

## Application reference: 17/0956/FUL BARNES WARD

Date application received	Date made valid	Target report date	8 Week date
10.03.2017	10.04.2017	05.06.2017	05.06.2017

**Site:**

Rear Of, 74 Church Road, Barnes, London

**Proposal:**

Proposed demolition of existing buildings and erection of residential-led mixed-use development and associated works.

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**

Mr Wai-Kit Cheung  
41-43 Maddox Street  
London  
W1S 2PD

**DC Site Notice:** printed on 19.04.2017 and posted on 28.04.2017 and due to expire on 19.05.2017

**Consultations:**

**Internal/External:**

**Consultee**

Environment Agency  
GLAAS 1st Consultation  
LBRUT Transport  
14D Urban D  
14D POL  
LBRUT Environmental Health Contaminated Land  
Emergency Planning Officer WBC / LBRuT  
LBRuT Trees Preservation Officer (South)

**Expiry Date**

10.05.2017  
10.05.2017  
03.05.2017  
03.05.2017  
03.05.2017  
03.05.2017  
10.05.2017  
03.05.2017

**Neighbours:**

8 Bracken Gardens, Barnes, London, SW13 9HW, - 19.04.2017  
Store Rear Of 74, Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
70A Church Road, Barnes, London, SW13 0DQ - 19.04.2017  
Flat, 68 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
Second Floor Flat, 74 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
First Floor Flat, 74 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
70 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
72 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
68 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
First Floor Flat, 78 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
Maisonette First And Second Floor, 76 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
76 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
78 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
Second Floor Flat, 88 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
First Floor Flat, 82A Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
Flat 2, 80 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
Flat 1, 80 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
Second Floor Flat, 82A Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
86A Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
90A Church Road, Barnes, London, SW13 0DQ, - 19.04.2017



86B Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 94 Church Road, Barnes, London, SW13 0DQ - 19.04.2017  
 92A Church Road, Barnes, London, SW13 0DQ - 19.04.2017  
 First Floor Flat, 88 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 Top Flat, 78 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 80 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 Flat 2, 84 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 90 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 92-94 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 82 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 84 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 88 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 Flat 1, 84 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 86 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 98B Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 Flat, 96 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 98A Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 Flat 2, 102A Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 Flat 1, 102A Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 100 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 98 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 102 Church Road, Barnes, London, SW13 0DH, - 19.04.2017  
 96 Church Road, Barnes, London, SW13 0DQ, - 19.04.2017  
 2 Elm Grove Road, Barnes, London, SW13 0BT, - 19.04.2017  
 14 Elm Grove Road, Barnes, London, SW13 0BT, - 19.04.2017  
 8 Elm Grove Road, Barnes, London, SW13 0BT, - 19.04.2017  
 6 Elm Grove Road, Barnes, London, SW13 0BT, - 19.04.2017  
 12 Elm Grove Road, Barnes, London, SW13 0BT, - 19.04.2017  
 10 Elm Grove Road, Barnes, London, SW13 0BT, - 19.04.2017  
 4 Elm Grove Road, Barnes, London, SW13 0BT, - 19.04.2017

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

<u>Development Management</u> Status: GTD Date: 05/06/1997	Application: 97/0010 Installation Of Retail Unit With Adjoining Workshops And Preparation Areas For Furniture Store Plus Associated Alterations.
<u>Development Management</u> Status: GTD Date: 27/11/1997	Application: 97/1921 Change Use Of Part Of Site Buildings From Storage (as Approved Under Ref. 97/0010/ful) To A Food Preparation And Supply Business With Staff Canteen Area.
<u>Development Management</u> Status: GTD Date: 16/12/1997	Application: 97/0010/DD01 Details Pursuant To Condition Bd11u (materials) Of Planning Permission 97/0010/ful Dated 21/1/97.
<u>Development Management</u> Status: GTD Date: 13/02/1979	Application: 78/1190 Continued use of premises for light engineering purposes.
<u>Development Management</u> Status: PDE Date:	Application: 06/T0589/TCA T1 - Sycamore (Acer pseudoplatanus) - Remove. T2 - Sycamore (Acer pseudoplatanus) - Remove. T3 - Ash (Fraxinus excelsior) - Remove. T4 - Elder (Sambucus spp.) - Remove.
<u>Development Management</u> Status: GTD Date: 23/11/2011	Application: 11/3258/FUL Operate a cafe as part of retail business at the above address (Class A1 to Class A3)
<u>Development Management</u> Status: PCO Date:	Application: 17/0956/FUL Proposed demolition of existing buildings and erection of residential-led mixed-use development and associated works.



Building Control

Deposit Date: 01.05.1997  
Reference: 97/0618/FP

Alterations to existing workshop & retail building

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Building Control

Deposit Date: 04.07.1997  
Reference: 97/0618/1/FP

Alterations to existing workshop & retail building

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Building Control

Deposit Date: 17.02.1998  
Reference: 97/0618/2/FP

Alterations to existing workshop & retail building

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Building Control

Deposit Date: 13.12.2006  
Reference: 06/2652/BN

Reconstruction of flank cavity wall to adjoining store

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Building Control

Deposit Date: 27.04.2013  
Reference: 13/FEN01509/GASAFE

Installed a Gas Boiler

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Enforcement

Opened Date: 03.06.2011  
Reference: 11/0271/EN/BCN

Enforcement Enquiry

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**Recommendation:**

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

**I therefore recommend the following:**

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

This application is CIL liable  YES\*  NO  
(\*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement  YES\*  NO  
(\*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file)  YES  NO

This application has representations on file  YES  NO

Case Officer (Initials): *AN* .....

Dated: *18/09/17* .....

**I agree the recommendation:**

Team Leader/Head of Development Management/Principal Planner

Dated: .....

This application has been subject to representations that are contrary to the officer recommendation. The Head of Development Management has considered those representations and concluded that the application can be determined without reference to the Planning Committee in conjunction with existing delegated authority.

Head of Development Management: .....

Dated: .....

*APPROVED AT COMMITTEE*  
*[Signature]*

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>



The following table will populate as a quick check by running the template once items have been entered into Uniform

**SUMMARY OF CONDITIONS AND INFORMATIVES**

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**CONDITIONS**

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**INFORMATIVES**

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17/0956/FUL  
LAND TO REAR OF  
74 CHURCH ROAD  
BARNES

BARNES WARD  
Contact Officer:  
A VAUGHN

[http://www2.richmond.gov.uk/PlanData2/Planning\\_CaseNo.aspx?strCASENO=17/0956/FUL](http://www2.richmond.gov.uk/PlanData2/Planning_CaseNo.aspx?strCASENO=17/0956/FUL)



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LA 100019441[2017].'- Do not scale '

**Application description:** Proposed demolition of existing buildings and erection of residential-led mixed-use development and associated works

**Applicant:** Turnberry Planning Ltd

**Application received:** 10th April 2017

**Main development plan policies:**  
National Planning Practice Guidance ('NPPG')

National Planning Policy Framework 2012 ('NPPF')

The London Plan 2015

Core Strategy 2009:  
CP1 Sustainable Development  
CP2 Reducing Carbon Emissions  
CP3 Climate Change - Adapting to the Effects  
CP4 Biodiversity



CP5 Sustainable Travel  
CP6 Waste  
CP7 Maintaining and Improving the Local Environment  
CP8 Town and Local centres  
CP14 Housing  
CP15 Affordable Housing  
CP19 Local Business

