

Application reference: 16/2288/FUL

Date application received	Date made valid	Target report date	8 Week date
08.06.2016	05.07.2016	30.08.2016	30.08.2016

Site:

179 - 181 High Street, Hampton Hill, ,

Proposal:

Extending the existing retail and residential accommodation to provide a mixed use scheme comprising of one retail unit and 7 new residential dwellings and retention of 3 currently existing residential dwellings, incorporating cycle storage, amenity space and landscaping.

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

APPLICANT NAME

Mr Yoel Rosenthal
C/o 93 Northwold Road
London
E5 8RN

AGENT NAME

Ms Lucy Arrowsmith
4 Eel Pie Island
Twickenham
TW1 3DY
United Kingdom

DC Site Notice: printed on 19.07.2016 and posted on 29.07.2016 and due to expire on 19.08.2016

Consultations:

Internal/External:

Consultee

Thames Water Development Control Department
LBRUT Transport
LBRUT Trees Preservation Officer
14D Urban D
14D POL

Expiry Date

09.08.2016
02.08.2016
02.08.2016
02.08.2016
02.08.2016

Neighbours:

Flat 5, Prince House, 116 High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
Flat 4, Prince House, 116 High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
Flat 3, Prince House, 116 High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
Flat 2, Prince House, 116 High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
Flat 1, Prince House, 116 High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
118A - 118B High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
118B High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
118A High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
118E High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
118D High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
118C High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
Templeton Lodge, 114 High Street, Hampton Hill, Hampton, TW12 1NT, - 19.07.2016
1 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
14 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
16 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
18 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
20 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
22 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
24 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
26 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016
28 Parkside, Hampton Hill, TW12 1NU, - 19.07.2016

+ RHP - sent - 20/7/16

54 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
173B High Street,Hampton Hill,TW12 1NL, - 19.07.2016
173 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
171 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
48 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
175 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
173A High Street,Hampton Hill,TW12 1NL, - 19.07.2016
171B High Street,Hampton Hill,TW12 1NL, - 19.07.2016
171A High Street,Hampton Hill,TW12 1NL, - 19.07.2016
46 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
44 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
42 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
40 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
38 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
179 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
181B High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
179B High Street,Hampton Hill,TW12 1NL, - 19.07.2016
Flat,183 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
181A High Street,Hampton Hill,TW12 1NL, - 19.07.2016
White Dove Court,179 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
177 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
183 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
181 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
179A High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
36 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
34 Taylor Close,Hampton Hill,TW12 1LF, - 19.07.2016
First Floor Flat,193 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
197 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
Flat A,Welcome House,1A Park Road,Hampton Hill,Hampton,TW12 1JE, - 19.07.2016
1 Park Road,Hampton Hill,Hampton,TW12 1HE, - 19.07.2016
Second Floor Flat,193 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
Ground Floor,197 - 201 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
189D High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
First Floor,197 - 201 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
191B High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
191C High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
189B High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
189C High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
Top Flat,187 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
Third Floor Flat,193 High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
195B High Street,Hampton Hill,TW12 1NL, - 19.07.2016
Flat 5,Welcome House,1A Park Road,Hampton Hill,TW12 1JE, - 19.07.2016
Flat 4,Welcome House,1A Park Road,Hampton Hill,TW12 1JE, - 19.07.2016
Flat 2,Welcome House,1A Park Road,Hampton Hill,TW12 1JE, - 19.07.2016
Flat 2,185 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
191 - 193 High Street,Hampton Hill,Hanworth,TW12 1NL, - 19.07.2016
195 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
189A High Street,Hampton Hill,Hampton,TW12 1NL, - 19.07.2016
185 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
9A Park Road,Hampton Hill,TW12 1HE, - 19.07.2016
3 Park Road,Hampton Hill,TW12 1HE, - 19.07.2016
Flat 3,Welcome House,1A Park Road,Hampton Hill,TW12 1JE, - 19.07.2016
Flat 1,Welcome House,1A Park Road,Hampton Hill,TW12 1JE, - 19.07.2016
Flat 1,185 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
195A High Street,Hampton Hill,TW12 1NL, - 19.07.2016
Bank Flat 1,187 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
195C High Street,Hampton Hill,TW12 1NL, - 19.07.2016
Flat 3,185 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
189 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
191A High Street,Hampton Hill,TW12 1NL, - 19.07.2016
187 High Street,Hampton Hill,TW12 1NL, - 19.07.2016
9 Park Road,Hampton Hill,TW12 1HE, - 19.07.2016
7 Park Road,Hampton Hill,TW12 1HE, - 19.07.2016
5 Park Road,Hampton Hill,TW12 1HE, - 19.07.2016
22 Taylor Close,Hampton Hill,TW12 1LE, - 19.07.2016
20 Taylor Close,Hampton Hill,TW12 1LE, - 19.07.2016

16/2288/FUL
179 - 181 High Street
Hampton Hill

FULWELL AND HAMPTON HILL WARD
Contact Officer: S Graham-Smith

http://www2.richmond.gov.uk/PlanData2/Planning_CaseNo.aspx?strCASENO=16/2288/FUL



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Proposal:

Extension of the existing retail and residential accommodation to provide a mixed use scheme comprising of one retail unit and 7 new residential dwellings and retention of 3 currently existing residential dwellings, incorporating cycle storage, amenity space and landscaping.

