as follows:

15/2682/FUL	Demolition of the existing hall and the erection of a new community facility building and 7 flats.	withdrawn by the applicant 12-Nov-2015
11/0609/FUL	Redevelopment of the Victoria and St John's	Non Determination - REF

	Club to provide replacement ground floor club accommodation for billiards and recreation and 8 no.1 bed flats on first and second floors following demolition of the existing building.	recommendation 03-Nov-2011. Appeal Dismissed on 07-Oct-2011
10/0700/FUL	Redevelopment of the Victoria and St John's Club to provide replacement ground floor club accommodation for billiards and recreation and 8 no.1 bed flats on first and second floors following demolition of the existing building.	withdrawn by the applicant 18-Oct-2010
08/3772/FUL	Redevelopment of the Victoria and St John's Club to provide replacement ground floor club accommodation for billiards and recreation and 8 no.1 bed flats on first and second floors following demolition of the existing building.	withdrawn by the applicant 21-Oct-2010
08/0673/FUL	Redevelopment of the Victoria and St John's Club to provide replacement ground floor club accommodation for billiards and recreation and 8 no.1 bed flats on first and second floors following demolition of the existing building.	withdrawn by the applicant 06-Oct-2008

4. Of particular relevance is 11/0609/FUL. In dismissing this appeal, the Inspector concluded that "the proposals would enable the modernisation of existing recreational and sport facilities, providing improved activity areas and fully accessible changing rooms and toilets. This aspect of the proposal is supported by the Council's Head of Sport and Fitness. These benefits weigh in favour of the development. But on balance, the benefits are outweighed by the harm arising from the failure to respect local character in the design of the building, the absence of any outdoor amenity space for future occupiers and the lack of on-site parking."

Proposal

5. The proposal is to redevelop the site by demolition of the existing community building. It would be replaced by a two-storey frontage property (including rooms in the roof) and a three-storey building (including basement level) at the rear of the site.
6. The proposal would comprise 6 no. residential flats, with 1 no. 2-bed unit located in the rear building and 5 no. units (4 no. 1-beds and 1 no. 2-bed) located in the frontage property. Access to the residential unit within the rear building ('Unit 5') would be via a footpath on the south-eastern flank of the site, whilst those units located within the frontage property would be accessed via a front entrance set back off Sandycombe Road.
7. Unit 5 would have external amenity space located on the roof of the rear building, whilst the ground floor units ('Units 1 and 2') would have external amenity space located to the rear of the frontage building. The first floor units within the frontage property ('Units 3 and 4') would have access to modest front balconies. 'Unit 6' on the second floor of the frontage building would not comprise any private external amenity space. All units would have access to a communal terrace on the roof of the rear building.
8. 329sqm of D2 community space would also be re-provided on site, located at basement level and within the ground floor of the proposed rear building. This would be accessed via a footpath on the north-western flank of the site.

9. There would be no off-street parking provided on the site. Enclosed communal refuse/recycling and cycle storage for the residential units would be located on the south-eastern side of the site, with Units 1, 2 and 5 having private cycle storage.

Public and Other Representations

10. 19 letters of objection (including from the Kew Society) were received, summarised as follows:
- Application does not adequately address previous concerns;
 - Concern regarding the re-provision of community space, in particular in relation to the basement element resulting in little natural lighting to the room;
 - Unsure whether the height will meet the standards as set by Sports England;
 - Mechanical ventilation etc. required for the basement would unnecessarily increase management costs;
 - Lack of parking (particularly disabled parking) is a concern;
 - Conditions should ensure the rents for the community use are affordable if approved;
 - Long-term ownership and management of the community use should be secured through a suitable S106 agreement;
 - Historical recognition of the existing BTM should be secured through an S106 agreement;
 - Measures should be taken to reduce graffiti along the railway track;
 - No parking on an overcrowded road;
 - Existing building is of local historical interest and is well-utilised by the local community;
 - None of the flats are for social housing;
 - Impact during construction on local residents and businesses;
 - Potential for community building to be converted in the future;
 - CPZ hours are short and do not cover weekends;
 - In reality the ceiling height will not be 3.5m as suggested as there will be need to be a dropped ceiling for ventilation etc;
 - Being unable to use the facilities during construction may force the martial arts club to relocate;
 - Traffic and parking issues along Sandycombe Road;
 - Existing building should be renovated and not demolished;
 - Impacted on nearby Listed Building and Conservation Area;
 - Removal of parking permits will not prevent future occupants from having cars;
 - Bus stop could be moved to allow parking on-site;
 - 2 no. community facilities (St Luke's House and St Luke's in the Avenue) already exist in the area so there is no need for another;
 - This is the fourth development being considered along Sandycombe Road – the roads cannot cope with additional traffic and vehicle movements;
 - Local infrastructure is already overstretched.
11. Other points regarding party wall and land ownership matters were raised; however are not material planning considerations and therefore have not been considered for the assessment of this application.

