

Appendices

Comments received – 17/0956/Ful – Land r/o 74 Church Road Barnes

Transport:

Observations:

1. The TS does not look at the publication version of the Local Plan where there are new parking standards proposed. The requirement is for 1:1 parking for the residential element of this application, which is the same as the DM DPD requirement.
2. Currently there is only commercial refuse collected from this site so the current refuse/recycling arrangements can be continued for the commercial element, which are paid for collections. They would not apply however to the residential element where the refuse will have to be presented within 20.0m of where the refuse vehicle is able to stop eg. Church Road.
3. The access road from Elm Grove Road up to the rear of 76 Church Road is classed as a public highway. However, a refuse vehicle cannot drive through to the site on the access road as it is too narrow.
4. They have included the access road referred to in point 3 within their red line area but they must take it out as it is public highway.

Essential:

1. S106 to remove access to resident/visitor permits and contracts in council run car parks, no time limit. Should be included in the UU which is submitted.
2. They must provide 6 parking spaces on site for the residential as per the Publication Local Plan and the DM DPD. These standards are not expressed as maxima. Condition that a parking space must be allocated to each resi unit will be required.
3. They must provide a waste management strategy as the site is remote from where a refuse vehicle will be able to stop to collect the residential refuse. Where will they leave the refuse/recycling for collection? We do not accept a mixed refuse store for commercial and residential, they must have separate stores for the two uses.
4. Cycle storage must also be separate for the two uses. Residential and staff cycle storage must be enclosed, secure and weatherproof. they should over provide for the staff to promote that method of transport to this development and include showers as part of the commercial element. Visitor sheffield stands should also be provided in the area in front of the commercial units.
5. Draft CMS required given the location and the difficulty that demolition and construction traffic will have accessing the site.
6. Some of the manoeuvring required from the parking spaces is very tight and much more than a 3 point turn which is not acceptable. Commercial servicing, how is that expected to be carried out? where is the commercial servicing vehicle parking?

7. I am concerned with the increase of pedestrian traffic on this back access road is there any lighting and secure access for pedestrians? Preference for the access from Church Road to be made one way only into the site and all vehicles exiting onto Elm Grove Road to minimise pedestrian/vehicle interface in this narrow area. Ideal would be the pedestrianisation of the access from Church Road and all vehicle access to be from Elm Grove Road.

8. Small setts of any type are not acceptable as they make refuse/recycling collection very difficult and vehicles using that type of hard standing frequently will deteriorate the material quicker. Hard surfaces should be continuous and small slabs.

They have not made the case for the lower parking provision for the residential element of the application as the requirement is for 1:1 parking minimum. The wider area is a 2 hour zone Mon-Fri and therefore residents could own a car that they can park on street outside the CPZ hours. Other points above must be addressed prior to any permission being granted. At this time I object to this proposal as it does not meet the requirements for parking and other points above that need to be addressed prior to permission being granted.

Environmental Health - EHO

I can confirm that I have reviewed the application. According to our records, there have been no potentially contaminative land uses in the vicinity of the site. Based on this I have no comments to make other than that the applicant should keep a watching brief and contact the Council should any unforeseen contamination be encountered.

Trees

Having read the arboricultural impact assessment and viewed multiple images of the site including detailed photos of the limited tree stock on site plus the fact that the site is not in a conservation area I recommend that retention of the tree stock is not justified.

In principle I raise no objection to the proposal.

Comments from Environmental Health, Policy and Glass still outstanding.

Urban design

17/0956/FUL

r/o 74 Church Road Barnes

Redevelopment

This follows pre-app 16/P0041/PREAPP and the meeting with applicants last year. The proposal is now generally acceptable.

Scale/ design: the design appears generally acceptable and proposed brickwork is as recommended to them at the pre-app meeting. Fenestration & roofing: this would appear acceptable in this instance given the type of building and roof pitch aimed at keeping the overall height down. However it is important that significant window reveals are provided-details of fenestration should be submitted. The reference to the scale of the adjoining mews garages off Bracknell Gardens is appropriate. Corten steel finish for metalwork could work well. Conservation rooflights and flush PV panels appropriate.

Paving/ landscape: the existing granite sett paving leading off Church Road are a key feature and should be retained. Additional paving should ideally be in granite setts, not concrete setts proposed. Otherwise the concept seems appropriate.