Applicant: Clive Chapman Architects for Riverhill Properties Ltd

Application Received: 5th July 2016

Main Development Plan Policies:

The proposal has been considered having regard to the policies within the National Planning Policy Framework, the National Described Space Standards (2015), the London Plan Consolidated with Alterations (March 2016), and the Council's Local Plan, in particular:

London Borough of Richmond-upon-Thames Core Strategy (2009): CP 1; CP 2; CP 5; CP 7; CP 8; CP 14; CP 15; CP 16; and; CP 19

London Borough of Richmond-upon-Thames Development Management Plan (2011): DM SD 1, DM SD 2, DM SD 3, DM SD 5; DM TC 2, DM TC 3; DM HD 3; DM HD 4; DM HO 1,

DM HO2; DM HO 4; DM HO 6; DM TP 1; DM TP 2; DM TP 7; DM TP 8; DM DC 1, DM DC 2, DM DC 4, DM DC 5, DM DC 6, DM DC 7

The Publication Version Local Plan 2016: LP 1; LP 2; LP 4; LP 8; LP 16; LP 17; LP 20; LP 22; LP 25; LP 26, LP 34; LP 35; LP 36; LP 39; LP 45

London Borough of Richmond-upon-Thames Supplementary Planning Documents: Affordable Housing; Sustainable Construction Checklist; Design Quality; Residential Development Standards; Small and Medium Housing Sites, Buildings of Townscape Merit. Adopted Mayor of London Housing Supplementary Planning Guidance (March 2016) and adopted Affordable Housing and Viability Supplementary Planning Guidance (August 2017)

Summary of Application

179-181 High Street currently contains four shops with three upstairs flats. The proposal involves extensions resulting in the creation of a single large shop and seven additional flats. The proposal is considered to be an improvement on the existing buildings and enhancing of their Building of Townscape Merit status. The proposal provides small dwelling units in a town centre location in accordance with housing policy. The shop is no larger than others recently approved in similar local centres in the borough. A large number of smaller shops will remain in the High Street. There will be some impact on light to the properties on either side but it has been concluded that this would be to the extent which would warrant refusal. It has been demonstrated that sufficient parking exists in the surrounding area to accommodate the proposed development. Preserved trees exist at the rear and the most important are to be retained with a condition requiring some replacement tree planting. The proposal meets the normal sustainability requirements with one minor exception. Evidence has been provided to show that a contribution towards affordable housing will not be viable but a second review will be required when the development takes place.

Recommendation 1: Approval subject to conditions and completion of a S106 Agreement securing Head of Terms.

Recommendation 2: Refuse, in the absence of a completed Section 106 Agreement within 6 months of the date of the resolution adopted by recommendation 1 unless otherwise agreed in writing with the Local Planning Authority, for the following reasons:

In the absence of a binding agreement to require a post-implementation review mechanism relating to affordable housing contributions the proposal would be contrary to the NPPF, Mayor of London Plan and Local Plan, in particular policies DM 6 of the Development Management Plan and LP 36 of the publication version of the Local Plan and adopted London Plan Affordable Housing and Viability Supplementary Planning Guidance (August 2017)

In the absence of a binding agreement to provide public realm improvements and an exemption from parking permit eligibility, the development would give rise to undue congestion adding additional pressure for parking detrimental to the existing local highway conditions, traffic movement and public safety. The proposal is therefore contrary to the NPPF and Local Plan, in particular policies DM TP 2 and 8 of the Development Management Plan and LP 44 and 45 of the publication version of the Local Plan.

Site, Surroundings and Constraints

1. The site contains two distinct buildings. No 179 consists of two shops, currently a barbers (179) and a grocers (179a). The first floor of this building contains a two bed flat and there is a conventional hipped roof. 181 is attached, but is distinct by virtue of a different design. There are also two shops, a small sandwich shop (whose address is 179b) and the larger charity shop (181b). There is a one-bed flat on the first floor and a three bed flat which is partly on the first and partly on the second floor. The roof above the first floor is flat with a front parapet apart from on the southern side where a box shaped extension caters for two of the bedrooms in the three-bed flat. There are some outbuildings at the rear of both 179 and 181.
2. Immediately adjoining 179 to the south is a door and a passage giving access to the upstairs flat. To the south of this is No 177 which is a ground floor shop (Tesco) with two storeys of flats above and a flat roof. There is a large terrace at first floor level providing amenity space to the flats. 181 adjoins No 183 which is also a ground floor shop (Cavan Bakery) with a flat above. That building is partly two- and partly three-storey. The application site backs on to Taylor Close which contains blocks of flats, although these are fairly distant.
3. 179, the northern part of 181 and 183 are designated as Buildings of Townscape Merit, although the southern part of 181 with the box-like roof extension is not. There is a group Tree Preservation Order on trees to the rear of 179-181. The shops are part of a Key Shopping Frontage and are located in a Mixed Use area. The site is within Area 3 of the Hampton Hill Village Plan.
4. There is no relevant planning history apart from a new shopfront being approved at 179a in 2009 (Ref 08/4036/FUL).

Proposal

5. The application seeks planning permission for extensions and alterations which would result in a single large shop on the ground floor with 540 square metres of floorspace, significant extension to the rear with the first floor level providing a studio flat, three one-bedroom flats and two two-bedroom flats and a second floor above 181 and to the rear containing a pair of one-bed flats and a pair of two bed flats. No parking is provided.

Public and Other Representations

6. Thames Water have provided advice and have no objection to the proposal.
7. Objections have been received from 40 properties, over half of which are in Hampton Hill and these include letters from the Hampton Hill Association, Hampton Hill Business Association, the adjoining Cavan Bakery and Clarence House Preparatory School, The objections relate to the following:
8. Adverse impact on the character of the area caused by the loss of four small independent shops
9. Detriment to visual amenity and the character of the Buildings of Townscape Merit
10. Lack of demand for a large shop bearing in mind the large shop at 92-102 which has been empty for several years
11. Loss of outlets for local produce
12. Increase in traffic and inadequate parking provision and increased use of the nearby public car park
13. Inadequate servicing and refuse collection provisions
14. Loss of light to No 183
15. Objection to the provision of street trees which would obscure the view of the adjacent shop

16. Inadequate standard of residential accommodation
17. Noise and disturbance
18. One letter of support was received from the occupant of one of the existing flats on the site citing the general improvement in appearance.