Amendments

12. Revised drawings were received on 21 December 2016 amending the internal layout of the residential dwellings to meet national space standards and to alter the design of the roof terrace of the rear building.
13. Revised drawings were received on 25 January 2017 to include a ground floor rear facing window to the community facility.

14. Revised drawings have also been provided to clarify that the basement would have a 3.5m clear head-height and the ground floor residential units (Units 1 and 2) would meet Building Regs M4(2) 'accessible and adaptable dwellings'.

Professional comments

Loss of Building of Townscape Merit

15. There is a presumption against demolition of locally listed buildings (BTM's) supported by DMP policy DM HD 3 and LP4 of the Publication Local Plan. Nonetheless, the previous appeal decision for application ref: 11/0609/FUL found the loss of the building acceptable subject to the documentation of the building for archiving and the preservation of any historic artefacts, noting that as the site is not within a Conservation Area there is no statutory control over demolition.
16. It is accepted that the existing BTM's significance in the streetscene is not because of its visual appearance, but because of its historical and cultural importance. As such, officers would be able to support the loss, but only in certain limited circumstances. These are a) where arrangements were made to thoroughly document the building for archiving and preservation of historic artefacts; b) it met the Council's sustainability standards and; c) where the replacement building was of a particularly high architectural merit.
17. A condition is recommended for the documentation and archiving of historic artefacts, but only in circumstances where the replacement scheme merited demolition; to be discussed in the following section.

Land use

18. *The National Planning Policy Framework sets out a presumption in favour of sustainable development and advises Councils to take a positive approach to delivering new homes.*
19. *Core Strategy policy CP17 supports the provision of new or improved facilities for health and social care and other facilities. Policy CP16 states that the loss of community facilities will be resisted unless it can be shown that the facilities are no longer needed or that the service could be adequately re-provided in a different way or elsewhere. The provision of such services and facilities are essential for the quality of life of residents in the future and add to the creation of more inclusive and sustainable communities. The Council will ensure that essential services are not lost to the community, even if there may be changes in the way some services and facilities are provided.*
20. *Policies DM SI2 and LP 28 state a similar intention to the above policies in that they seek to retain community facilities unless adequately re-provided.*
21. The proposal is to redevelop the site by demolition of the existing community building. It would be replaced by a two-storey frontage property incorporating 5 No. residential flats and a three-storey building (including basement level) at the rear of the site to include 329sqm of D2 community space at basement level and the ground floor of the proposed rear building as well as a first floor residential flat.
22. A number of objections to the scheme were received from members of the club or local residents objecting to the loss of the existing community facility and it is clear that the existing judo facility is well-used. Previous schemes considered through the pre-application and planning application routes (15/2682/FUL) have proposed reduced community floorspace and insufficient dimensions and ceiling height, thus not providing adequate facilities for continued martial arts use.

23. However, this scheme provides an increase in community floorspace of 329sqm (an increase in 39sqm on the existing provision) across basement and ground floor with an enhanced floor to ceiling height of 3.5m at basement level for karate use. The proposed basement space is the exact dimensions suggested by Sport England as the minimum space required for a karate studio, i.e. 12m x 13m with a 3.5m high ceiling. A condition is recommended to ensure that the D2 space is delivered prior to the proposed residential space and is subject to the following hours of operation:

Monday - Friday - 8am - 10pm,
Saturday & Sunday – 9am – 7pm

24. In light of the above, whilst the community space would be preferred within the frontage building, this is not a requirement of planning policy. However, the improved and additional community space (provided at the ground floor level) is considered a significant benefit to this scheme and the mix of uses are considered acceptable. The proposal is therefore in accordance with the aforementioned development plan policies.

Design and Siting

25. *Core Strategy Policy CP7 states that new development should recognise distinctive local character. The supporting text in 8.2.1.3 states that the Council will support new development that has evolved from an understanding of the site, the impact on its surroundings and its role within the wider neighbourhood.*

26. *DMP Policy DM DC 1 states new development must be of a high architectural quality based on sustainable design principles. Development must respect local character and contribute positively to its surrounding based on a thorough understanding of the site and its context. In assessing the design quality of a proposal the Council will have regard to the following:*

- *compatibility with local character including relationship to existing townscape and*
- *frontages, scale, height, massing, proportions and form*
- *sustainable development and adaptability, subject to aesthetic considerations*
- *layout and access*
- *space between buildings and relationship to the public realm*
- *detailing and materials*