Development Management Plan 2011 ('DMP'):

DM SD 1 Sustainable Construction  
DM SD 2 Renewable Energy and Decentralised Energy Networks  
DM SD 4 Adapting to Higher Temperatures and Need for Cooling  
DM SD 5 Living Roofs  
DM SD 6 Flood Risk  
DM SD 7 Sustainable Drainage  
DM OS 5 Biodiversity and new development  
DM TC 2 Local and Neighbourhood Centres and Areas of Mixed Use  
DM HD 1 Conservation Areas  
DM HD 3 Buildings of Townscape Merit  
DM HO 2 Infill development  
DM HO3 Backland development  
DM HO 4 Housing Mix and Standards  
DM HO 6 Delivering Affordable Housing  
DM EM 2 Retention of Employment  
DM TP 1 Matching Development to Transport Capacity  
DM TP 2 Transport and New Development  
DM TP 6 Walking and the Pedestrian Environment  
DM TP 7 Cycling  
DM TP 8 Off Street Parking  
DM TP 9 Forecourt Parking  
DM DC 1 Design Quality  
DM DC 2 Layout and Design of Mixed Use Schemes  
DM DC 4 Trees and Landscape  
DM DC 5 Neighbourliness, Sunlighting and Daylighting  
DM DC 6 Balconies and Upper Floor Terraces

Local Plan – Publication version for consultation (4<sup>th</sup> January – 15<sup>th</sup> February 2017).

LP1 - Local Character and Design Quality  
LP3 – Designated Heritage Assets  
LP7 - Archaeology  
LP8 – Amenity and Living Conditions  
LP10 - Local Environmental Impacts, Pollution and Land Contamination  
LP15 – Biodiversity  
LP16 – Trees, Woodlands and Landscape  
LP20 – Climate change Adaptation  
LP22 – Sustainable design and construction  
LP24 – Waste Management  
LP34 – New Housing  
LP35 – Housing Mix and Standards  
LP36 – Affordable housing  
LP40 – Employment and Local Economy  
LP45 – Parking standards and servicing



Supplementary Planning Documents (SPD) / Guidance (SPG)

Residential Development Standards SPD

Design Quality SPD

Front Garden and Other Off-Street Parking Standards SPD

Buildings of Townscape Merit SPD

Small and Medium Housing SPD

Residential Development Standards SPD

Affordable Housing SPD

Sustainable Construction Checklist SPD

Planning Obligations SPD

Barnes Village Planning Guidance SPD

Contaminated Land SPG

**Summary of Application**

The proposed mixed-use development of 6 residential flats and 5 small-scale B1 units is considered to be acceptable in principle within Barnes local centre, whereby mixed-uses are encouraged by both national, London and local planning policies.

The development would create additional housing in an accessible local centre and an overall uplift in commercial space, in accordance with policies that promote the creation of small business space within existing local centres.

The development would be a suitably small-scale mews type development in context with the surrounding taller buildings, which are primarily of 2-3 storeys plus roof space in height. Therefore, the building would not appear overly dominant, nor given its back-land position, present an incongruous form of development that would be out of character with the surrounding area and no detriment to heritage buildings has been identified.

The design and siting of the proposal are such that the surrounding residential properties would not be detrimentally affected to an unacceptable degree and the proposed development would maintain adequate privacy levels to surrounding properties due to the retention of the 4.6-4.7m high original stable wall directly to the south and west of the site. The design is such that it would not cause overlooking to neighbouring properties and the proposed residential element of the proposal would meet with the national space standards as stipulated by the DCLG – Technical guidance.

The development would provide an appropriate and significant financial contribution towards the Borough's Affordable Housing Fund of £299,000 and a Unilateral Undertaking to secure this benefit has been submitted as part of this planning application, together with the removal of parking permits for prospective commercial and residential occupants of the development and membership of a car-club scheme for five years for prospective residents.

**RECOMMENDATION: PERMISSION** subject to conditions and completion of a legal agreement.

**Site description:**

1. The site comprises of a 0.09 ha (hectare) section of land located to the rear of 74 Church Road. The site is broadly triangular in shape and located behind the south side of Church Road and bordered by the gardens of Elm Grove Road, Bracken Gardens and the garaging/workshops.



2. It falls within Character Area 4: Barn Elms/Roses Lane and is adjacent with the Barnes Green Conservation Area 12. Barnes Green and the Edwardian parade of shops in Church Road are designated as 'Buildings of Townscape Merit'.
3. The site was originally developed at the beginning of the 20th Century to serve local traders; with the rate returns for 1911 refer to 'coach house and stabling', with the original access provided between Nos. 74 and 76 Church Road. With the decline of horse power, the site has been subsequently used for a variety of purposes including car servicing, printing and boot repairs.
4. In terms of the original structure, only the approximately 4.7 metre high perimeter stable wall to the southern and western perimeter of the site remain. The stable walls contain window openings, which were traditionally used for ventilation. The existing wall is built with red brick, rather than the more prevalent London stock used for back facades and extensions to the Church Road buildings and the site currently accommodates a single storey 'V' shaped building with a mono-pitched roof and a single storey outbuilding with a pitched roof on the north of the site. Access to the site is obtained via Church Road to the north or Elm Grove Road to the east.
5. The current building has a total floorspace of 348sqm (Gross Internal Area [GIA]). and the main use of the site is as a Class A1 (Retail). The site was until recently primarily occupied by 'Karavan' an interior home furnishing shop (Class A1 use) with a GIA of 211sqm (i.e. 61% of total GIA). It also operated an ancillary cafe (Class A3 use) with a GIA of 115sqm (33%) with an outdoor seating area. In addition, a small area of the main building with a GIA of 22sqm (6%) was sub-let by Karavan to 'Eric Lightwizard', which is a stained glass workshop (Class B1 use). However, in mid-December 2016, Karavan decided to vacate the site due to difficult trading conditions and only the stained glass workshop currently remains in operation.
6. In terms of the surrounding site context, it is noted to the north of the site are a parade of shops and restaurants along the ground floor of Church Road, which form part of Barnes local centre and beyond that is the Olympic Studios. It is noted that the retail elements on Church Road are on the ground floor with residential flats above.
7. The properties to the south and east of the site are primarily residential in character (2-3 storeys in height) and to the west are a row of commercial buildings, which include small-scale workshops and garages.
8. In terms of site specific designations the following applies:
  - Mixed Use Area (within Barnes local centre).
  - Key Shopping Frontage located adjacent to north along Church Road.
  - Flood zones 2, 3 and 3a.
  - Land use past industrial.
  - Buildings of Townscape Merit lie adjacent to the site (to north and east).
  - Barnes Green Conservation Area lies adjacent to the north of the site.

**Proposal:**

9. The proposed development is for the demolition of existing single storey buildings and erection of a two-storey broadly 'V' shaped and brick-built courtyard-style development comprising of 6 no. of residential flats; 5 no. of Class B1 commercial/workshop units; and associated car parking provision, refuse storage areas, cycle parking and landscaping.
10. The proposed development would have a pitched roof with an overall maximum height of approximately 6.4m and eaves height of approximately 5.4m. The width of the building along



the western boundary would measure approximately 21.1m and the width of the building along the southern boundary would be approximately 46.7m.