Internal Consultees

19. Shopping Policy - This is seen as a modest addition of floorspace which will not exceed capacity. A Key Shopping Frontage is an appropriate location for a shop of this size. Three of the existing shops are particularly small (approximately 30 square metres). Opposition to the loss of the smaller shops is noted but in terms of land use there is no loss of retail floorspace.
20. Housing Policy - A mixed use scheme is appropriate in this location and no objection is seen to the principle of adding residential units including smaller flats in this town centre location. An affordable housing contribution should be sought.
21. Urban Design - The taller element to the rear of 179 this will be far enough set back not to have a significant visual impact from the front of this Building of Townscape Merit. The proposed shopfront would be an improvement on the existing situation. The rear elevation is somewhat featureless. The proposed mansard above 181 appears acceptable in relation to neighbouring properties however the proposed dormers are too large. Additional footway tree planting is supported.
22. Transport - The survey has not been carried out using the methodology employed by the Council and it is not considered that on-street parking capacity for the development has been demonstrated.
23. Trees - Concern at the impact on protected trees to the rear of the site and post-development pressure for their removal due to their impact on the proposed flats.

Amendments

24. The application has been subject to a number of amendments during the course of the application to include:
- Reduction in the depth of the first floor element to reduce the impact on the terrace to the flats above No 177
 - Terrace screening to prevent loss of privacy
 - A response to the transport concerns raised
 - Additional information relating to the impact on trees and their impact on the proposed flats.
 - Minor design alterations

Re-consultation:

25. At the time of writing this report five letters, including one from the Hampton Hill Association, had been received reiterating objections. One further letter of support had been received citing the improvement in appearance.

Heads of Terms:

26. The following are the agreed heads of terms to be included in the Section 106 legal agreement which would be required should planning permission be granted:
- Public realm improvements including the planting of trees on the High Street or funding thereof ;
 - Removal of parking permits (business and residential) in the event of the creation of a controlled parking zone

Professional Comments

27. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
28. The material planning issues to consider in the assessment of the proposed development are as follows:
- Principle of Development
 - Character and Design / Impact upon Heritage Assets
 - Neighbouring Residential Amenity
 - Standard of Accommodation for Future Occupiers
 - Highways and Parking
 - Trees and Landscapes
 - Sustainability
 - Affordable Housing and Community Infrastructure Levy

Principle of Development

29. The site is currently a mix of retail and residential uses and this will not change. Mixed Use Areas are the locations where an intensification of the existing use may be acceptable subject to other considerations:
30. The Village Plan states that Hampton Hill will continue to be a thriving local centre with a range of shops and community facilities to meet local needs through a good balance of independent shops (as well as multiples).
31. One of the main objections made relates to the loss of the smaller shops and their replacement with a larger shop. This, it is stated, would unreasonably alter the character

of the High Street. The shopping character is discussed below and the character, in terms of appearance, falls under the heading of Character and Design.

32. Policy LP 25 of the Local Plan states that proposals for A1 (retail) uses should include, where appropriate, units of a size suitable for modern retail needs whilst retaining sufficient traditional smaller units that add to the local character and which are important to local businesses.
33. Overall there is quite a substantial increase in retail floorspace from 218m³ to 540m², which is an increase of 322 m². A Retail Impact Assessment is normally required for large retail developments, however the threshold for that requirement is 2,500m² which this proposal falls well below. Elsewhere in the centre there is a Sainsburys Local and Tesco Express.
34. In relation to scale (criterion b of policy DMTC2), it is considered that a 540m² retail unit is an appropriate size for a local centre. This is potentially an anchor store. There have been several permissions for retail developments in excess of this size in other local centres. Local centres are the first tier in the hierarchy below district centre level as set out in policy CP 8 and are therefore key centres for providing shopping and services for residents.
35. Recent permissions/completions in other local centres include Marks and Spencer in Barnes High Street, Waitrose in Hampton and the proposed Lidl in East Twickenham. This store is smaller than others considered acceptable in other similar centres.
36. In a Council commissioned report published in Dec 2014 forecasts were set out of estimated retail floorspace needed in the borough. As the planning statement submitted with the application suggests, the projected amount of retail floorspace capacity estimated for outside Richmond town centre and the four district centres is larger than the net gain in floorspace provided by this development.
37. Three of the four existing units are approximately 30m², which is very small. One, the Fara Charity shop, is 131.7m² which is a good size. It is recognised that the four individual shops add colour and variety to this part of the High Street. There has been objection to the proposal on the grounds that the centre does not need another supermarket and that the existing shops make a contribution to the centre. It is not the purpose of the planning system to stifle competition. Apart from the Sainsburys and the Tesco almost all the other shops units (there are just over 100) are small in nature and occupied, apart from Costa, KFC and Corals, by independent traders. The policy mentioned above refers to retaining sufficient numbers of smaller shops and the vast majority of shop units remaining in the High Street will be comparatively small maintaining the balance mentioned in the Village Plan. For these reasons it is not considered that there would be an unacceptable impact on the shopping character of the area.
38. The net gain of 7 units accords in principle with Policies CP 1 and CP 14 of the Core Strategy. Any residential use in this mixed use location would be expected to provide a proportion of small (1 bed) units in accordance with Policies CP 14 and DM HO 4. The mix of the seven new build units is to be four one-bed and three two-bed units. There are three existing units within the plans which will be refurbished, these are two one-beds and one studio and therefore overall of the ten units proposed, 60% would be small units. On this basis the proposed mix of units is not objected to.