27. *DM HD 1 states that buildings or parts of buildings, street furniture, trees and other features which make a positive contribution to the character, appearance or significance of the area should be retained. New development (or redevelopment) or other proposals should conserve and enhance the character and appearance of the area.*

28. *DM HO 2 states that all infill development must reflect the character of the surrounding area and protect the amenity of neighbours. In considering applications for infill development the following factors will be taken into account:*

1. *Plot width – plots must be sufficient width to allow a dwelling(s) to be sited with adequate separation between dwellings;*
2. *Spacing between dwelling – new dwellings must have similar spacing between buildings to any established spacing in the street;*
3. *Height – dwelling height should reflect the height of existing buildings;*
4. *Materials – where materials on existing dwellings are similar, new dwellings should reflect those materials;*
5. *Architectural details – new dwellings should incorporate or reflect traditional architectural features;*

6. *Trees, shrubs and wildlife habitats – features important to character, appearance or wildlife must be retained or re-provided;*
7. *Impact on neighbours – including loss of privacy to homes or gardens.*

29. Policy DM HO3 - Backland Development

There will be a presumption against loss of back gardens due to the need to maintain local character, amenity space and biodiversity. In exceptional cases where it is considered that a limited scale of backland development may be acceptable it should not have a significantly adverse impact upon the following:

1. *Garden land – rear garden land which contributes either individually or as part of a larger swathe of green space to amenity of residents or provides wildlife habitats must be retained;*
2. *Impact on neighbours – privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;*
3. *Vehicular access or car parking – these must not have an adverse impact on neighbours in terms of visual impact, noise or light. Access roads between dwellings and unnecessarily long access roads will not normally be acceptable;*
4. *Mass and scale of development – development on backland sites must be more intimate in scale and lower than frontage properties;*
5. *Trees, shrubs and wildlife habitats – features important to character, appearance or wildlife must be retained or re-provided*

30. Consideration has also been given to relevant policies of the Publication Local Plan when assessing the design and siting of the proposal. These are LP1 - Local Character and Design Quality; LP39 - Infill, Backland and Backgarden Development; LP3 - Designated Heritage Assets; LP4 - Non-Designated Heritage Assets; LP11 – Subterranean Developments and Basements; LP2 - Building Heights.

31. A two-storey building, comprising 5 residential dwellings, is proposed to replace the existing single storey building. The entrance to the frontage property would be provided via a central door set back off Sandycombe Road with separate pedestrian entrances either side of the building for the D2 unit (to the north) and Unit 5 (to the south). The building incorporates a mansard roof and has modest flat roof dormer windows on the front and northern flanks and the rear roof pitch. A mixed-use building is proposed to the rear of the site comprising D2 space on the ground and basement levels, a residential unit on the first floor and external amenity space for this unit would be provided on the second floor.

32. The dismissed appeal scheme 11/0609/FUL proposed a two storey building spanning the entire width of the site. However this scheme, similar to the withdrawn application 15/2682/FUL, proposes two separate buildings at the front and rear of the site. The frontage building has been reduced in size, bulk and massing in comparison to the previous scheme 15/2682/FUL, primarily through the reduced depth of the building and modified roof form.

33. In terms of design, the area surrounding the site is typically Edwardian and Victorian in character, although there is a variation in building styles. The site lies to the east, and is prominent from, the southern leg of the Lawn Crescent Conservation Area which is characterised by redbrick Edwardian semi-detached paired properties located around a central green. To the north lies the substantial three storey terrace of Victoria Parade with ground floor shops, mansard roofs and prominent front dormer windows and to the south lies more modest.