11. The building footprint is approximately 380sqm. It is noted that the original stable wall of approximately 4.6-4.7m along the southern and western boundary of the site would be retained and that the first floor of the proposed development would be set-back approximately 1.2m from the wall to the south and approximately 2.5m from the wall to the west. It is noted that the 6 no. of existing window-shaped openings along the southern stable wall are proposed to be 'blocked-up' by matching brick-work to further minimise loss of privacy to neighbouring properties to the south (i.e. along Elm Grove Road).
12. The residential element has a total Gross Internal Area (GIA) of 385.8sqm. In terms of the proposed commercial units, the total GIA is 142.3sqm. The forecourt of the proposed development would be laid with new high quality block paving and would contain a total of 5 no. of off-street car parking spaces, whereby four of these would be allocated to the residential flats and one space to be shared amongst the commercial units (for visitor parking). It is noted that one of the parking bays is designed as a disabled parking space and this would serve a wheelchair accessible Flat (Unit 1) on the ground floor of the property.
13. An electrical charging stand (with two charging points) is proposed to the western boundary of the site whereby hybrid/electric vehicles from the occupiers of the residential /commercial units could jointly use.
14. The proposed development would also contain 17 no. of secured cycle parking spaces via vertical cycle stands for the residential flats and commercial units located to the north-western corner of the site and this would be where the refuse storage area would be situated.
15. A total of 5 no. of steel bollards are also proposed to the northern part of the site to ensure cars would not block access to the rear of the existing Church Road properties.

#### **Amendments**

16. The proposed site layout, elevations, and site location plan, have been revised during the application process to reflect traffic-related amendments and mitigations, via an addendum to the Transport statement. The plans show a revised application site boundary which now excludes the access link to Elm Grove Road since this has been clarified by the Transport Officer to be an adopted 'Accommodation Road', which is maintained by the Council.

#### **Planning history:**

17. Recent relevant planning history
  - 11/3258/FUL: Operate a café as part of retail business (Class A1 to Class A3) –**Granted 23/11/2011**
  - 97/1921 Change of Use of part of site buildings from storage (as approved under LPA Ref. 97/0010) to a food preparation and supply business with staff canteen area. **Granted 27/11/1997**
  - 97/0010 Installation of retail unit with adjoining workshops and preparation areas for furniture store plus associated alterations. **Granted 05/06/1997**
  - 78/1190 Continued use of premises for light engineering purposes. **Granted 13/02/1979**
18. This proposal has also been subject to pre-application advice under ref: 15/P0123/PREAPP in August 2015.

#### **Public and other representations:**

19. 10 letters of objection from neighbours (full comments are available on the Council's website). The main points of objection are summarised below into headings:



**Design Objections:**

Proposed building height excessive to the gardens of Bracken close  
Height and boundary would be over-dominant  
Road surface is of poor quality  
Vehicle dominated courtyard  
Waste and recycling problematic due to road being blocked  
Solar panels would be of concern as they increase the height of the development and proposed extraction equipment.  
Site's heritage has been ignored, particularly due to its close proximity to the centre of Barnes.

**Amenity objections**

Increased noise, traffic and pollution  
Loss of light and privacy to Bracken Gardens and Elm close properties  
Residential density would be increased  
Height and proximity to neighbours would be overbearing  
Disturbance from first-floor roof terraces and loss of privacy  
Noise and disturbance during construction

**Parking/Transport Objections**

Parking problem along Elm Grove Road problematic requiring residents to park far along their street or on neighbouring streets.  
New residents should not be able to apply for parking permits.  
Visitors should use pay-and-display at North end of Elm Grove Rd.

**Safety Objections**

Danger to pedestrians from cars crossing a busy shopping street and increased use of the access  
Parking provision and increase in delivery vans unacceptable due to dangerous narrow access without segregated pedestrian footpath with poor visibility and in close proximity to junction and blind bend.  
Suggest removing all parking from development.  
Insufficient parking on-site to meet requirements  
Appropriate and characterful lighting should be implemented and agreed prior to determination.  
Traffic safety concerns  
Collection of recycling and waste will be problematic  
Construction Method Statement inadequate  
Swept-path analysis is over ambitious

**Trees**

Concerns over loss of mature silver birch.  
Replacement tree needs to have the opportunity to mature and provide a green outlook against the building mass of the development.

**Public space**

20. The resurfacing of the access should be required through the decision notice and covered by the freeholder.

**Other**

Rear extension of no 8 not identified on plans  
Concerns about impact on structural integrity of boundary wall and neighbouring properties  
Disturbance from construction

External Consultees

21. Environment Agency:



No Objection subject to a suggested condition.

22. Greater London Archaeological Advisory Service:  
Suggest a Standard condition

**Professional comments:**

23. The main planning considerations for this application are as follows:
- Principle of development;
  - Affordable housing;
  - Housing mix and residential living standards;
  - Design, character and appearance;
  - Neighbouring amenity;
  - Transport and Highway considerations;
  - Refuse;
  - Sustainability;
  - Biodiversity and trees;
  - Flooding
  - Land contamination;
  - Archaeology
  - Community Infrastructure Levy.

**Principle of development (employment land)**

24. The site is located within Barnes Local Centre. However, it is set-back from the adjacent key-shopping frontage along Church Road and as such, policy DMTC3 of the Development Management Plan (2011) regarding retail frontages does not apply to this proposal. Policy DMTC2 of the Development Management Plan (2011) concerns Local and Neighbourhood centres and Areas of Mixed Use. It states that the Council will protect and improve the provision of day-to-day goods and services in the local and neighbourhood centres of the borough. These centres are often designated as Areas of Mixed Use and are thus seen as appropriate for a mix of uses that meet primarily local needs and proposals for development will be acceptable in the smaller centres if they:
- Provide appropriate mixes of uses, or mixed-use schemes. Appropriate uses could be: new retail, business or employment developments, which should maintain suitable provision for small businesses and other uses which serve the community or attract visitors. Residential development could also be appropriate.
  - Are of a scale that enhances the vibrancy and vitality of the centre and do not erode the core function of the centre, or another neighbouring centre or compromise an existing use. This will apply to all proposed uses, including supermarkets.
  - Respect and enhance the heritage, character and local distinctiveness of the centre, whilst making the most efficient use of land.
  - Include overall improvements and enhancements of the small centres; or modernise outmoded premises. Development should improve and maintain commercial provision in the smaller centres, without significantly expanding it.
  - Locate retail in designated shopping frontages, or in a location well-related to them, and/or within an area of mixed use.
  - Do not add disproportionately to pressure on parking.