Character and Design / Impact upon Heritage Assets

39. Various policies and guidelines seek to protect visual amenity by requiring a high standard of design and these buildings have additional protection by virtue of being

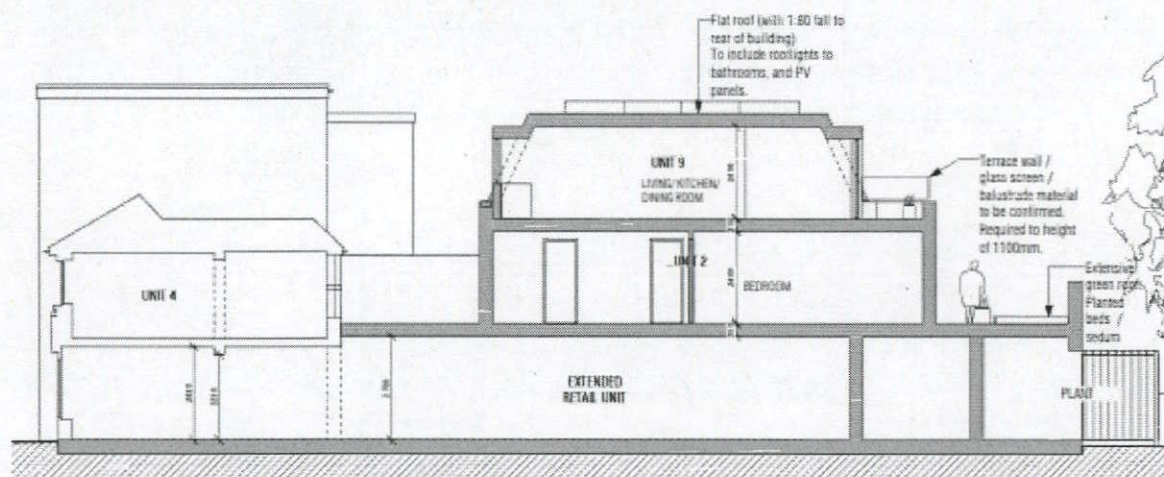
designated as Buildings of Townscape Merit. The important elements are seen as the visibility of taller elements behind the hipped roof building (179) in particular, shopfront design and treatment at the rear.

Proposed Design



40. The taller element behind 179 will be far enough set back not to have a significant visual impact from the front of that Building of Townscape Merit.

41. Section showing the separation between the existing No 179 and the taller element to the rear



42. The mansard roof for 181 is set back from the parapet, but will be visible. This roof treatment is considered to be appropriate for the building and it is not considered that it would detract from its appearance.

43. The Village Plan emphasizes the importance of shopfronts on the High Street. The existing shopfronts are not considered to be of particular merit. The shopfront design proposed follows the guidelines in terms of providing appropriate design features and there will be three distinct shopfronts which will help to maintain the visual character of this shopping parade. The proposal appears considered and will be a major improvement over the existing situation, subject to further design details and confirmation of materials.

44. The rear elevation has received minor alterations which involved reducing the width of dormers. Although the elevation suggests a wide flat elevation, the elevations are broken up to provide some variety. No objection is seen to this approach.

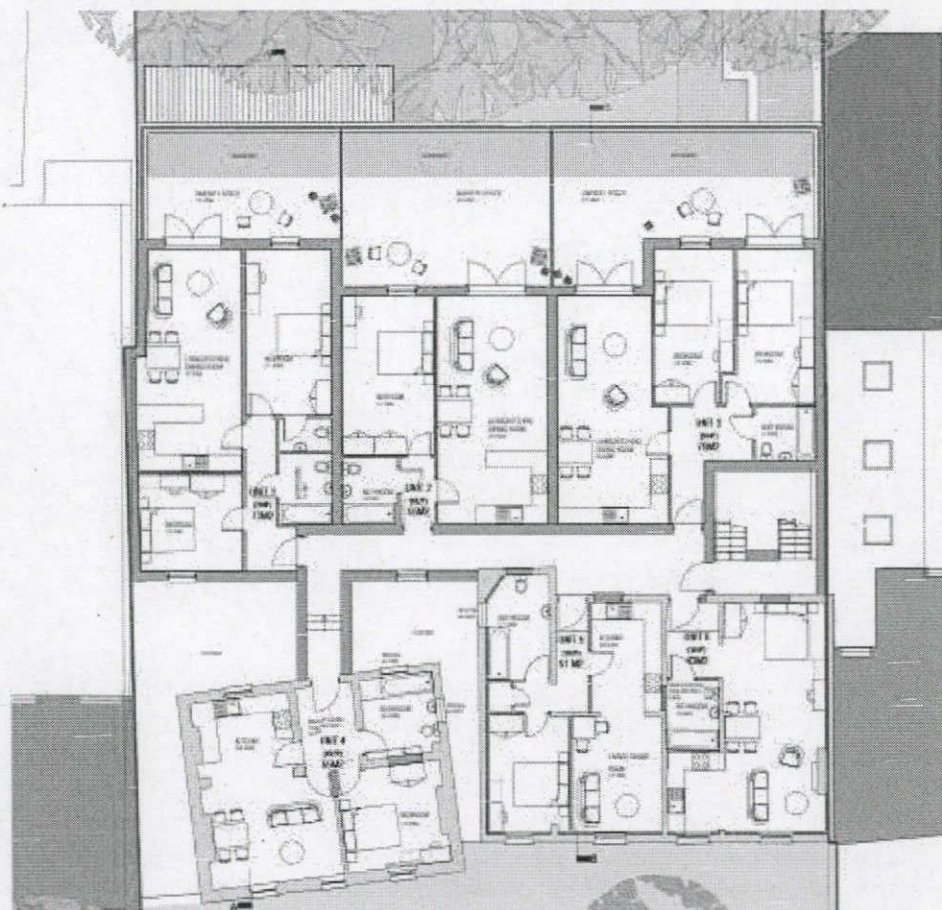
45. Public realm improvement is seen as an opportunity to take advantage of by the Village Plan and additional footway tree planting would be supported as shown. The applicant would be willing to make a financial contribution towards this.