34. The Appeal Inspector for application 15/2682/FUL acknowledged the challenge of responding to the architectural variation in the vicinity of the site, however, it is considered that this proposed building succeeds in picking up on the scale, design and character of the surrounding area in a far better manner than previous schemes without appearing as a poor-quality pastiche and the general palette of materials reflects the local character. The frontage building successfully relates to the architectural detailing and fenestration pattern of the properties along Lawn Crescent to the extent that it is now considered to make a positive contribution to the setting of the Conservation Area.
35. Despite the floor levels and proportions still differing from that of the three-storey terrace of Victoria Parade, in contrast to previous schemes, the building has been set back from the frontage of those properties and so does not clash in the same manner and the building height and roof form succeeds in offering a transition from Victoria Parade to the more modest scale development to the south despite the considerable step up from No. 273a Sandycombe Road which is set much further back than the proposed building. Concerns were raised over the highly prominent southern flank during the previous withdrawn application but this proposal is considered acceptable given the modified roof form and as the building has been set further back from Sandycombe Road than the previous proposal.
36. Furthermore, gaps are maintained either side of the building and the neighbouring properties which is considered to appropriately reflect the character along Sandycombe Road. These improvements are considered to address a number of the design concerns raised by the appeal inspector and officers through previous applications and pre-application.
37. A mixed use building is being proposed to the rear of the site which must be considered against the Council's backland policies (DM HO3 and LP39). The design of the building is of less architectural merit and does not relate as well to the streetscene along North Road in terms of its design overall having a neutral impact on its character and appearance. Furthermore, whilst it is acknowledged that this area west of the railway line is denser than the wider area, concerns are noted as to the separation distance between the two buildings being approximately 8m at the ground floor and 10.5m at the first floor level. This is clearly insufficient when considered against the Council's Small and Medium Housing Sites SPD which suggests separation distances of not less than 20m (albeit a reduced distance of up to 13.5m may be acceptable in some circumstances). However, it is acknowledged that the proposed building would not be visible from Sandycombe Road and, appropriately, is more intimate in scale than the frontage properties.
38. In conclusion, concerns are raised as to the design of the rear mixed use building and whether, by reason of its scale, bulk and footprint, the proposal as a whole represents overdevelopment of the site. However, the proposed frontage building and associated front landscaping relate well to the surrounding vernacular and would make a positive contribution to the surrounding townscape and the setting of the Lawn Crescent Conservation Area (given the dilapidated condition of the existing building). On this basis, the loss of the of the host building (BTM) is justified and, on balance, the proposal is considered acceptable by reason of its design, scale, form, mass, spacing and layout in accordance with CP7 of the Core Strategy and policies, HD1, HD3, HO2, HO3 and DC1 of the Development Management Plan subject to conditions requiring details of materials to be used, landscaping and boundary treatments.

Transport and Parking

39. *Policy DM TP 8 states that developments, redevelopments, conversions and extensions will have to demonstrate that the new scheme provides an appropriate level of off street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions.*
40. The site has a low PTAL rating of '2', however it is acknowledged that the site is located in close proximity to regular bus services and Kew Gardens train station (approx. 500m from the site). The existing D2 facility has no off-street parking provision.
41. In line with the Council's parking standards, as set out in Appendix 4 of the Development Management Plan, a 6 unit development (comprising one and two bed dwellings) would be required to provide 6 off-street parking spaces, however the proposal does not include any off-street parking. Off-street parking has been considered through a previous pre-application proposal, however concerns were raised by the Council's Transport Officer with regard to the acceptability of a crossover in this location given it is sited opposite the Lawn Crescent junction and in close proximity to two other crossovers at 273a and 273 Sandycombe Road. An additional crossover was considered likely to lead to highway and pedestrian safety concerns, would result in the loss of an off-street parking bay and would require the re-location of the existing bus stop. It is therefore considered that a crossover is not acceptable in this location.
42. It therefore needs to be considered whether the lack of on-site vehicle parking would result in any unacceptable on-street parking conditions or local amenity. The site is located in a CPZ which operates in the area; Monday to Friday 10am – noon (excluding Bank and Public holidays). There are no restrictions outside of these hours and so would not necessarily be an effective disincentive to car ownership. Notwithstanding this, the applicant has submitted parking survey which shows the current parking stress to be, on average, below 90% (set out in SPD). It is also noted that the Appeal Inspector for application 12/3447/FUL at 1 and 2 South Avenue held that parking stress was relatively high (close to the 90% stress level) but concluded that no evidence had been put forward to demonstrate an impact on road safety. Furthermore, the Appeal Inspector for application 11/0609/FUL at 275 Sandycombe Road found the lack of off-street parking weighed against the proposal, but not substantially so. The Council's Transport Officer is also satisfied to approve this application and it is considered that there would be no unacceptable impact on on-street parking and local amenity.
43. On balance, the principle of a car-free development on this site, and in this location, is acceptable subject to a condition removing access to resident/visitor parking permits and contracts in council run car parks for all units and membership of car club for future occupants of all units. It should also be noted that the scheme provides storage space for 21 bicycles (for both residential and community use) in accordance with DM TP7 and the car-free nature of the scheme was supported by Transport for London.
44. Further to above, a number of conditions will be required to ensure the acceptability of the scheme:
- Construction Method
 - Cycle storage details
 - Refuse/recycling details
 - Removal of parking permits and car club membership

Residential living standards

45. Policy DM HO 4 states that the housing mix should be appropriate to the location. Given the level of public transport provision, the proximity of the development to local amenities such as shops as well as other flat developments in the locality, the housing mix

comprising smaller units is considered to be acceptable in this instance. The separate access proposed for the residential and community uses appears to address the requirements of Policy DM DC2 by ensuring there is no conflict between users.