25. By supporting proposals that meet these criteria, the Council will ensure that the smaller town centres are self-supporting and reinforce themselves and the local community. Policy DMTC2 is supported by Policy CP8 of the Core Strategy (2009) which sets out the Council's approach to its centres. Of relevance to this site (under section 8C of the policy) is the following:

*Objective*

*Strengthen neighbourhood and local centres by encouraging a range of shops, services and other uses consistent with meeting people's day to day needs. Encourage other uses of a scale appropriate to the centre.*

*Business and Employment*

*Maintain premises for small businesses.*

26. Further to this, policy DM DC2 of the Development Management Plan (2011) refers to the layout and design of mixed use schemes. It states that within appropriate areas, mixed use schemes will be permitted if they:
- Include a suitable and compatible mix of uses
  - Add to the vitality and convenience of the area
  - Take account of any potential adverse impacts of the juxtaposition of uses through the layout, design and operation of the area
  - Make the best use of land by sharing facilities and areas such as for parking, servicing, entrance-ways and amenity space where appropriate.
27. Barnes is a 'local centre' in terms of town centre hierarchy, whereby the key characteristics are that it contains 'shops and services for day to day needs, some small offices'. According to the adopted Proposals Map, the application site is situated within an 'Area of Mixed Use' whereby Policy DM TC 2 referred to above is applicable and whereby an appropriate mix of uses such as employment uses suitable for small businesses and residential are acceptable in principle. In addition, the London Plan and the associated Housing SPG recognises that small sites such as this provide an important contribution to meeting London's housing need.
28. The proposed development would provide 6 no. of new residential units and 5 no. of Class B1 commercial/workshop units within Barnes local centre, thereby the principle of development is considered acceptable and would contribute positively to local housing and economic needs of the area. Whilst the proposed redevelopment would lead to a loss of 211sqm of Class A1 (shop) and 115sqm of Class A3 (restaurant) uses, these are not protected in retail planning terms as the site is not located within a 'Key Shopping Frontage' nor 'Secondary Shopping Frontage'. It is also noted that there is a good choice of shops and restaurants along Church Road, therefore the proposal would not be detrimental to the vitality and viability of Barnes local centre.
29. Whilst the existing Class B1 unit (with a GIA of 22sqm and used as a stained-glass workshop) would need to be temporarily relocated whilst the site is redeveloped, the proposed development would re-provide a total of 5 no. similarly-sized Class B1 units totalling 142.3sqm GIA where the intention is to serve local businesses. Therefore, the new development would increase the overall number of commercial units and employment opportunities available on the site and within the town centre. The applicant has advised in the supporting information



that it is their intention to offer favourable terms to the existing stained-glass operator to be re-provided within one of the proposed B1 ground-floor units.

30. Given the location of the site within close proximity to a number of residential properties, it is considered that a mixed use scheme would be both appropriate and policy compliant. In light of the above, it is considered that the proposal would provide a suitable mix of uses that would be suitable for this local centre. In principle additional residential use, would be in accordance with Policies CP1, CP14 and LP34 and would add to vitality and viability in an Area of Mixed Use.

**Affordable Housing**

31. Policy DM HO 6 looks for a financial contribution to the Affordable Housing Fund on sites of less than 10 units, based on a sliding scale, having regard to the strategic borough-wide target and on the individual circumstances of the site, in accordance with Policy CP15.
32. As set out in the submitted Affordable Housing Statement and draft Unilateral
33. Undertaking, the proposed development would provide an appropriate financial contribution towards the Borough's Affordable Housing Fund in lieu of on-site affordable housing provision.
34. It is noted that the current value of the affordable housing contribution has been calculated to be £299,523. This is equivalent in cost to the applicant providing
35. 30% affordable housing on site (assuming 80% affordable rented and 20% intermediate housing). This has been assessed by the Council's Independent assessor and is considered acceptable.
36. *"I have passed the details of this application to the Council's Planning Viability Advisor to review the open market values (see also further details sent by email to case officer on 12 June 2017), who also received further background information from Affordable 106, and therefore agrees the open market values are reasonable for use in the pro-forma. On that basis the contribution of £299,523 is agreed. This amount should be secured via a legal agreement."*
37. Members are advised the proposed contribution would be secured via the terms of the legal agreement.

**Housing mix and residential living standards**

38. Policy DM HO 4 states that the housing mix should be appropriate for the location and should provide suitable living accommodation for future occupants. The policy is to be read in conjunction with the nationally described space standards and the Residential Development Standards SPD. The six proposed residential units comprise the following areas:

Unit type	Internal Floor (m <sup>2</sup> )	LG Minimum orspace 2)	Minimum requireme ace	ate pace	ame
t 1 Ground-floor 2-bed				3 sqm	
t 2 Ground-floor, 2-bed	2			3 sqm	
t 3 First-floor, 2-bed	1			sqm	
t 4 First-floor, 1-bed	6			sqm	
t 5 First-floor, 1-bed	6			sqm	
t 6 First-floor, 2-bed	3			7 sqm	



39. In addition the London Plan SPG requires a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. As demonstrated in the table above all the flats would easily meet this requirement and are considered to be non-family dwellings appropriate to a town centre location.
40. There is also a requirement for 90% of all new housing to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings' and 10% to M4(3) 'wheelchair user dwellings'.
41. A mixed use scheme with non-family type accommodation is considered appropriate in this location, as is the proposed housing mix. It has been demonstrated within the application submission that all of the residential units would meet the technical standards, with all habitable rooms provided with suitable light and outlook and meeting with the amenity space standards of the London Plan. The only exception is that one of the bedrooms in Flat 1 would only be served by a rooflight in Flat 6's terrace and accordingly this rooflight would need to be obscure glazed. This modest shortfall is not considered significant in the context of the wider planning benefits that would result or warrant a refusal of planning permission. The applicant has demonstrated that all the units would accord with the aforementioned Building Regulations standards, with two of the ground floor units fully wheelchair accessible and one also benefiting from a disabled parking bay.

#### **Design, Character and appearance**

42. 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
43. 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
44. Policy DMHD3 of the Development Management Plan (2011) relates to the preservation and enhancement of Buildings of Townscape Merit. It states that in order to protect their significance, character and setting or any proposals should protect and enhance the setting of Buildings of Townscape Merit. The Council will endeavour to protect the character and setting of Buildings of Townscape Merit by as far as possible treating proposals for works to and close to them, which would be visible from the street or any other place used by the public, as if they were Listed Buildings.
45. The Council's Policy DMHO3 sets out relevant criteria on Backland Sites. With reference to mass and scale of development the policy expects that "development on backland sites must be more intimate in scale and lower than frontage properties". It states that 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:
- 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;



- Impact on neighbours – privacy of existing homes and gardens must be maintained and unacceptable light spillage avoided;
- 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;
- Mass and scale of development – development on backland sites must be more intimate in scale and lower than frontage properties;
- Trees, shrubs and wildlife habitats – features important to character, appearance or wildlife must be retained or re-provided.

46. The 'Small and Medium Housing Sites' SPD (2006) provides guidance on backland developments. It advises that:

*"Backland development should be of a scale which harmonises with its surroundings and the height and mass of new houses should be sympathetic, taking into account any changes of level within the site. The height of buildings is a particular concern and building heights of a lower scale may be less conspicuous from the street... A mews layout is often preferred for backland development and an analysis of local mews courtyards may offer some inspiration... Within a backland development there may be more freedom for expression, however, the use of common materials or elements such as roof forms, gables and bay windows can tie the development into its context"*

47. The site is set behind the terrace of BTMs on Church Road and the terrace of BTMs on Elm Grove Road, and it lies within Barnes Green Conservation Area. Barnes Green Conservation Area Study identifies that "there are a number of small 'backland' sites containing workshops or small businesses which lead off the shopping streets. Wherever possible these should be retained in order to provide affordable accommodation for small businesses and a good range of local services, even though their appearance may be somewhat shabby and haphazard".
48. This proposed low-level development on a brownfield site is considered to be a significant improvement on the existing situation and would provide a sustainable urban living and working environment within this accessible town centre location with both a mix of residential and commercial uses that aims to support small businesses and which would therefore comply with the aims and objectives of Policy DMHO3. The design of the development is considered both sympathetic to its surroundings by being two-storeys in height and utilising the retention of the original stable wall of 4.6-4.7m high, which would largely disguise it from the rear. The proposal has been set-back from neighbouring residential areas, with the added benefit of an open courtyard design, thereby retaining a sense of openness.
49. This site is considered ideal for the low key mews type development as proposed and would be subordinate and not compete with the frontage buildings, in particular those on Church Road and Elm Grove Road. The Urban Design Officer has reviewed the proposals and considers that the scale and design appears generally acceptable and proposed brickwork is as recommended to them at pre-application stage. The proposed fenestration and roofing is considered to appear acceptable in this instance given the type of building and roof pitch aimed at keeping the overall height down.
50. In respect of design considerations the overall height, scale and mass whilst larger than the existing building would appropriately address the wider context. It would be an appropriate scale for the site without being overly dominant. It would neither mimic neighbouring residential terraces nor commercial development, but would provide a high quality contemporary design response appropriate to its backland location. The proposed design, fenestration and palette of materials would relate well to the form, proportion and composition of surrounding buildings and would make a positive contribution to the local area and would address local distinctiveness.