Neighbouring Residential Amenity

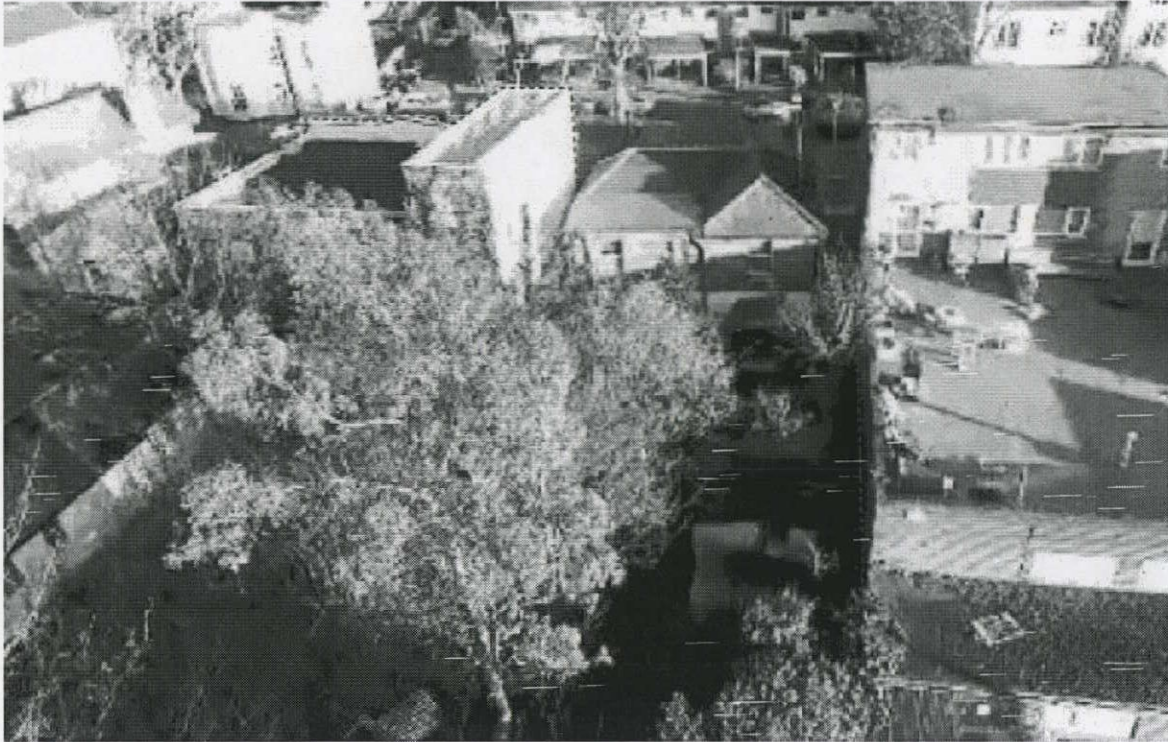
46. The amendments have also taken into account the impact on neighbouring properties which policies DM DC 5 and LP 8 seek to protect.

47. To the south is No 177 (Tesco) with flats on the first and second floors. There is a large terrace at first floor level. The proposed building would be alongside part of the terrace with the parapet height 2m more than the terrace level. Above the parapet wall would be the mansard roof sloping away from the side boundary. There would be no impact on sunlight with the proposed development to the north of the terrace. Bearing in mind the openness of the terraces, its size, the design of the proposed building and its presence adjoining only part of the terrace it is considered on balance that there would not be an unacceptably overbearing impact or significant loss of daylight.

48. First Floor Plan

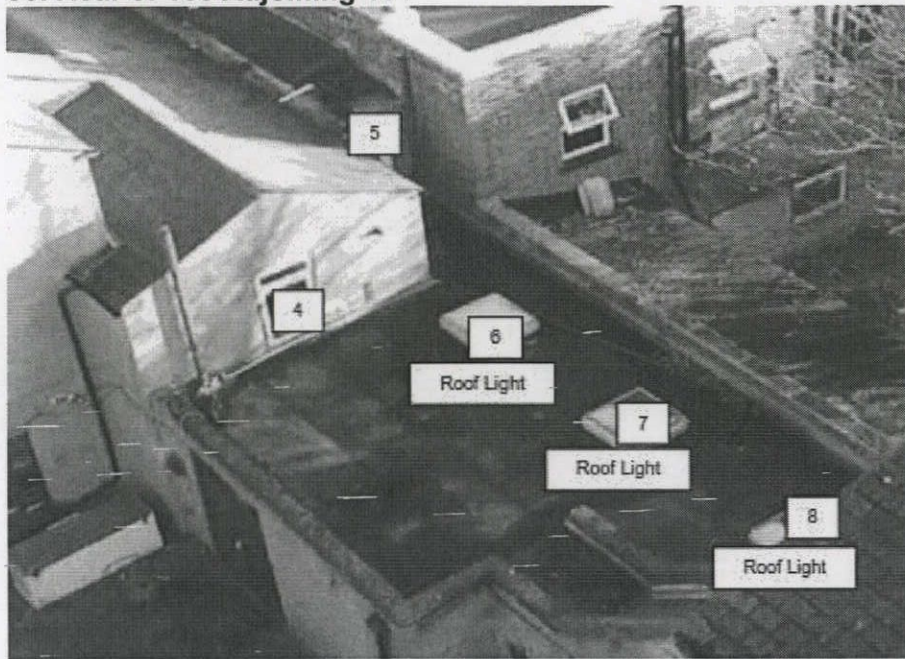


49. Rear of Site Including Terrace Above 177



50. 183 (Cavan Bakery) is to the north and also has residential accommodation above. The flat is above the shop and to the rear is a single storey extension and by the rear boundary, a two storey building—attached to the main building by the ground floor extension. The building at the rear is in purely commercial use connected to the bakery. The flat has a first floor window by the side boundary and the proposed building would project well beyond this, however the window serves a bathroom and loss of light to this window would not constitute a reason for refusal. There is also a rear facing bedroom window, but this is located 4m away from the side boundary. Although the proposed building would project 11m beyond it, the window already faces the two storey building at the rear of 183 which is only 8m away from it. Bearing in mind the distance from the boundary and the presence of the existing building at the rear it is not considered that this window would be unreasonably affected. Sunlight would be lost to rooflights in the ground floor rear extension of the bakery, but being a commercial use, this would not be a reason for refusal.
51. Rear balconies are proposed and screening has been added to the proposed plans to prevent loss of privacy from them.
52. On the basis of the above comments It is not considered that residential amenity would be unacceptably harmed.