46. Policy DM HO4 and the Residential Development Standards SPD also set the requirement for internal living standards, however, in addition to the requirements of this policy and guidance, since 1 October 2015 the Council has been applying nationally prescribed space standards which are to be applied alongside relevant Council policy. The minimum standards are outlined below:

- A single bedroom should be at least 7.5sqm and 2.15m wide.
- A double should be 11.5sqm and 2.75m wide.
- Head height should be at least 2.3m for a minimum of 75% of the gross internal floor area.
- Suitable storage space to be incorporated into units.
- Communal gardens to be sheltered from roads and not overlooked from habitable rooms.

Unit type	Internal Floor Area	Kitchen / dining / living area	Garden
1-bed, 2 person, 1-storey	50sqm	22sqm	5sqm
2-bed, 3 person, 1-storey	61sqm	24sqm	6sqm
2-bed, 4 person, 1-storey	70sqm	24sqm	7sqm

47. All of the residential units meet the internal floor standards as set out above. Given the separation distances mentioned in the design section, concerns are raised as to whether a satisfactory outlook is provided from the rear facing single aspect bedrooms of units 1 and 2 in particular (given the separation of distance of approx. 6.7m between the two buildings at the ground floor level), especially given the rear building is relatively bland in design. It is also noted that Unit 5 in the mixed use building does not provide dual-aspect accommodation as the only windows on the western flank appear to be high level.

48. With regard to amenity space, units 3 and 4 on the first floor only have a limited 2.5sqm of amenity provided through front balconies and Unit 6 does not have any private external amenity space; however this is considered to be acceptable in this instance given its modest nature and similarity to neighbouring flats located to the north, most of which do not comprise private amenity space. Furthermore, all units would have access to the communal terrace on top of the rear building.

49. Overall, despite some concerns over outlook, it is considered that the proposal is compliant with the national space standards and policy DM HO4.

Neighbour amenity

50. *Policy DM DC5 of the Development Management Plan, LP 8 of the Publication Local Plan and the House Extensions & External Alterations SPD seek to protect neighbouring properties from the loss of daylight and sunlight as well as ensuring there is no unreasonable loss of privacy, visual intrusion, noise and disturbance.*

51. The Appeal Inspector for application ref 11/0609/FUL (which proposed a three storey building stretching the entire site and directly abutting Victoria parade to the north) found the proposal would unacceptably curtail outlook from the rear facing windows of the first floor flat of 277 Sandycombe Road (as seen on the picture below) whose views are already considerably constrained by the South Avenue Warehouse directly to the rear (which has since been changed to office use).

52. This scheme differs significantly from that proposal in that the development now incorporates two distinct buildings at either end of the site, leaving a visual break which would allow some degree of outlook to be retained. In comparison to the previous schemes, the building is set away from the neighbour boundary, has been reduced in depth (ensuring a 45 degree angle from the first floor rear facing window of 277 Sandycombe Road) and height and incorporates a mansard roof set in approximately 0.8m and which then slopes back a distance of approximately 1.5m from the first-floor elevation.
53. These design features all contribute to reducing the bulk and mass of the building and it is acknowledged that this scheme is an improvement in comparison to the previously dismissed appeal. However, the additional building mass would curtail outlook currently available from the first floor flat of No.277 Sandycombe Road and is likely to have a visually intrusive and overbearing impact for these occupiers which does weigh against this proposal.



Figure 1 – rear facing first floor window of the upper floor flat to 277 Sandycombe Road with existing building in the background

54. To the south lies a ground floor building fronting Sandycombe Road and a two storey coach house to its rear adjoining the railway line (collectively known as 273a Sandycombe Road). These buildings are in office use and it is noted that the amenities of office occupiers are generally not afforded the same weight as for residential occupiers. No concerns are raised with regard to the first floor north-facing window on the rear outrigger to 273 Sandycombe Road given the separation distance of approximately 8m from the side of the proposed building and as this appears to be a secondary window and so could not be afforded the same degree of protection.
55. In terms of overlooking, first and second floor windows are proposed on the north and south flanks of the main building, however they all serve bathrooms and can be condition as obscure glazed to prevent any loss of privacy. The large roof terrace of the rear building includes a 1.7m high planter and so would not give rise to any loss of privacy for the occupiers of the frontage building or adjacent residential units.
56. The proposals have been designed to ensure that the BRE 25 and 45 degree tests are complied with in relation to the neighbouring properties and between the two proposed buildings themselves (the ground floor rear windows of units 1 and 2 and the mixed use

building opposite). The officer assessment has confirmed this and no concerns are raised with regard to loss of daylight or sunlight.

57. In conclusion, the proposal would curtail some of the existing outlook for the occupiers of the upper floor flat of 277 Sandycombe Road but given that the increase in bulk sits behind the 45 degree line to the nearest window, and is balanced by the removal of bulk in the substantive part of the view, these concerns weigh only modestly in the balance of the assessment.