51. The application site is situated outside the Barnes Green Conservation Area although it is within close proximity to the north of the site. The design of the proposed development is considered appropriate so that its height, appearance, scale and massing would not detract from the character of the adjacent Conservation Area. It is noted that the closest listed buildings are located approximately 60m north-west of the site but there are no inter-visibility issues due to the intervening properties along the southern side of Church Road. Therefore, from a heritage perspective, the proposal is considered to be acceptable.
52. Further, there would be no conflict with London Plan Policy 3.5 in respect of the quality and design of housing developments or Policy 7.4 which requires new development to have regard to its context and make a positive contribution to local character within its neighbourhood. In being respectful and sympathetic to other architectural styles the contemporary architecture of the proposed development would meet the requirement of Policy 7.6 to provide architectural quality. The proposal would also accord with the aims of the National Planning Policy Framework in relation to design and further improvements to the site will be made through landscaping.
53. The proposed development would therefore accord with Policy CP7 of the Core Strategy and Policy DM DC1, DM HD 1, DM HD 3 and DMHO3 of the Council's Development Management Plan, 2011 (the DMP) and related Publication Version and London Plan Policies, which require new development to be of high design quality, respecting local character. It is also considered that the proposal would meet the requirements of the Design Quality SPD to create a high quality scheme in terms of urban design and architecture which integrates sensitively with surrounding areas.

#### **Neighbouring amenity**

54. Policy DM DC 5 seeks to protect neighbouring properties from an unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance by seeking to ensure sufficient daylight can penetrate into and between buildings whilst protecting adjoining properties and land from overshadowing. This is reiterated by policy LP 8 in the Local Plan review. To protect privacy, there should normally be a minimum distance of 20m between main facing habitable room windows. In addition the Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings, and that adjoining properties or land are protected from overshadowing in accordance with established standards.
55. The site is bordered by residential gardens at the periphery and given the retained stable wall and adequate separation distances that would be retained in most part the proposed development would not result in any materially harmful loss of light and outlook to any sensitive windows and no windows are proposed that would directly face any residential windows within surrounding property.
56. It is acknowledged distances would be short from the first-floor proposed Flat 6, when considered in relation to existing properties at 78-82 Church road, but given the limited height of the proposed development, relative to these properties and careful positioning of the proposed windows, with the imposition of an appropriate conditions in relation to appropriate screening of the proposed balcony, no direct overlooking or privacy implications would occur and it is not considered that the proposed development would have an overbearing impact on these properties. This point is discussed further below.
57. In terms of understanding how the proposed development would relate to the surrounding area and whether there would be any impacts to the amenity of the occupiers of nearby residential properties, the following properties are particularly identified:

*70-88 Church Road*



58. These are typically three-storey terraced buildings with the ground-levels in retail use to the north of the site. Due to the degree of separation between the proposed development and 70-76 Church Road, including the retained intervening access road there are no significant concerns that this proposed low level development would have any direct privacy, overlooking or daylighting/sunlight implications for residential occupiers at first-floor level and above.
59. Part of the proposed galley would be within 16 metres of the rear areas of 76 Church Road, but this feature is designed for access only, not for extended sitting out and it is noted that rear amenity areas of these properties are largely functional and used for parking and in connection with the ground-floor commercial uses. The degree of separation would ensure that there would be no unreasonable loss of privacy to occupants within these properties.
60. In relation to 78-88 Church Road there would be windows and a terrace serving proposed Flat 6. A proposed dining/living room window in the flank elevation of Flat 6 would only offer oblique views to the rear of no.84 Church Road, but would be within 18 metres of the rear of no. 86 Church Road and 20 metres from 88 Church Road. Due to the limited height of the proposed development and careful positioning of the windows and the orientation of the development there are no significant concerns that the proposed development would result in privacy or overlooking to these neighbours. A planning condition is recommended to provide a 1.8 m high privacy screen around the proposed first-floor triangular terrace and that the window serving the flank elevation of Flat 6 uses opaque glazing to secure this.

*Nos. 4-14 Elm Grove Road*

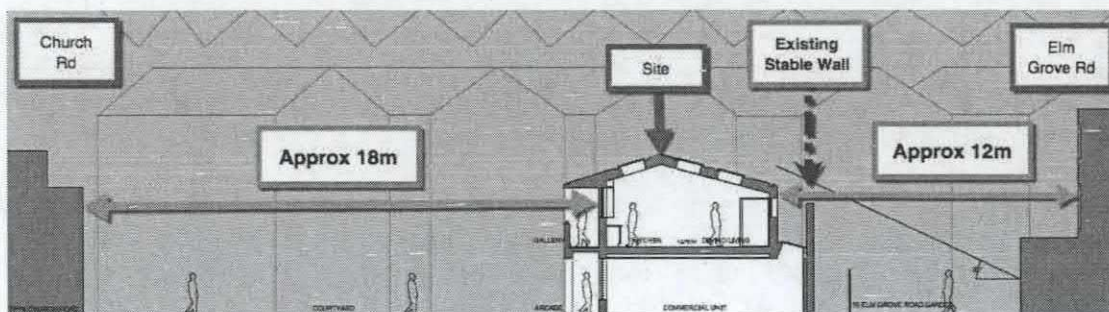
61. The distance of the proposed two-storey development with the existing three-storey Elm Grove Road dwellings at the rear is approximately 12 metres. Given the proposal includes the retention of the existing approximately 4.7 metre high brick-built stable wall and the set-in of the first-floor by approximately 1-metre further away from this from this wall (meaning the roof would slope away from these properties) would mean the roof of the building would only be visible from approximately 0.6m-1.2m at eaves angle of view. This relationship is clearly demonstrated in figure 1 (see below) and it is clear that the additional height would largely be disguised by the retained stable wall. The section drawing also confirms that the boundary wall would be 1.8 metres above the finished floor level thus safeguarding residents of Elm Grove Road from direct overlooking. Therefore, it is considered that there will be no overbearing impact, loss of privacy, outlook or loss of sunlight/daylight to residential occupiers of these properties as a result of the proposed development.