Condition confirmation of materials, fenestration and landscape.

Appendix A
Highways Comments

Appendix B

Unilateral Undertaking

THIS UNILATERAL UNDERTAKING is made as a Deed the [insert day] day of [insert month] two thousand and seventeen

B Y

Basinghall Estate Company Limited

IN FAVOUR OF

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES of Civic Centre, 44 York Street, Twickenham, Middlesex, TW1 3BZ ("the Council")

INTERPRETATION

IN this Deed the following words and expressions shall have the following meanings:-

"1990 Act"	the Town & Country Planning Act 1990
"1974 Act" "Affordable Housing Contribution"	the Greater London Council (General Powers) Act 1974 the sum of [two hundred and ninety-nine thousand five hundred and twenty three] pounds (£299,523) Indexed
"Car Club"	a club operated and managed by a Car Club Provider in which members can book cars owned by the Car Club and parked in specifically reserved car club spaces and use them for the period of the booking
"Car Club Provider"	an organisation accredited in the United Kingdom by Car Plus, which provides cars for use by members of a Car Club in consideration of payment thereof such as Zipcar, City Car Clubs or such other car club operating within the as may be approved in writing by the Council.
"Car Plus"	the national charity (No. 1093980) promoting responsible car use and which operates an accreditation scheme for Car Clubs
"Commercial Units"	all of the commercial units to be created as part of the Development
"DCM"	the Council's Head of Development Management (previously known as the Development Control Manager) for the time being or such other person as may be appointed from time to time to carry out that function
"Development"	the development described in the Planning Application
"Indexed"	increased in accordance with the formula whereby the relevant contribution is multiplied by the fraction A divided by B where B represents the value of the Retail

Prices Index (All Items) as at the date of this Deed and A represents the value of the same index as at the date of payment of the relevant contribution to the Council

"LDF"	the saved policies of the Richmond upon Thames LDF Development Management Plan 2011
"Material Start"	the carrying out in relation to the Development of a material operation as defined in Section 56(4) of the 1990 Act save that such shall not include works of demolition; works of site clearance; ground investigations; site survey works; laying of services and service media; construction of temporary accesses; archaeological investigation; landscaping works off the public highway; the erection of fences and hoardings and construction of temporary access and service roads; noise attenuation works; and other works and site establishment preparatory to the commencement of construction, including any operations permitted by the Town and Country Planning (General Permitted Development) order 1995
"Occupation"	the full and beneficial occupation a Unit (but this expression shall not include occupation for the purposes of construction or fitting out or for marketing or security purposes) and "Occupied" and "Occupy" shall be construed accordingly
"Occupation Date"	first Occupation of the Units for residential purposes within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended)
"Owner"	means the persons registered at the Land Registry with absolute title under the title number SGL103852 as the proprietor of the freehold interest in the Property
"Planning Application"	a planning application submitted by the Owners on 10 March 2017 to the Council bearing reference number 17/0956/FUL for the proposed demolition of existing buildings and erection of residential-led mixed-use development and associated works at the Property
"Property"	Land rear of No. 74 Church Road, Barnes, London, SW13 0DQ delineated in red on the plan attached hereto
"Residential Units"	the residential units to be formed as part of the Development
"Sale"	the sale of the freehold or the grant of a lease for a period of not less than 21 years at a nominal rent
"Sale Date"	the completion date of the first Sale of a Unit

“the Units”

the Residential Units and the Commercial Units together

WHEREAS:

- (1) The Council is the local planning authority for its administrative area within which the Property is situate for the purposes of the 1990 Act and for the purpose of Section 106 of the 1990 Act is the local planning authority by whom the planning obligations contained within this Deed are enforceable and this Deed is conditional upon the grant of Planning Permission pursuant to the Planning Application
- (2) The Owners are registered at the Land Registry with absolute title under title number SGL103852 as the proprietor of the freehold interest in the Property
- (3) Policy CP15 of the LDF Core Strategy 2009 and DM H06 of the Development Management Plan provides that new development will be expected to provide for an affordable housing contribution generated by the development
- (4) Policy CP 15 of the LDF Core Strategy and policy DM HO 6 of the LDF Development Management Plan provides that the Council may consider a financial contribution to its Affordable Housing Fund as an alternative to on-site provision
- (5) In December 2006 the Council adopted as Supplementary Planning Guidance a Car Club Strategy, which provides inter alia that the Council will encourage new car club provision in the locality of a development through the Council’s preferred Accredited Car Club Provider or, where appropriate and where capacity exists, affiliation to the Preferred Accredited Car Club Providers Car Club
- (6) The Owners have submitted the Planning Application to the Council and have entered into this Deed in order to secure the planning obligations contained in it in accordance with the LDF so that it may be taken into account as a material consideration in the determination of the planning application