53. Rear of 183 Adjoining 181



Standard of Accommodation for Future Occupiers

54. The nationally described space standard sets minimum gross internal floor areas including 50sqm for a 1 bed 2 person one storey dwelling and 70sqm for a 2 bed 4 person one storey dwelling. All of the proposed units meet or exceed the relevant standard.
55. The requirements of Policy DM HO 4 and the Residential Development Standards SPD continue to apply to external amenity space. For flats a minimum of 5sqm of private outdoor space for 1-2 person dwellings should be provided and an extra 1 sqm should be provided for each additional occupant. It appears all of the proposed new units have external amenity space in the form of terrace/balcony, and there is reference to communal amenity space to rear of 134sqm. The existing three units do not have any private amenity space proposed, however it is recognised that given the site constraints that future occupiers of these small units in a mixed use area may not expect private amenity space. Importantly, Bushy Park is a few minutes walk away.
56. Policy CP14 states that all new homes should be built to Lifetime Homes Standards. Since 1 October 2015 all new housing would be expected to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings'. M4 (2) requires step-free access and cannot be applied to conversions and change of use proposals, therefore it would not be applicable. This is confirmed in the Addendum to the Design & Access Statement. The mandatory M4(1) would be applicable, as that is the default it does not need to be secured by condition.

Highways and Parking

57. 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.*"
58. Policy DM TP2 states that the impact of new development on the transport network will be assessed against other plan policies and transport standards. The policy indicates that it is necessary to consider the impact of any new development on the existing wider and local transport network for all modes, how it links to the network, impacts on highway

safety, the impact of parking and servicing, and with larger developments what provision has been made for the movement and parking of vehicles.

59. Policy DM TP8 states that it is expected that in low PTAL areas (1-4) the Council's parking standards should be met. Developments 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. Policies LP 44 and 45 of the Local Plan reflect the above policies.
60. There is no off-street parking existing and none is proposed. Normally each of the seven additional flats would require the provision of a parking space unless it can be demonstrated that the area is not heavily parked overnight (over 85% of capacity). Parking surveys have been undertaken and these show that there are 73 parking spaces available within a reasonable walking distance (200m). The surveys have been considered and it is agreed that as a result of adding seven cars parked on-street overnight capacity would be a 77%. Consequently the applicant has demonstrated that the proposed flats can be accommodated by available on-street parking.
61. In relation to the proposed shop, the car park in Taylor Close was noted to have at least 14 spaces available even at the busiest time of day (1500 - 1600). The parking standards would require a maximum of seven spaces based on the floorspace so publicly available parking has been shown to be able to absorb the demand. There would not be a large increase in traffic.
62. Residents/employees will not be eligible for parking permits (in the event of the introduction of a controlled parking zone) or contracts to use Council car parks.
63. Servicing will need to take place from the front and details of this will need to be supplied in a servicing management plan which will need to be secured by condition for approval by the Council.
64. DMP Policy DM TP7 states that new development should provide appropriate cycle access and sufficient, secure cycle parking facilities. The minimum cycle parking requirement for the flats is 1 space per unit. The application makes appropriate provision to satisfy this requirement. However, whilst indicative details of a cycle store/parking arrangement have been provided, further details of the design and means of securing any cycles could be secured by an appropriately worded condition.
65. Details of how refuse and recycling are to be dealt with will also be required. .

Trees and Landscapes

66. Policy DM DC4 states that trees and landscapes will be protected and enhanced through the requirement to provide landscaping plans in submissions for new developments showing which trees will be retained where practicable and new trees and plantings. Where trees are to be removed, appropriate replacement planting will normally be required. There will be a presumption against schemes that result in a significant loss of trees, public amenity and street scene.
67. The rear of the site of proposed development contains numerous trees, some of which are the subject of a Tree Preservation Order which was served to protect trees that soften a heavily urbanised landscape in Taylor Close.
68. The proposal includes the removal of 13 of trees and the retention of 9.

69. The retained trees will be positioned at varying approximate distances of 4 to 6 meters north-west of the single story rear elevation and 8 to 13 meters from the higher levels. .
70. The main concern was that the relationship between the retained trees and the residential units would not be sustainable. The trees have yet to reach a mature size, and the largest (Sycamore) will most likely be seen as overbearing by anyone occupying the proposed neighbouring property. This might result in justified pressure from future occupants and property managers for the retained trees to be removed. These trees are essential in softening a heavily urbanised landscape and their loss would therefore be detrimental to the appearance of the area.
71. Having surveyed the site in person the Council arboriculturalist considers that the proposal would be acceptable in terms of the relationship between the retained trees and the proposed flats. However he feels that it should be made clear to future residents that removal or severe works on the protected trees would not be seen as a reasonable request as it has now been demonstrated that the trees and flats can reasonably co-exist.
72. Subject to appropriate condition to safeguard those trees within neighbouring gardens, and the provision of a satisfactory scheme of hard and soft landscaping and the planting of additional trees, the proposal is not considered to be contrary to Policy DM DC4 and DM HO3 of the DMP and emerging Policy LP 16 of the publication version of the Local Plan.

Sustainability

73. Policy CP1 states that development will be required to conform to the Sustainable Construction Checklist, applying to both the residential and non-residential elements of the proposed development.
74. Policy CP2 states the Council will require all new development to achieve a reduction in carbon dioxide emission of 20% from on-site renewable energy generation. This is further supported by Policy DM SD2 which states that development of 1 dwelling unit or more will be required to reduce their total carbon dioxide emissions. From October 2016 smaller residential schemes (below 10 units) must achieve a 35% reduction in CO2 emissions (regulated) against a Building Regulations Part L (2013) baseline. Policy DM SD 1 states that non-residential buildings over 100sqm will be required to meet BREEAM 'Excellent' standard.
75. The thrust of the aforementioned policies are carried forward within the Publication Local Plan, specifically Policies LP20, and LP22.
76. A completed Sustainable Construction Checklist has been submitted scoring a total of 57.5% suggesting the scheme would make a major contribution towards the Borough's stock of sustainable developments.
77. The submitted Residential Energy Report includes measures to achieve compliance with the Council's requirements for water consumption of no more than 110 litres/day per person (included 5litres of external water use).
78. Energy efficiency measures and the use of photovoltaic panels have been proposed to reduce carbon emissions by 35% against Building Regulations Part L (2013) baseline (with 20% achieved through on-site renewables). Furthermore the submitted Sustainability and Energy Statement states that the residential refurbishment element of the proposals can achieve a BREEAM Excellent rating. The shop is only likely to achieve a 'very good' BREEAM rating and this is understandable bearing in mind the constraints of the existing Buildings of Townscape Merit.