*8 Bracken Gardens*

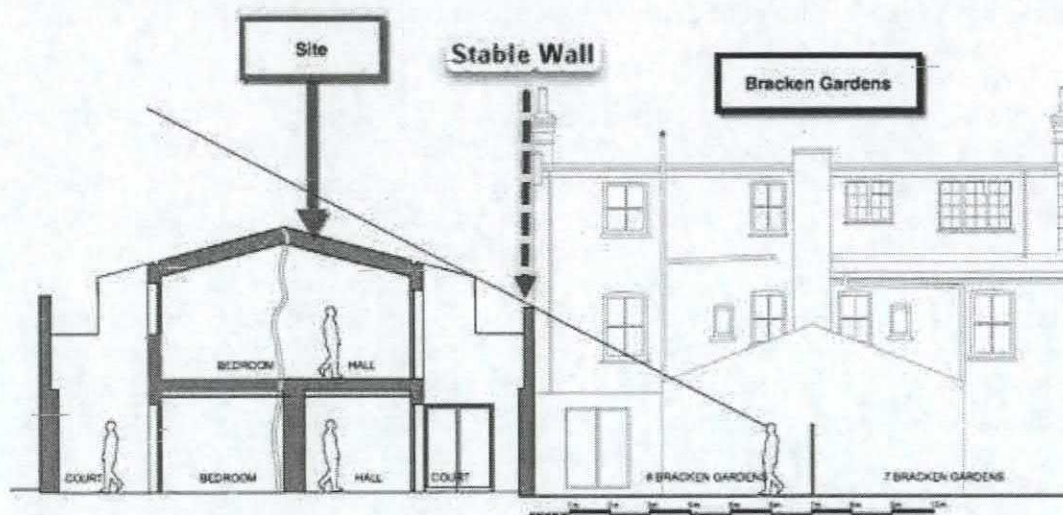
62. In relation to Bracken Gardens, the original approx. 4.7 metre high stable wall is to be retained and the first floor of the proposed development would be further set-in from this elevation by a further 2.5m. The additional height of the development would not be considered visually intrusive given the set-back distance. As such, it is considered that there would not be any detrimental impact to the occupiers of 8 Bracken Gardens in terms of loss of daylight/overlooking, increased sense of enclosure or privacy intrusion to either habitable rooms or amenity space. This relationship is clearly demonstrated in Figure 2 (see below).
63. The following two sectional drawings from the applicants design statement are considered to clearly demonstrate the relationship between the proposed development and properties in Elm Grove Road and Bracken Gardens and the limited visibility from adjacent ground-floor level, due to the retained stable wall.



64. Figure 1 – Section drawing of Church Road and Elm Grove Road.



65. Figure 2 – Section drawing of Bracken Gardens



#### *Noise and Disturbance*

66. Noise during construction would be managed through a Construction Management Plan to control hours of work, as well as dust suppression measures etc., and statutory nuisance legislation would apply through Environmental Services.
67. External areas/balconies/ could have the potential to cause noise. However, a residential use is not an inherently noisy use and the site is surrounded on all sides by residential uses which include more sizeable gardens and the likely noise nuisance from these is not considered to be excessive or unjustifiably harmful.
68. Environmental Health (Noise and Pollution) have been consulted and reviewed the applicants submitted acoustic report and raise no objection to the proposal, subject to the imposition of appropriate conditions as recommended.
69. Likewise no excessive light pollution would occur to the proposed surrounding environment over and above the existing situation. An appropriate condition requesting details of proposed



external illumination of the building and along the Church Road approach is also recommended.

70. The impacts of the proposed development on the amenities of existing neighbouring and surrounding residents has been considered and it is concluded, for the reasons above, would not result unacceptable harm. The proposals are considered to accord with policy DM DC 5.

#### **Transport, Access and Car Parking**

71. Policy DM TP 2 states that it is necessary to consider the impact of any new development on the existing wider and local transport network.
72. Policy DM TP 7 seeks to maintain and improve conditions for cyclists by ensuring that new development or schemes do not adversely impact on the cycling network or cyclists and provide appropriate cycle access and sufficient, secure cycle parking facilities.
73. 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. The maximum parking standards within Appendix 4 of the DMP will be expected to be met, unless it can be shown that in proposing levels of parking applicants can demonstrate that there would be no adverse impact on the area in terms of street scene or on-street parking.
74. Policy 6.13 of the London Plan states that all developments in areas of good public transport accessibility (in all parts of London) should aim for significantly less than 1 car parking space per unit and that adequate parking for disabled people should be provided on site
75. Paragraph 32 of the NPPF states that "*development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*"
76. CP5 and DM TP2 states that the Council will only permit new development or changes where it can be demonstrated that the transport infrastructure can accommodate it or be adapted to do so without creating congestion or traffic hazards on the road network. DM TP 8 states that development 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 and local traffic conditions.
77. Access to the site is via the existing publicly accessible path off Church Road as well as via the path off Elm Grove Road, which currently serves the existing commercial building and the back of commercial properties in Church Road.
78. The site has a PTAL rating of '3', meaning that there is good access to public transport from Barnes Town Centre, which is well served by bus routes and is within a reasonable walking distance a railway stations. A CPZ also operates in the area; Monday to Friday 10am – noon (excluding Bank and Public holidays).
79. The submitted Transport Statement, which has been updated demonstrates that the existing vehicular accesses to the site, via the pathways leading from Church Road and Elm Grove Road are viable from a highway perspective and this area is clearly well used by existing vehicular traffic serving the existing commercial premises and the rear of Church Road. With respect to pedestrian movement, the proposed B1 (Business) uses are likely to attract fewer visitors than the pre-existing A1 retail furniture shop use and café.
80. Adequate car-parking for the development would be provided (see below) and the area enhanced. The swept path analysis within the Transport Statement addendum demonstrates that the proposed 5 no. of car parking spaces would be acceptable in terms of allowing cars to



enter and exit the site in forward gear whilst parking on any of the proposed car park spaces. In recognition of the fact that the parking area is effectively shared with pedestrians, two mitigation solutions are proposed and incorporated. These are;

81. The first is to highlight to drivers the need to drive carefully within the area by the installation of two informal '5mph' signs, one at each access as it enters the courtyard. This measure will alert drivers to potential conflicts.
82. The second measure would be to encircle the tree in the courtyard and to provide the proposed textured shared surfacing throughout as clarified in the submission, emphasising the 'home zone' nature of the area. This approach accords with principles set out in Manual for Streets which encourages development to create a sense of place, reduce dominance of car-based infrastructure, and for drivers within the site to be more cautious of its surrounding – particularly with regard to pedestrians.
83. A total of five spaces are proposed as part of the planning application i.e. three standard residential spaces; one residential disabled space for the ground-floor accessible flat; and one visitor space serving the commercial Class B1 use. Due to the physical constraints of the application site, it is not possible to provide 1:1 car parking for each of the residential units and there is technically a minor shortfall of car parking by two spaces for two of the one-bedroom residential flats on the first-floor. However, given the application site is situated within Barnes local centre with a reasonable level of public transport accessibility (i.e. PTAL rating of 3) as it is within an approximate 2-minute walking distance to the nearest bus stop on the A306 that travels onto Hammersmith (a major transport hub) and beyond and given the non-family nature of the units it is considered a sustainable location whereby a shortfall of two car parking spaces should be regarded as acceptable.
84. In addition, the applicant has confirmed their willingness (via a draft unilateral undertaking) to remove access to on-street car parking permits for future residents and business tenants of the proposed development from applying for resident/visitor car parking permits in the surrounding area. Additionally, the applicant has also agreed to offer free membership of a Car Club to each residential unit of the proposed development. Zipcar currently has availability on Byfield Gardens, which is only 50m away from the application site. Members are advised that this was the approach adopted to other recent development proposals, including the Foundry Mews development at 58 Barnes High Street, which is within a short walking distance of the site (ref: 12/3786/FUL).
85. In light of the above, it is considered that the scheme would have an acceptable impact on the local road network, parking, and pedestrian and highways safety, in accordance with the Council's development plan.