NOW THIS DEED WITNESSETH as follows:-

1. THIS Deed is made pursuant to Section 106 of the 1990 Act section 16 of the 1974 Act and all other powers and the obligations contained in this Deed are planning obligations for the purposes of that section insofar as they fall within the terms of Section 106 of the 1990 Act and is conditional upon the grant of planning permission pursuant to the Planning Application by the Council.
2. THE Owners hereby UNDERTAKE to the Council:-
 - (a) to pay to the Council:
 - (i) the Affordable Housing Contribution prior to or on the Occupation Date or the Sale Date (whichever is the sooner)
 - (ii) the Council’s legal costs in considering and approving this Deed in the sum of £500
 - (b) to give prior written notice to the DCM:

- (i) of its intention to commence the Development at least seven (7) days before making a Material Start
 - (ii) of the Occupation at least seven (7) days prior to the Occupation Date or Sale at least seven (7) days prior to the Sale Date (whichever is the sooner)
- (c) not to occupy or permit or allow the occupation of any part of the Development for residential purposes until:
- (i) it has submitted to the DCM details of the name of and correspondence with the Car Club Provider indicating the intention of the Owners to establish that the first occupier of each Residential Unit to be constructed as part of the Development shall have free membership in a Car Club scheme or equivalent for a period of five years including a proposed establishment date for his approval and not to occupy the Residential Unit unless and until the Car Club Provider for the Residential Unit has been approved by the DCM
 - (ii) it has included a provision in any lease, licence or tenancy agreement affecting the Residential Units that each Residential Unit shall be entitled to belong to the Car Club at the Property
 - (iii) within one month of the Occupation of a Residential Unit on the Development to procure at its own expense that the first occupiers of the Residential Unit have a membership for a period of five years of the approved Car Club and to provide a copy of the final signed and dated contract with the Accredited Car Club Provider to the DCM
 - (iv) in the event that the Accredited Car Club Provider is no longer able to provide the Car Club for the Development, notify the DCM in writing and shall then use all reasonable endeavours to secure another Accredited Car Club Provider for the Development in accordance with the provisions of this Deed
- (d) Unless the occupier of a Residential Unit or Commercial Unit is the holder of a disabled persons badge issued pursuant to section 21 of the Chronically Sick and Disabled Persons Act 1970 (or such other legislation as may supersede it and provide for the issue of disabled persons parking badges/permits) no application shall be made for a parking permit to park a vehicle in marked highway bay or other place within a controlled parking zone within the Council's area nor will the Council enter into a contract (other than individual contracts for one occasion) with such person to park in any car park controlled by the Council and in any disposal and/or letting of the Residential Units or Commercial Units the Owner will:
- (i) inform all prospective purchasers lessees or tenants of the Residential Units of the restriction contained within this paragraph
 - (ii) impose, so far as is legally possible, within the relevant disposal/letting documents enforceable covenants giving effect to the restriction contained in this paragraph; and
 - (iii) upon receipt of a written request from the Council and upon reasonable notice provide to the Council such information as the

Council may reasonably require to demonstrate compliance with sub-clauses (i) and (ii) above

3. GENERAL:-

Miscellaneous declarations

- (a) Reference to the masculine feminine and neuter genders shall include the other genders and reference to the singular shall include the plural and vice versa
- (b) A reference to a clause is a reference to a clause contained in this Deed
- (c) The expressions "the Council" and "the Owners" shall include their respective successors in title and assigns
- (d) If any provision in this Deed shall be held to be void invalid illegal or unenforceable or if voidable is avoided this shall not affect the operation validity legality and enforceability of any other provision of this Deed provided severance therefrom is possible
- (e) This Deed takes effect on the date hereof but the planning obligations herein and save for those contained at Clause 2 (a)(ii) above are conditional on the grant of Planning Permission pursuant to the Planning Application and the Material Start of the Development.