79. Sedum roofs are indicated on parts of the rear balconies.
80. Subject to appropriately worded planning conditions securing this level of sustainability, the proposal is considered acceptable with regard to Policies CP1, CP2, DM SD1, DM SD2, LP20, and LP22.

Affordable Housing and Community Infrastructure Levy

81. Policy CP15 states that some form of contribution towards affordable housing will be expected on all new housing sites. Policy DM HO6 states the Council will seek the maximum reasonable amount of affordable housing when negotiating on private residential schemes.
82. The Council has considered the Secretary of State's Written Ministerial Statement of 28 November 2014 (and any future reinstatement of Planning Policy Guidance in this respect) in light of the Court of Appeal's judgement of 11 May 2016. The Council's local evidence of affordable housing need remains substantial and small sites make a significant contribution to housing supply and therefore need to contribute to affordable housing provision through continued implementation of Policy DMHO6 and emerging Policy LP36 of the publication version of the Local Plan.
83. The applicant has submitted a Financial Viability Appraisal which concludes that the proposal is currently unable to viably support an affordable housing contribution in accordance with the above policy framework. This is in part due to high build costs associated with retaining the existing buildings. An independent review of the Financial Viability Appraisal was undertaken by the Council's independent viability expert who concludes that the Council should not seek affordable housing contributions for this scheme.
84. Whilst it is disappointing that a scheme of this size cannot provide any affordable housing it should be remembered that the viability argument is recognized by the relevant policies and bearing in mind that an independent advisor has agreed that affordable housing is not viable it is not considered that it can reasonably be pursued in this case.
85. It is therefore considered that the proposal, which does not provide any on-site affordable housing provision or make any off-site financial contributions, would accord with Policy CP15 of the Core Strategy, DM HO6 of the DMP and emerging Policy LP 36 of the publication version Local Plan.
86. The London Plan policy 3.12 acknowledges that individual circumstances including site viability should be taken into account when negotiating affordable housing. The supporting text to that policy also clarifies that 'in making arrangements for assessing planning obligations, boroughs should consider whether it is appropriate to put in place provisions for reappraising the viability of schemes prior to implementation. To take account of economic uncertainties, and in respect of schemes presently anticipated to deliver low levels of affordable housing, these provisions may be used to ensure that maximum public benefit is secured over the period of the development'.
87. The recently adopted Mayor of London Supplementary Planning Guidance states that where permission is granted, review mechanisms should be applied to these developments to ensure that if there is an improvement in viability, this contributes to the delivery of the maximum reasonable amount of affordable housing contribution.
88. The following Viability Reviews should apply to all schemes which follow the Viability Tested Route:

- An Early Stage Review; and
- A Late Stage Review.

89. To ensure an applicant fully intends to build the permission, an Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted or as agreed with the LPA. This will result in additional onsite affordable housing in the event that viability has improved since the application stage.
90. A Late Stage Review will be required on all developments which follow the Viability Tested Route at the point at which 75 per cent of units are sold or let. This will result in a financial contribution for additional affordable housing provision in the event that viability has improved since the application stage.
91. Notwithstanding the above, the proposed development is liable for both the Mayor and Borough Community Infrastructure Levy, and as such an informative for the applicant will be attached to any consent in this regard.

Conclusion:

179-181 High Street currently contains four shops with three upstairs flats. The proposal involves extensions resulting in the creation of a single large shop and seven additional flats. The proposal is considered to be an improvement on the existing buildings and enhancing of their Building of Townscape Merit status. The proposal provides small dwelling units in a town centre location in accordance with housing policy. The shop is no larger than others recently approved in similar local centres in the borough. A large number of smaller shops will remain in the High Street. There will be some impact on light to the properties on either side but it has been concluded that this would be to the extent which would warrant refusal. It has been demonstrated that sufficient parking exists in the surrounding area to accommodate the proposed development. Preserved trees exist at the rear and the most important are to be retained with a condition requiring some replacement tree planting. The proposal meets the normal sustainability requirements with one minor exception. Evidence has been provided to show that a contribution towards affordable housing will not be viable.

Recommendation 1: Approval subject to conditions and completion of a S106 Agreement securing Head of Terms.

Recommendation 2: Refuse, in the absence of a completed Section 106 Agreement within 6 months of the date of the resolution adopted by recommendation 1 unless otherwise agreed in writing with the Local Planning Authority, for the following reasons:

In the absence of a binding agreement to require a post-implementation review mechanism relating to affordable housing contributions the proposal would be contrary to the NPPF, Mayor of London Plan and Local Plan, in particular policies DM 6 of the Development Management Plan and LP 36 of the publication version of the Local Plan and adopted London Plan Affordable Housing and Viability Supplementary Planning Guidance (August 2017)

In the absence of a binding agreement to provide public realm improvements and an exemption from parking permit eligibility, the development would give rise to undue congestion adding additional pressure for parking detrimental to the existing local highway conditions, traffic movement and public safety. The proposal is therefore contrary to the NPPF and Local Plan, in particular policies DM TP 2 and 8 of the

Development Management Plan and LP 44 and 45 of the publication version of the Local Plan.

Standard Conditions:

AT01 - Development Begun Within 3 Years

DV48 - Approved Drawings/Documents:

179HS-01B, 10, 11, 12, 13, 14, 15, 19, 20 received on 5th July 2016; 179HS – 16B, 17B, 18B, 22, 23 received on 19th May 2017.

Design and Access Statement, Transport Statement, Tree Survey, Energy Report, Thermal Comfort Report, Energy and Sustainability Strategy, Daylighting and Sunlighting Report, Ecological Assessment and Acoustic Design Statement received on 5th July 2016.