#### **Refuse**

86. The SPD permits communal refuse storage facility for flats whereby 70 litres per bedroom is expected. Given that there are a total of 10 bedrooms proposed, this will mean a total requirement for 700 litres of refuse storage for the flats.
87. In terms of recycling bins for the proposed flats, the SPD requires 2 no. of 360 litre bins (one for mixed paper and the other is for mixed containers).
88. For commercial waste from the B1 use, the SPD expects 2.6 cubic metres of waste storage to be provided for every 1,000sqm gross floor area. 50% of this capacity should be retained for the storage of separated waste for recycling. In addition, the SPD stipulates that the commercial waste storage area should be clearly separate from the storage area for residential waste, with separate access to each. The SPD expects waste to be stored in an



enclosed store. The proposed development has demonstrated within the submission how it will accord with all the standards as per above.

89. The Highways Officer originally expressed concerns about the need for refuse vehicles to enter the site as waste is currently collected from the kerbside on Church Road, and waste operatives do not walk further than 20m to collect refuse. The solution proposed is that the applicant (via the management company of the property) would employ a private waste collection company to service both the residential and commercial elements of the development. An appropriate condition in respect of waste and recycling is recommended.

#### **Cycle Parking**

90. Cycle parking has been amended during the application process to provide a total of eight vertical wall-mounted racks for the Commercial B1 use, and a total of seven for the residential offer, in accordance with adopted policy. Further details of the cycle parking provision are however recommended by condition to ensure the proposed cycle parking is enclosed, secure and weatherproof.

#### **Sustainability**

91. DMP Policy DM SD 1 states new homes must achieve 35% reduction improvement in carbon dioxide emissions from 2013 to 2016, and 'zero carbon' standards (2) from 2016 over Building Regulations levels. Policy DM SD 9 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.
92. Furthermore, policies CP1 of the Core Strategy and DM-SD 1 of the DMP require that all new non-residential buildings over 100sqm will be required to meet the relevant BREEAM 'excellent' standards.
93. The submitted 'Energy & Sustainability Strategy' confirms that the London Plan (2016) standards should be followed where it requires a minimum reduction of 35% carbon dioxide emissions. Given that the proposed development will achieve 35.88% of carbon dioxide reduction; this is considered to meet sustainability requirements of the above policies.
94. Policy LP 22 of the emerging Local Plan (2017) requires that a Sustainable Construction Checklist be submitted with the planning application and that this is required for all new development of at least 1 new residential unit or 100sqm of non-residential floorspace. A copy of the Checklist is contained in the submitted 'Energy and Sustainability Strategy'.
95. Therefore this proposal is considered to accord with relevant policy requirements.

#### **Biodiversity and Trees**

96. DM OS 5 states that all new development will be expected to preserve and where possible enhance existing habitats including river corridors and biodiversity features, including trees. Policy DM DC 4 encourages the planting of trees, particularly in areas designated by the Proposals Map where planting is most needed.
97. The application site is situated within a heavily built up town centre location and there are no TPO's affecting this location. The site itself is covered in hardstanding and buildings. There are three existing trees considered in the submitted 'Arboricultural Impact Assessment' as trees of low quality and unsuitable for retention. Given the highly urbanised nature of the site, there are no ecological features on the site that require assessment and protection.
98. The development proposes replacement planting a new tree known as Wild Service Tree (*Sorbus torminalis*) close to the northern elevation of the new building that would provide an attractive natural feature on the forecourt of the site.



99. The submitted Arboricultural Report details tree protection and improvement measures proposed for the scheme. The report has been assessed by the Council's Arboricultural Officer who has stated:

*"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."*

#### **Flooding**

100. According to the Environment Agency Flood Map, the application site (as well as the Barnes area in general) is situated within Flood Zone 3 that benefits from flood defences (i.e. it is protected by the River Thames flood defences and is located of the areas impacted by flooding if there was to be a breach in defences).
101. The submitted Flood Risk Assessment demonstrates that the proposed development is acceptable from a flood risk and drainage perspective and this has been confirmed by the Environment Agency, subject to an appropriately worded condition. The submitted 'Flood Risk Assessment' (FRA) proposes the attenuation of rainwater by storing in tanks or cellular storage to provide the attenuation volume due to limited area of external space available.

#### **Archaeology**

102. The application site is located within an Archaeological Priority Zone. GLASS were consulted on the scheme and have raised no objection, subject to a condition requiring the submission of a written scheme of Investigation. It is unlikely that the scheme would have any impact or effect on archaeological interest.

#### **Land contamination**

103. Environmental health (Contaminated land) colleagues have been consulted on the submission and raise no objection to the proposal. The Council's records demonstrate there are no potentially contaminative land uses in the vicinity of the site.

#### **Community Infrastructure Levy (CIL)**

104. The site is liable for CIL, charged at the Higher Band for Borough CIL and Mayoral.

The application is therefore recommended for **PERMISSION subject to conditions and a legal agreement to secure the following heads of terms:**

- **Affordable housing contribution of £299,523**
- **Restriction of parking permits for the residential and commercial units**
- **Car club membership for the first occupiers of the residential units**

#### **Standard Conditions:**

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

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

##### **DV48 – Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location



Site Location Plan (Drawing Ref. 1051-APP-01 Rev C), Block Plan (Drawing Ref. 1051-APP-04 Rev B), Existing Site Plan (Drawing Ref. 1051-APP-03), Existing Elevations and Roof Plan (Drawing Ref. 1051-APP-11), Proposed Ground Floor Plan (Drawing Ref. 1051-APP-05 Rev J), Proposed First Floor Plan (Drawing Ref. 1051-APP-06 Rev B), Proposed Roof Plan (Drawing Ref. 1051-APP-07 Rev B), Proposed Elevations – North and East (Drawing Ref. 1051-APP-08 Rev A), Proposed Sections 1 of 2 (Drawing Ref. 1051-APP-09), Proposed Sections 2 of 2 (Drawing Ref. 1051-APP-10)

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

**DV18A – Refuse arrangements**

The building hereby approved shall not be occupied until arrangements for the storage and disposal of refuse/waste for the domestic and commercial waste have been supplied in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

**DV19A – Parking-Private Vehicles-Commercial**

The car parking spaces as shown on plan 1051-APP-05 Rev C shall not be used for any purpose other than for the parking of private motor vehicles used by residential or commercial occupiers or visitors to the development. Four of the residential units shall be allocated 1 of the parking spaces each as shown on drawing 1051-APP-05 C, and these spaces shall thereafter be used by that residential unit only.

REASON: To accord with the terms of the application and to mitigate the transport and highways impact of the development.

**NSTD – Use of Roof**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no parts of the roof of the building(s) hereby approved other than those identified as a terrace on plan 1051-APP-06 rev B shall be used as a balcony or terrace nor shall any access be formed thereto.

REASON: To safeguard the amenities of the occupiers of adjoining property.

**NSTD - Use**

The business units shall be used only for/as B1 (Business); and for no other purpose; 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.

REASON: To safeguard the amenities of nearby occupiers and the area generally.

**NSTD - Building Regulations**

The two ground-floor residential units hereby approved shall not be constructed other than in accordance with Building Regulation M4(2).