Local land charge provisions

- (f) This Deed is a Local Land Charge and shall be registered in the Council's Register of Local Land Charges immediately on completion thereof

Reference to statutes and statutory instruments

- (g) References in this Deed to any statutes or statutory instruments shall include and refer to any statute or statutory instrument amending consolidating or replacing them respectively from time to time and for the time being in force

English law applicable

- (h) The construction validity and performance of this Deed shall be governed by English law

Effect of revocation of planning permission

- (i) The event of a planning permission granted pursuant to the Planning Application being revoked by the Council or any other authority having powers in relation to planning matters or otherwise withdrawn or modified by any statutory procedure without the consent of the Owners or their successors in title the obligations of the Owners under this Deed shall thereupon cease absolutely

Liability of subsequent owners and release of former owner

- (j) The provisions hereof shall be enforceable by the Council against the Owners and all persons who shall have derived title through or under it in respect of the Property (but so that no person shall be liable to the Council for any breach of the provisions committed after such a person has parted with all of its freehold interest in such land)

Effect of covenant

- (k) Any covenant contained herein whereby the relevant party is not to do an act or thing shall be construed as if it were a covenant not to do or permit or suffer such act or thing to be done and any covenant whereby the relevant party is not to omit to do an act or thing shall be construed as if it were a covenant not to omit or permit or suffer such act or thing to be omitted to be done

Contracts (Rights of Third Parties) Act 1999

- (l) The provisions of the Contracts (Rights of Third Parties) Act 1999 shall not apply to this Deed and no person who is not a party to this Deed is to have the benefit of or be capable of enforcing any term in this Deed and no party is to have any rights to enforce this Deed other than those falling within the definition of the Council and the Owners

Termination or Release

- (m) This Deed shall determine and cease to have any further effect (without any further act or deed on the part of either Council or the Owners) if having been granted a planning permission granted pursuant to the Planning Application is varied or revoked other than at the request of the Owners or the Planning Permission having been granted is quashed following a successful legal challenge and in any such case any sums paid by the Owners under this Deed shall be repaid to the Owner by the Council forthwith together with interest at the Base Rate of Barclays Bank PLC from the date such sums were received by the Council until the date of repayment.

Interest on late payment

- (n) If any of the Affordable Housing Contribution due under Clause 2(a) as this Deed is not paid to the Council within the timescales stipulated therein, then interest shall be paid on such contribution at the rate of 4% above the base rate of Barclays Bank plc from time to time in force from the date that the contribution became due to the date of actual payment

Community Infrastructure Levy

- (o) The terms of this deed comply in all respects with the requirements of Regulation 122 of the Community Infrastructure Regulations 2010 in that the obligations contained herein are necessary to make the Development acceptable in planning terms, directly relate to the Development and fairly and reasonably relate in scale and kind to the Development

IN WITNESS whereof with the intent that these presents should be executed as a deed the parties hereto have duly executed the same the day and year first before written

EXECUTED as a **DEED** by

Simon Howell as a Director of Basinghall Estate Company Limited

in the presence of:

Signature of Witness

Name (In BLOCK CAPITALS)

Address

Occupation

EXECUTED as a **DEED** by

Henry Stanford as a Director of Basinghall Estate Company Limited

in the presence of:

Signature of Witness

Name (In BLOCK CAPITALS)

Address

Dated

2017

-to-

**THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH
OF RICHMOND UPON THAMES**

DEED OF UNILATERAL UNDERTAKING made under
Section 106 of the Town & Country Planning Act 1990
relating to land rear of No. 74 Church Road, Barnes,
London, SW13 0DQ

Appendix C
Foundry Mews

Application reference: 12/3768/FUL
BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
30.11.2012	07.12.2012	01.02.2013	01.02.2013

Site:

58 Barnes High Street, Barnes, London, SW13 9LF

Proposal:

Demolition of all existing buildings associated with the former MOT garage and the redevelopment of the site to form a mixed use commercial development comprising the construction of a three storey building to include Class B1 offices at ground and first floor and 7 no 1 and 2 bed residential units at first and second floor level with photovoltaics panels on the roof, a partial green roof, communal open space, cycle parking and refuse storage.