Sustainability

58. *Policy DM SD1 and SD2 aim to ensure that new development results in a reduction in total carbon dioxide emissions and, more specifically, achieve a 35% reduction in CO2 emissions over 2010 Building Regulations levels. Furthermore, Policy CP 2 states the Council will require all new development to achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation. Policy DM SD9 requires new developments to meet the targets for water consumption as set out in the CSH (Code Level 3/4), i.e. 105 litres / person / day for new homes.*
59. *Core Policy 3, DM SD7 of the Development Management Plan and LP21 of the Publication Local Plan set the requirement for sustainable drainage systems (SuDS) to be incorporated into all new development.*
60. The applicant has submitted a Sustainability Statement for consideration through this application demonstrating a reduction in CO2 emissions of 35.41% through enhanced fabric insulation, the installation of flue gas heat recovery units and photovoltaic panels on the roof of the residential building. The Statement also confirms that the D2 unit will achieve BREEAM 'Excellent' standards and that the water efficiency measures proposed through the scheme would ensure the target of 105 litres per person per day is achieved. Furthermore, a Sustainable Construction Checklist has been submitted which calculates a score of '50' which is considered acceptable for a new build development and will help to improve the Borough's stock of sustainable developments.
61. Whilst no SuDS are proposed for this scheme, it is considered that the scheme is likely to bring about an improvement with regards to surface water runoff rates given the nature of the site as existing and the landscaping, green roof, and rear gardens provided as part of this scheme.
62. It is therefore apparent that the proposal meets the aims and objectives of the above policy framework.

Trees and biodiversity

63. *Policy DM DC 4 states that existing trees and should be retained and there is a presumption against removal unless there is a good reason, such as the health of a tree, and in these cases the Council will normally seek an appropriate replacement.*
64. It is noted that a small number of small low value trees are present at the front of the site but these are not worthy of retention. The proposed site plan indicates that two trees will be planted in the front gardens of the frontage building which are considered to bring about an improvement to the streetscene and a landscaping condition will be attached to this decision.
65. Given the site abuts the railway embankment, an informative will be added to advise the applicant in notifying Network Rail should the building works impact on any of the trees on the embankment.

66. Policy DM OS5 of the DMP states that all new development should preserve and where possible enhance existing biodiversity habitats and new development should incorporate new biodiversity features (such as green roofs, trees, nesting boxes etc) through appropriate landscaping schemes. Concerns were raised by the Council's Ecologist with regard to the amount of natural landscaping and suggested various conditions to be attached to mitigate the deficiency.
67. Subject to the above, the proposal is considered compliant with policy DC4 and OS5 of the Development Management Plan.

Affordable housing

68. CP15 of the Core Strategy, sets the Council's expectation for new development to deliver 50% on-site affordable housing. Policy DM HO6 builds on this strategic policy, in particular in relation to smaller sites providing less than 10 units, and also acknowledges that various factors will be considered when determining the maximum level of on-site provision or appropriate off-site financial contributions (as set out in sliding scale approach in the policy and with further details being set out in the Affordable Housing SPD). Furthermore, the approach outlined above is also set out in the Publication Local Plan policy LP 36 which has been adopted for the use of determining planning applications and development management following a report to the Council's Cabinet on 23 June 2016.
69. In line with the above policy and guidance, the contribution that would be sought would be discounted to represent 30% affordable housing, given the proposal is to create six new build units. The applicant has submitted a Financial Viability Appraisal (July, 2016) which concludes that the proposal is unable to viably support an affordable housing contribution in accordance with the above policy framework. An independent review of the Financial Viability Appraisal was undertaken by the Council's independent viability expert which concludes that the Council should not seek affordable housing contributions for this scheme. It is therefore considered that the proposal, which does not provide any on-site affordable housing provision or make any off-site financial contributions, complies with CP15 of the Core Strategy, DM HO6 of the Development Management Plan and LP 36 of the Pre-Publication Local Plan.

Community Infrastructure Levy

70. The site would be liable to CIL, charged at the Higher Band - £250 per sqm for Borough CIL and £50 per sqm for Mayoral.
71. The chargeable Gross Internal Area (GIA) area of the residential use has been calculated as 461sqm. The chargeable Gross Internal Area (GIA) area of the D2 space has been calculated as 326sqm. Excluding the existing floorspace this gives the following estimated CIL charges:

London Borough of Richmond upon Thames - £105,125.14
Mayoral - £13,122.94

72. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

Conclusion

73. As noted in the Neighbour Amenity section, the impact on the living conditions of the upper floor flat of 277 Sandycombe Road and the design of the rear mixed use building

weight against this scheme and the scale, bulk and footprint are considered to be at the maximum without representing an overdevelopment of the site.