Reason: In the interest of inclusive access in accordance with Policy CP14 to ensure homes to meet diverse and changing needs.

**DV28 – Details of lighting/External Illumination**

Details of a lighting scheme for the Church Road approach and any external illumination of the



building shall be submitted to and approved in writing by the Local Planning Authority including details giving the method, positioning, type and intensity of any such external illumination. The approved details shall be implemented in full prior to the occupation of the dwellings/buildings hereby approved and maintained thereafter.

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

**DV30 – Refuse Storage**

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

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

**DV46A – BREEAM for NON-Housing**

The commercial parts buildings hereby approved shall achieve a minimum BREEAM Rating of 'Excellent' (or such national measure of sustainability for design that replaces that scheme).

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

**NSTD – Details of Photovoltaic (PV) panels**

Details of the photo-voltaic solar panels shall be submitted to and approved in writing by the local planning authority. These shall include details of the design and location of the panels, including roof plans and manufacturers' specifications for the panels. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development is built in accordance with approved sustainability documents and to ensure the proposed development does not prejudice the appearance of the locality.

**NSTD - Water Consumption**

The dwellings hereby approved shall not be occupied other than in accordance with the water consumption targets of 105 litres or less per person per day, and 5 litres or less per head per day for external water use.

Reason: In the interests of water efficiency in accordance with Policy DMSD9 of the Development Management Plan (2011).

**NSTD - Energy Reduction**

The dwellings hereby approved shall achieve a 35% reduction in Carbon dioxide emissions beyond Building Regulations requirements (2013).

Reason: In the interests of energy conservation in accordance with Policy DMSD1 of the Development Management Plan (2011).

**NSTD – Sustainable Drainage**

The development hereby permitted shall not commence until such time as a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and retained as approved.

REASON: In the interest of sustainable construction, to avoid excessive surface water runoff and to ensure that the surface water drainage system does not pollute the ground water below the site.



**NSTD – Privacy screening to terrace**

Details of a minimum 1.7metre high privacy screen to the private triangular terraced area serving the front elevation of proposed flat 6 as demonstrated on plan 1051-APP-06 Rev B shall be submitted to and approved in writing by the Local Planning Authority. The privacy screen shall be erected in accordance with the approved details prior to the first occupation of Flat 6 and permanently maintained as such thereafter.

REASON: To protect the privacy of neighbours and prevent overlooking.

**DV15A – Window obscure glazed**

The proposed first-floor dining/living room window to serve Flat 6 in the first-floor flank elevation of the buildings hereby approved shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.7 metres above the relevant floor level.

REASON: To ensure that the proposed development does not prejudice the amenities of adjoining occupiers.

**NS01 – Submitted Arboricultural details**

The development hereby approved shall not be implemented other than in accordance with the principles and methodology as described within the approved Arboricultural details (Arboricultural Impact Assessment: The Courtyard, 74 Church Road, Barnes by Southern Ecological Solutions).

REASON: To ensure that the trees are not damaged or otherwise adversely affected by demolition, building operations, excavations and soil compaction.

**DV49 – Construction Method Statement**

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

- a) The size, number, routing and manoeuvring tracking of construction vehicles to and from the site, and holding areas for these on / off site;
- b) Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear;
- c) Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- d) Details and location where plant and materials will be loaded and unloaded;
- e) Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required;
- f) Details of any necessary suspension of pavement, roadspace, bus stops and/or parking bays;
- g) Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such;
- h) Details of any wheel washing facilities;
- i) Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips);



- j) Details of measures that will be applied to control the emission of noise, vibration and dust; and working hours. This should follow Best Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites;
- k) Details of the phasing programming and timing of works;
- l) A construction programme including a 24 hour emergency contact number.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

#### **PK06A – Cycle Parking**

Notwithstanding the approved plans, no part of the development shall be occupied until details of the proposed cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

#### **NS02 – Hard and Soft Landscaping**

A) No development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the local planning authority such details to 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, position, planting methodology, proposed time of planting and anticipated routine maintenance of all soft landscaping. 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.

B) All tree/plant/shrub planting included within the approved specification shall be carried out in accordance with that specification and in accordance with BS 3936 (parts 1, , Nursery Stock, Specification for trees and shrubs, and 4, , Specification for forest trees); BS 4043 Transplanting root-balled trees; and BS 4428, Code of practice for general landscape operations (excluding hard surfaces).

C) All soft landscaping 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.

#### **NS06 – Construction details/materials**

The external surfaces of the buildings (including fenestration, masonry and brickwork, bonding pattern, window and door recesses shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality

#### **NS08 – Parking Layout/Provision of bollards**

The car parking layout (5 no. car parking bays including 1 no. disabled bays and 1 no. servicing bay including turning area) and provision of steel bollards as shown on drawing no.



1051-APP-05 C, and installation of 5mph signs, shall be implemented in full prior to first occupation of any of the residential/commercial properties hereby approved. One of the car parking bays shall be suitable for electric vehicles.

REASON: To ensure the development does not have an adverse impact on local traffic and parking conditions, and to accord with policy 6.13 of the London Plan.

**NSTS - Flood Risk assessment**

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) August 2016 /115932/R1.0/ Fairhurst and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 4.9m above Ordnance Datum (AOD).
2. The mitigation measures, including flood excavation plan shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

**NSTD - Archaeology**

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: Heritage assets of archaeological interest survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF

**NSTD - Permitted Sound Insulation and Ventilation Scheme**

The proposed sound insulation and ventilation scheme hereby permitted shall be installed in strict accordance with the details provided in section 7 of the acoustic report submitted by Mach Testing dated 07/07/2017. The scheme shall thereafter be retained as approved.

REASON: To protect to the living conditions of future occupants and ensure that the development does not adversely impact the amenities enjoyed by neighbouring occupants.



**NSTD - Permitted Commercial Unit Mechanical Services Plant Scheme**

The commercial units mechanical services plant hereby permitted shall be installed in strict accordance with the details provided in section 8 of the acoustic report submitted by Mach Testing dated 07/07/2017. The scheme shall thereafter be retained as approved.

A commissioning acoustic test and report shall be undertaken within 2 weeks of mechanical services commissioning, in order to demonstrate that the noise limiting criteria detailed in the above report has been achieved. The results of the test shall be submitted to and approved in writing by the LPA.

REASON: To protect to the living conditions of future occupants and ensure that the development does not adversely impact the amenities enjoyed by neighbouring occupants.

**NSTD - Noise Impact on Structurally Adjoining Properties/Premises**

Before the first use of the development a scheme for the sound insulation of the party wall/floor/ceiling to any structurally adjoining residential properties shall be submitted to and approved in writing by the local planning authority. The scheme will reduce the transmission of noise from the use of the development to structurally adjoining residential properties.

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 structure, roof, doors, windows or external facades shall be undertaken without the grant of further specific consent of the local planning authority.

REASON: To protect to the living conditions of future occupants and ensure that the development does not adversely impact the amenities enjoyed by neighbouring occupants.

**Standard Informatives:**

- COMH06 - Composite Informative
- IH03B - Vehicular crossover
- IH08A - Travel Plan
- IM13 - Street numbering
- IL24 - CIL liable
- IL25A - NPPF APPROVAL - Para. 186 and 187
- IL29 - Construction Management Statement
- IL02 - Advertisements
- IL13 - Section 106 Agreement

**Non-Standard Informative:**

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.