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

APPLICANT NAME

c/o Agent

AGENT NAME

Miss Emma Mann
21 Garlick Hill
London
EC4V 2AU

DC Site Notice: printed on 18.12.2012 and posted on 11.01.2013 and due to expire on 01.02.2013

Consultations:

Internal/External:

Consultee

14D POL
14D Urban D
LBRUT Transport
LBRUT Trees Preservation Officer
LBRUT Environmental Health Contaminated Land
Environment Agency

Expiry Date

01.01.2013
01.01.2013
01.01.2013
01.01.2013
01.01.2013
01.01.2013
08.01.2013

Neighbours:

60 - 61 Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
61B Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
61A Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
Ground Floor Flat, 3 Melrose Road, Barnes, London, SW13 9LG - 18.12.2012
First Floor Flat, 3 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
Flat B, 11 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
11A Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
56 Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
3 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
Prospect Studios Rear Of, Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
36 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
34 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
32 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
30 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
28 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
26 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
24 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
22 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
20 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
18 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012

At the northern end of the development, a 2m gap to the adjacent houses at 4-6 Lyric Road would be achieved on the upper floors, which would prevent a sense of cramping when viewing from Lyric Road. The elevation treatment to Lyric Road is considered compatible with the streetscene. The upper floors would follow the same building line as Nos. 4-6 Lyric Road, and although the ground floor would be stepped forward and would have large glazed panels, this would be screened by the high historic boundary wall fronting Lyric Road. The elevation visible in the streetscene would have a residential appearance, and in terms of its overall height, roof gables, brickwork and slate roof, would blend in well with the buildings in the rest of Lyric Road. The historic boundary wall fronting Lyric Road continues along the boundary to the rear of Melrose Road properties and its retention is welcomed.

Neighbour Amenity

On the previous 08/1021/FUL application there were considerable negotiations to ensure that the 3 storey building was set sufficiently back from the side boundary wall of No.6 Lyric Road's garden so as to prevent any overbearing impact. This has generally been respected with the current scheme. The greatest set backs of 8m would be closer to the rear of No.6's house where the visual intrusion would have been greatest. However, because of the new requirement to meet an external amenity space standard in the current scheme, the proposal includes first floor terraces facing this boundary. This has created a need to provide privacy screening walls, which although perforated, would be between 4m and 4.5m above garden level of 6 Lyric Road. To protect the outlook from No.6, officers negotiated for this terrace to be cut back at the corner closest to the house at No.6. The terrace wall would be no closer than 7.5m from the house at No.6 and on that basis is not considered overbearing. The dense vegetation towards the rear of No.6's property, as well as No.6's high garden wall would also offer substantial screening. The development would also face the rear of houses in Melrose Road, but the impact would be almost identical to the 08/1021/FUL scheme, which was considered reasonable.

There are also rear gardens serving flats within No. 60 and 61 Barnes High Street, and ground floor habitable rooms at Nos.60 and 61 which would face the development. However the proposed siting of the 3 storey building would be the same distance to these and the first floor windows at Nos.60-61 as was found acceptable on the 08/1021/FUL scheme. The proposed building, with its eaves at 4.5m height, ridge at 7.5m and width of 12.4m, would be no bulkier from these residents' perspectives. As previously, first floor terraces with a screen enclosure would be formed facing these residents, but their impact on Nos.60 and 61's outlook would be similar. It was accepted at the time of the 08/1021/FUL application that the building would have a greater visual impact on these neighbours than the existing lower squat shaped shed, but the relationships would nevertheless be acceptable.

A ground floor element, flat roofed at a height of ca. 2.2m above ground level, due to it being partly sunken, would wrap around part of No.60's garden and partly adjoin No.61's, but at that height it would have an insignificant impact. These gardens are already bordered by substantial walls, with the existing garage workshop close behind, so the ground floor building would have comparatively little impact.

In relation to 2 flats at Nos. 8 and 10 Lyric Road, a corner of the proposed building would be ca. 8.5m from the kitchen windows on the side wall of both flats. However, with the lowering in eaves level on the amended plans on the side of the building adjacent to Nos.8-10, the visual impact would be similar to that on the 08/1021/FUL scheme, to which no objection was raised.