74. However, the significant benefits described above, notably the improved and additional community space (provided at the basement and ground floor level of the rear building) and the delivery of residential units but also the design of the proposed frontage building and associated front landscaping which are considered to relate well to the area and make a positive contribution to the surrounding townscape and the setting of the Lawn Crescent Conservation Area (especially given the dilapidated condition of the existing building) are considered to outweigh the concerns and justify the loss of the of the host building (BTM). Therefore, on balance, the proposal is considered acceptable by reason of its design, scale, form, mass, spacing and layout in accordance with CP1 and CP7 of the Core Strategy and policies DM S11, S12, HD1, HD3, HO2, HO3, HO4, HO6, TP8, DC1 and DC5 of the Development Management Plan subject to conditions.

Recommendation: Approval subject to conditions

Standard Conditions

- AT01 - Development begun within 3 years
BD12 - Details – Materials to be Approved
DV48 - Approved Drawings: -
3852-10; 3852-20; 3852-099-A; 3852-200-F; 3852-202-E; all received on 08.03.2016; 3852-098-F; 3852-101-G; 3852-102-H; 3852-103-H; all received on 22 December 2016; 3852-100-I; 3852-201-J; 3852-202-G; 3852-203-J; 3852-204-I; all received on 25.01.2017
- DV18A - Refuse Arrangements
DV30 - Refuse Storage
DV50 - Energy Reduction
DV51 - Water Consumption
PK06A - Cycle parking
DV49 - Construction Method Statement
DV29F - Land Contamination

Non-standard Conditions

- NS01 - Roof Terrace
The 1.7m high planter on the roof terrace showing on drawings 3852-203-J and 3852-204-I shall be in place before the building hereby approved is occupied and shall thereafter be retained in its approved positions and maintained in a manner to prevent views through below a minimum height of 1.7m above the relevant floor level. The roofs of the building other than those shown as a terrace on the approved drawings shall not be used for any purpose other than as a means of escape in emergency or for maintenance of the building only.
REASON: To safeguard the amenities of the adjoining occupiers
- NS02 - Window obscure glazed-no openable
The proposed first and second floor windows on the north and south elevations as shown on drawings 3852-201-J and 3852-203-J 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.
- NS03 - Hard and Soft Landscaping

- 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) Where within the Root Protection Area of retained trees hard landscape design, small structure installation and service installation should be formulated in accordance with section 7.4, 7.5 and 7.7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations.
- C) Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); the specification is to include details of the quantity, size, species, location, planting methodology, proposed time of planting and anticipated routine maintenance of all planting. Any proposed tree planting should be undertaken in accordance with section 5.6 of British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations.
- C) Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); the specification is to include details of the quantity, size, species, location, planting methodology, proposed time of planting and anticipated routine maintenance of all planting. Any proposed planting should be undertaken in accordance with appropriate British Standards.
- D) All tree planting included within the approved specification shall be carried out in accordance with that specification and in accordance with: British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations (sections 5.6) and BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations. There will also be a requirement which must acknowledge and accept the party responsible for the maintenance and replacement of any tree planted under the scheme that is removed, uprooted, destroyed or dies (or becomes in the opinion of the local planning authority seriously damaged or defective) within the period of 5 years from the date planting completed.
- E) 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

NS04 - Internal Noise Protection Scheme

The development hereby permitted shall be installed in strict accordance with the noise insulation, ventilation scheme amenity space noise protection scheme detailed in section 5 of the acoustic report submitted by DKN Acoustics reference 0289.1 rev 0 dated July 2015. The noise insulation and ventilation scheme shall thereafter be retained as approved.

REASON: To protect the amenity of occupiers of the residential dwellings forming part of this development and surrounding residential dwellings

NS05 - Noise transmission between the proposed

Before the first use of the development a scheme to reduce the noise transmission between the D2 units and adjoining residential accommodation shall be submitted to and approved in writing by the local planning authority.

The scheme approved by the local planning authority shall be fully implemented in accordance with the approved details before the use, hereby permitted, commences.

The works and scheme shall thereafter be retained in accordance with the approved details. No alteration to the scheme shall be undertaken without the grant of further specific consent of the local planning authority.

The sound insulation scheme will need to provide a performance standard of at least;

Airborne Sound Insulation Performance $D_{nT,w} + C_{trdB}$

Walls /Floors/Ceilings 50 to 55

REASON: To protect the amenity of occupiers of the residential dwellings forming part of this development

NS06 - CMS for noise/vibration

A Construction Method Statement (CMS) for the ground works, demolition and construction phases of the development site to which the application refers, shall be submitted to and approved in writing by the LPA. Details shall include control measures for noise and vibration, including working hours, best practice and (noise and vibration levels). Approved details shall be implemented throughout the construction/demolition period.