BD11 - Miscellaneous Details - Details of the proposed shopfronts including joinery at a scale of no less than 1:20

BD12 - Details - Materials to be Approved

DV01 - Boundary Fencing-Building Occupy~~

DV18A - Refuse Arrangements

DV30 - Refuse Storage

DV33A - No Reduction in Dwelling Units

DV49 - Construction Method Statement

DV50 - Energy Reduction

DV51 - Water Consumption

LT09 - Hard and Soft Landscaping Required.

LT10 - Landscaping Maintenance - Small Scheme

PK06A - Cycle Parking

Non-Standard Conditions:

NS01 - Arboricultural Method Statement (AMS) Required

Prior to the commencement of development, an Arboricultural Method Statement (AMS), shall be submitted to and approved in writing by the Local Planning Authority. The AMS must:

- (A) Be written in accordance with and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction – recommendations
- (B) Be written in conjunction with the schemes specific method of construction (where applicable)
- (C) Outline any tree constraints, and explain any impacts for both above and below ground.
- (D) Detail all tree protection (including plans)
- (E) Detail any special engineering for construction within the Root Protection Area.
- (F) Detail any facilitation pruning that may be required. The specification for tying back and/or pruning must be measurable and prepared by a suitably qualified Arboriculturalist or Arboricultural Contractor. All tree work must be undertaken in accordance with BS3998:2010 Tree work – Recommendations unless approved by the Councils Arboricultural Officer
- (G) Provide confirmation of the appointment of an Arboricultural Consultant for the duration of the development and a schedule of inspections too achieves an auditable monitoring and supervision programme, and a timetable for submission to the Local Planning Authority.

The development shall not be implemented other than in accordance with the approved AMS.

REASON: To ensure that the tree (s) are not damaged or otherwise adversely affected by building operations and soil compaction

NS02 - Tree Planting Scheme Required.

1. Prior to the occupation of the development hereby approved, a tree planting scheme shall be submitted to and approved in writing by the local planning authority. This scheme shall be written in accordance with the British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations (sections 5.6) and BS 8545:2014 Trees: from nursery to independence in the landscape. Recommendations, and include:

- A) Details of the quantity, size, species, and position,
- B) Planting methodology
- C) Proposed time of planting (season)
- D) 5 year maintenance and management programme

2. If within a period of 5 years from the date of planting that tree or any tree planted in replacement for it, is removed, uprooted, destroyed or dies (or becomes in the opinion of the local planning authority seriously damaged) then the tree shall be replaced to reflect the specification of the approved planting scheme in the next available planting season or in accordance with a timetable agreed in writing with the local planning authority.

REASON: To safeguard the appearance of the locality.

NS03 - BREEAM Conversion

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

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

NS04 - BREEAM Shop

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

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

NS05 - Solar PV Panels

Prior to the occupation of the dwellings hereby approved, PV panels shall be installed to each property in accordance with the approved energy statement and in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to installation. The solar panels shall remain in situ thereafter. The details of the panels to be submitted shall include the design, technical specification and external finishes thereof.

REASON: To accord with the Council's carbon reduction targets.

NS06 - Green Roofs

Prior to the occupation of the buildings hereby approved sedum roofs shall be installed on the terraces in accordance with details and a specification to be submitted to and approved in writing by the Local Planning Authority. The sedum roofs shall thereafter be retained in accordance with a maintenance schedule to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the biodiversity benefits and ecological benefits of the development are delivered and maintained and to comply with Policy DM DS 5.

NS07 - Use of roofs Restricted

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

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

NS08 - Terrace Screens

Details of the proposed terrace screening shall be submitted to and approved in writing by the local planning authority and shall be installed prior to the occupation of the proposed flats and maintained thereafter.

REASON: To safeguard the amenities of the adjoining premises.

NS09 - Servicing Management Plan

Prior to occupation of the new shop hereby approved a service management plan relating to the servicing of the shop unit shall be submitted to and approved in writing by the local planning authority. The management plan shall be implemented as approved from the date of the commencement of the use. REASON: To ensure that the proposed development would not prejudice highway and pedestrian safety.

- Amended by Planning Cttee - See decision.

NS10 - Opening Hours

Customers shall not be present on the retail premises, nor shall sales take place during the following times: Before 0700 and after 2300 on any day. A notice to this effect shall be displayed at all times on the premises so as to be visible from outside.

notice

REASON: To ensure that the proposed development does not prejudice the amenities of nearby occupiers, or the area generally.

- Amended by Planning Cttee - See decision notice

NS11 - Noise and Vibration of Plant

The use of the new shop premises shall not commence until a scheme for the control of noise and vibration of any plant (including ventilation, refrigeration, air conditioning and air handling units) to be used in pursuance of this permission has been submitted to and approved in writing by the local planning authority. This shall then be so installed prior to first occupation of the premises and this shall be so retained and operated in compliance with the approved scheme.

REASON: To protect the amenity of occupiers of residents of nearby properties

Standard Informatives

- COMH06 Composite Informative
- IM13 - Street Numbering
- IL24 - CIL Liable
- IL25A - NPPF Approval
- IL29 - Construction Management Statement

Background Papers:

- Application Forms, Drawings and Reports
- Neighbour Letters of Representation

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): SGS

Dated: 22/8/18

I agree the recommendation:

Team Leader/~~Development Control Manager~~

Dated: 22/8/18 WWC

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

Development Control Manager:

Dated:

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

18 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
16 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
14 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
32 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
30 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
28 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
26 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
24 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
12 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
10 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
8 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
6 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
4 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016
2 Taylor Close, Hampton Hill, TW12 1LE, - 19.07.2016

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

Development Management

Status: PCO

Date:

Application: 16/2288/FUL

Extending the existing retail and residential accommodation to provide a mixed use scheme comprising of one retail unit and 7 new residential dwellings and retention of 3 currently existing residential dwellings, incorporating cycle storage, amenity space and landscaping.