There are habitable room windows on the north east elevation of Seaforth Lodge, and from the closest of these there would be oblique views of the development. However, the formation of valleys between the sloping gables in the development would help to reduce any sense of overbearing from these residents' windows.

Overlooking

With the orientation of the main part of the development being towards the rear of houses in Melrose Road and across the rear gardens of 4 and 6 Lyric Road, there have been concerns regarding loss of privacy. Regarding the first floor windows, the perforated walls screening the terraces would prevent overlooking from the 2 units closest to No.6 Lyric Road. This would not apply to the first floor windows facing the rear gardens of 9 and 11 Melrose Road, but the windows would be no closer than 19.7m to the rear of the houses, albeit that No.9 Melrose Road has a rear conservatory which would reduce the distance further. However, views would be partially obstructed by vegetation and due to the sunken position of the proposed building, these windows would only partially protrude over the boundary wall.

At second floor level, the windows facing in this direction would be very narrow (0.5m) and this arrangement was previously accepted on the 08/1021/FUL scheme as not causing any significant overlooking. The habitable rooms served by the windows would have additional internal daylight through the proposed skylights. At the southern end of the building facing the rear of 59-61 High Street, all proposed windows would be screened by the 1.8m high perforated screen wall along the edge of the first floor terrace.

Traffic and Parking

The site is inside a CPZ and has a PTAL rating of 3. The adopted parking standard would require 7 spaces for the residential units plus 2 for the offices, but the scheme is proposing a car free development. In connection with this, parking surveys have been carried out in November 2012 on 3 early mornings, which established on average 17% availability of kerbside spaces within ca. 250m from the site. Transport engineers note that most of the kerbside availability was on roads further away from the site, i.e. in Lonsdale Road, Stanton Road and Station Road, whereas on the adjacent roads to the site parking was around 90% of capacity. However, they raise no objections subject to a s.106 agreement to remove parking permits for residential and business users. This would minimise car ownership, whilst recognising there is still parking availability within walking distance. The 08/1021/FUL and other previous applications for the site have accepted the 'car-free' principle.

The applicants have also agreed to partake in a car club scheme, which would help to reduce parking demand. This would form part of their Unilateral Undertaking.

Other highways

Vehicular accesses from either Lyric Road or the High Street are considered unrealistic for amenity and traffic reasons. The Inspector at the 06/2586/FUL appeal considered the access onto the High Street as sub-standard and potentially dangerous, so there would be some benefit in its closure and reinstatement as footway, which should be done at cost to the applicant.

Separate areas of cycle parking racks are indicated in the pedestrian area to the north west of the building, which if adequately enclosed and weatherproofed would be acceptable (controllable by condition).

Servicing would be possible from the High Street servicing bay which is opposite the site entrance. Although frequently used, it is considered adequate for the office's servicing requirements. An existing pedestrian sized access gate would be retained onto Lyric Road for emergencies only. Due to the location on a busy High Street, transport engineers recommend a construction method statement condition.

Refuse storage

Refuse storage would be in 2 stores immediately to the rear of the house at 59 High Street. Whilst this would be ca. 17m away from the High Street, and therefore exceeding the Council's 10m standard for bin collection, it is the closest point within the area controlled by the applicant to the High Street, and given the configuration of the route to the High Street, a logical position. It would mean that householders at the northern end of the site would have to move their bins ca. 45m for collection, but given the backland siting, there is not considered to be a more feasible position, given the need to minimise the carry distance to the High Street. The officer responsible for waste management enforcement is aware of this arrangement and raises no objection in principle, subject to the access route being unobstructed and the commercial waste being separated from residential waste.

A condition would control further details including a management arrangement to transfer commercial waste on collection days and the finished design of the refuse stores. The refuse stores would abut the rear wall of the residential properties at No.59 High Street, but this property's ground floor windows and doorway are orientated towards the passage and not the rear wall. If properly enclosed, the refuse stores should not adversely affect the amenities of occupiers in No.59.

Affordable Housing

Policy DM HO6 requires contributions towards affordable housing from all small sites. The Council's rationale for calculating contributions affordable housing is based on capturing the subsidy that a developer would have put in had the scheme been for affordable housing, as set out under Policy DM HO6 and the Draft Affordable Housing SPD. In this case the contribution sought is discounted to represent 35% affordable housing, given the proposal is for 7 dwellings. The policy allows developers to make a case that a contribution towards affordable housing would make the scheme unviable, based on a detailed financial appraisal.