The CMS shall follow the Best Practice detailed within BS5288: 2009 Code of Practice for noise and Vibration Control on construction and open sites. The CMS should include an acoustic report undertaken by a suitably qualified and experienced consultant and include all the information below;

The CMS shall include the following:

1. Baseline Noise Assessment – undertaken for a least 24-72hours under representative conditions.
2. Noise Predictions and Significance Effects - Predictions should be included for each phase of the demolition, and construction, vehicle movements and an assessment (including proposed significance threshold limits) of the significance effect must be included (Annex E BS5288 2009 Part 1).
3. Piling- Where piling forms part of the construction process, a low vibration method must be utilised wherever possible and apply the good practice guidelines detailed in (Annex B BS5288 2009 Part 2).
4. Vibration Monitoring - All Piling activities undertaken near sensitive receptors must include continuous vibration monitoring and must include audible and visual alarms.
5. Proposed Noise & Vibration Mitigation Measures - see BS5288 part 1 &2
6. Proposed Noise Monitoring – Permanent/ Periodic noise and vibration monitoring must be undertaken for the duration of the demolition and construction phases which may result in a significant impact. The location, number of monitoring stations and the measurement data must be agreed with the Local Planning Authority prior to the start of construction.

7. Communication with residents, including organisational control, communication methods and auditing.

REASON: To protect neighbouring amenity

NS07 - Air Quality

Save for temporary works, no development shall be commenced until a dust management plan has been submitted to and approved by the Local Planning Authority. The dust management plan shall follow the guidance found in the control of dust and emissions from construction and demolition Best Practice produced by the Greater London Authority

http://static.london.gov.uk/mayor/environment/air_quality/docs/construction-dust-pg.pdf

REASON: To protect neighbouring amenity

NS08 - Parking Permits/Car Club

Before the development hereby permitted begins a scheme shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident/commercial occupier of the development shall obtain a resident/commercial parking permit within any controlled parking zone which may be in force in the area at any time. The scheme shall also provide membership of a car club for the first occupiers of each residential unit for a minimum period of five years.

REASON: To ensure that the development does not generate an increased demand for on-street car parking to the detriment of the free flow of traffic, the conditions of general safety along the neighbouring highways, the amenity of the area and to accord with the Councils car parking policy and standards.

NS09 - 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, protect nature conservation interests and the safe operation of the railway.

NS10 - BREEAM for non-housing

The D2 building hereby approved shall achieve BREEAM Rating Excellent in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).

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

NS11 - Recording of Building

No demolition shall take place within the application site until the developer has secured the implementation of a programme of recording of the standing historic building(s), in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Reason: The historic building(s) is/are of intrinsic interest and any alteration or demolition of the historic structure(s) should be recorded before it is destroyed by the development hereby permitted.

NS12 - D2 Use

The basement and ground floor of the rear building as shown on plan 3852-099-A and 3852-100-I shall be solely used for D2 Use as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order, and is subject to the following hours of operations: Monday - Friday - 8am - 10pm, Saturday & Sunday – 9am – 7pm.
REASON: To safeguard residential amenity of nearby occupants.

NS13 - D2 Unit

No residential units shall be occupied until the D2 unit has been constructed and is available for occupation (to shell and core standard).

REASON: To accord with the terms of the application and safeguard the community use in accordance with policy DM SI2.

NS14 - PV Panels

The PV panels shall not be installed other than in accordance with details 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.

NS15 - Boundary Treatment

No development shall take place until details of the position(s), design, materials and type of boundary treatment(s) to be erected on the site have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment(s) shall be erected in accordance with the approved details before the dwelling is first occupied.

REASON: To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties and to ensure that the proposed development does not prejudice the safe and efficient operation of the adjacent railway

NS16 - Bats

The recommendations and enhancements set out in chapters 4 and 5 of the Bat Assessment Report by Practical Ecology Ltd (dated February 2016) shall be implemented prior to occupation.

REASON: To protect wildlife habitat.

Standard Informatives

- COMH07 - Composite Informative
- IM13 - Street numbering
- IL25C - NPPF APPROVAL - Para. 186 and 187
- IL29 - Construction Management Statement
- IL24 - CIL liable
- IE06 – Details of piling

Non-Standard Informatives

NI01 - Thames Water

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

NI02 - Network Rail

As the site is adjacent to Network Rail's operational railway infrastructure, the applicant/developer is strongly advised to contact AssetProtectionWessex@networkrail.co.uk prior to any works commencing on site. Network Rail strongly recommends the developer agrees an Asset Protection Agreement with them to enable approval of detailed works. More information can also be obtained from www.networkrail.co.uk/asp/1538.aspx.