The applicants have submitted a detailed viability appraisal, in which they conclude that a contribution towards affordable housing would make the scheme unviable. The appraisal has been assessed by independent viability consultants, who agree with

this conclusion. The consultants accept that build costs would be ca. 38% higher than the GLA Toolkit default value, principally due to high decontamination costs, and high underpinning costs of party walls. They also note that whilst the scheme would generate a surplus of £139,000, this is based on an abnormally low profit margin. Using the industry norm profit margin of 20%, the scheme would show a deficit of £212,000, and on that basis no affordable housing contribution could be justified.

Planning Obligations Strategy

The proposal has been assessed against the adopted Planning Obligations Strategy formula, and a financial contribution of £27,172.20 (based on the formula at time of application submission) is sought in line with the published formula. This breaks down into contributions of £12,888 (transport), £5,956.60 (public realm), £1,509.69 (health), £5,524 (education) and 5% management fee. The applicant has agreed to make the above contribution through a Unilateral Undertaking.

Flood Risk

The site is within Flood Zone 3 where there is increased risk of flooding, and a Flood Risk Assessment has been submitted. The FRA indicates that the modelled flood depth during a 1 in 200 year flood event would be 4.87m AOD. With the main part of the site having finished floor levels of ca. 4.1m AOD rising to a maximum of ca. 5.9m directly adjacent to the High Street. The ground floor finished level would be 3.9m AOD which would be ca. 970mm under flood level in the event of a 1 in 200 year flood event and the flood defences being breached. This level would not accommodate the more vulnerable residential use. The lowest residential floor would be at 7.00m AOD giving which would give a freeboard of 2.13m above the 1 in 200 year level. The office accommodation, although a less vulnerable use, could access a temporary safe haven at the pedestrian entrance from the High Street where the ground level is higher which has a freeboard of up to 800mm. The EA recommends a condition that the measures in the FRA be implemented. These are that future occupiers sign up to the EA flood warning service, and that flood resilience measures be adopted within the building design. These would include a service entry strategy, and measures to enable access for residents with restricted mobility, as well as flood resilient wall and floor slab/foundation construction. As such the proposal is considered to comply with policy DM SD6 of the Development Management Plan.

The EA also recommend that a sustainable surface water drainage strategy be implemented, in order to reduce surface water run-off and the risk of localised flooding, which can be applied by condition. Despite the built up nature of the development, there would still be potential to include permeable paving and a green roof on the single storey part of the scheme.

Land contamination

The site has a history of industrial and garage use and the EA have commented on the Ground Investigation report. They recommend conditions to deal with this covering a site investigation, risk assessment of all receptors that may be affected, a remediation strategy based on the above and a verification strategy. Such conditions would be covered by the Council's own standard land decontamination condition, which is therefore imposed. The EA recommends a further condition restricting construction piling at the site, except with the express consent of the LPA, in order to ensure this did not contaminate any aquifer. This condition is also imposed.

Trees

There is one significant tree, a Sycamore, at the end of Lyric Road, visible in the streetscene and other Sycamores abutting the alleyway backing onto the application site and gardens in Melrose Road. The tree officer does not consider that the trees' quality merits a TPO, but nevertheless it is considered desirable that they are protected in helping to 'soften' the development. The tree officer recommends the standard arboricultural method statement and tree protection conditions, to ensure the trees are not damaged during demolition and construction works.

Sustainability

The development would include 60 sq.m. array of pv panels on the south facing pitched roofs and individual air source heat pumps on the side of the building. This would achieve 10% reduction in CO2 emissions. Although 20% reduction is sought by Core Strategy policy CP2, the site is constrained and there is little space to increase on this percentage. The development would comply with the Code for Sustainable Homes level 3 standard but would achieve a 'very good' rather than an 'Excellent' rating for the office element. The 'very good' standard is considered a satisfactory level given the constraints of the site and the desirability of integrating replacement business space at ground level. The ability to achieve more than a moderate score on the Sustainability Checklist has also been inhibited by the limited site area and the need to achieve a sensitive design adjacent to a conservation area. However, there would be scope to introduce permeable paving and a green roof on the single storey element, and a condition requiring sustainable drainage details is included.

Conclusion

The scheme would be similar both in building form and design, as well as in land use mix to the scheme ref. 08/1021/FUL which was supported by the Council (subject to completion of a s.106 agreement which was never signed). It would blend in sympathetically with the surrounding area which in part is a conservation area. It has been designed carefully so as to safeguard the amenities of dwellings on three sides of the site. The design has had to be adapted to provide amenity space for occupiers in line with current standards. The scheme would also protect the substantial part of employment space. It has also been considered against the updated affordable housing policy, but an appraisal has demonstrated that a contribution to this would render the scheme unviable. The applicants have agreed to make a contribution in line with the Planning Obligations Strategy. As previously, the scheme would be 'car-free', vehicular access to the site being difficult. Parking surveys demonstrate that with the restriction on parking permits and car club membership being a requirement, any parking generated could be accommodated within walking distance.

Recommendation

I therefore recommend that the application be **APPROVED** (see CAPS for conditions and informatives) **to be read in conjunction with the applicant's Unilateral Undertaking** covering the following heads of terms:

1. Contribution of £27,120.20 towards transport, education, public realm and health plus 5% management monitoring
2. Restriction on parking permits for residential and office occupiers
3. Car club membership for residential and office occupiers.

16 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 14 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 11 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 9 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 7 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 5 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 3 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 1 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 62 Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
 10 Lyric Road, Barnes, London, SW13 9PZ, - 18.12.2012
 60A Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
 56A Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
 37 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 35 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 33 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
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 21 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
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 17 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 15 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 12 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
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 8 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 6 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 4 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 2 Seaforth Lodge, Barnes High Street, Barnes, London, SW13 9LE, - 18.12.2012
 64 Barnes High Street, Barnes, London, SW13 9LD, - 18.12.2012
 63 Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
 59 Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
 55 Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012
 17 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
 15 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
 13 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
 9 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
 7 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
 5 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
 1 Melrose Road, Barnes, London, SW13 9LG, - 18.12.2012
 91 Lyric Road, Barnes, London, SW13 9QA, - 18.12.2012
 89 Lyric Road, Barnes, London, SW13 9QA, - 18.12.2012
 87 Lyric Road, Barnes, London, SW13 9QA, - 18.12.2012
 85 Lyric Road, Barnes, London, SW13 9QA, - 18.12.2012
 8 Lyric Road, Barnes, London, SW13 9PZ, - 18.12.2012
 6 Lyric Road, Barnes, London, SW13 9PZ, - 18.12.2012
 4 Lyric Road, Barnes, London, SW13 9PZ, - 18.12.2012
 59A Barnes High Street, Barnes, London, SW13 9LF, - 18.12.2012

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

Development Management Application: 08/1023/CAC
 Status: GTD
 Date: 22/10/2008 Demolition of existing garages.

Development Management Application: 11/0881/FUL
 Status: PCO
 Date: Demolition of all existing buildings on site and erection of a commercial building for Class B1 office, Class A1 and Class A3 use.

Development Management Application: 11/0882/CAC
 Status: PCO
 Date: Demolition of all existing buildings on site and erection of a commercial building for Class B1 office, Class A1 and Class A3 use.

Development Management

Status: PCO

Date:

Application: 12/3768/FUL

Demolition of all existing buildings associated with the former MOT garage and the redevelopment of the site to form a mixed use commercial development comprising the construction of a three storey building to include Class B1 offices at ground and first floor and 7 no 1 and 2 bed residential units at first and second floor level with photovoltaics panels on the roof, a partial green roof, communal open space, cycle parking and refuse storage.

Development Management

Status: INSFEE

Date:

Application: 12/3769/CAC

Demolition of all existing buildings associated with the former MOT garage and the redevelopment of the site to form a mixed use commercial development comprising the construction of a three storey building to include Class B1 offices at ground and first floor and 7 no 1 and 2 bed residential units at first and second floor level with photovoltaics panels on the roof, a partial green roof, communal open space, cycle parking and refuse storage.

Building Control

Deposit Date:

21.11.2012

Reference:

12/2165/IN

Erection of three storey building comprising of office uses on the ground floor, and part first floor, and seven new apartments on first and second floor.

Constraints: