

Application reference: 21/1781/FUL
TWICKENHAM RIVERSIDE WARD

Date application received	Date made valid	Target report date	8 Week date
17.05.2021	01.06.2021	27.07.2021	27.07.2021

Site:

26 - 30 King Street, Twickenham, TW1 3SN,

Proposal:

Installation of plant and satellite equipment.

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

APPLICANT NAME

Tesco Stores Ltd
CO Agent

AGENT NAME

Mr Daniel Botten
16 Upper Woburn Place
London
WC1H0AF

DC Site Notice: printed on and posted on 11.06.2021 and due to expire on 02.07.2021

Consultations:

Internal/External:

Consultee

LBRuT Non-Commercial Environmental Health Noise Issues

Expiry Date

16.06.2021

Neighbours:

Flat, The George Hotel, 32 King Street, Twickenham, TW1 3SN, - 02.06.2021

Flat B, 26 - 30 King Street, Twickenham, TW1 3SN, - 02.06.2021

Flat 1, 28 King Street, Twickenham, TW1 3SN - 02.06.2021

Flat 5, 28 King Street, Twickenham, TW1 3SN - 02.06.2021

Flat 3, 28 King Street, Twickenham, TW1 3SN - 02.06.2021

Flat 4, 28 King Street, Twickenham, TW1 3SN - 02.06.2021

The George, 32 King Street, Twickenham, TW1 3SN, - 02.06.2021

24 King Street, Twickenham, TW1 3SN, - 02.06.2021

Flat 6, 28 King Street, Twickenham, TW1 3SN, - 02.06.2021

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

Development Management

Status: REF

Date: 25/03/1996

Application: 96/0536/FUL

Change Of Use From Class A1 (shop) To Class A2 (financial & Professional)

Development Management

Status: REF

Date: 29/11/1996

Application: 96/3406/FUL

Change Of Use From Class A1 (shop) To Class A2 (financial And Professional Services)

Development Management

Status: GTD Date:13/11/1979	Application:79/0967 Installation of new shopfront.
<u>Development Management</u> Status: GTD Date:21/09/1988	Application:88/1747/ADV Internally illuminated fascia sign. (Letter dated 31st August 1988 and attached drawing, unnumbered, received on 21.8.88).
<u>Development Management</u> Status: GTD Date:31/08/1988	Application:88/1639 Installation of new shop front. (Unnumbered plans received on 23.8.88 and 25.8.88).
<u>Development Management</u> Status: GTD Date:20/11/1961	Application:61/1031 Partitioning off of 1st floor - use in connection with shop.
<u>Development Management</u> Status: GTD Date:19/01/1962	Application:61/1227 Use as offices.
<u>Development Management</u> Status: GTD Date:27/09/1962	Application:62/0745 Alterations to office entrance.
<u>Development Management</u> Status: GTD Date:26/04/1966	Application:66/0324/ADV For Advertisements.
<u>Development Management</u> Status: REF Date:08/04/1976	Application:76/0182 Use of part of ground floor shop premises as office accommodation for a Building Society and retention of the remainder for retail purposes.
<u>Development Management</u> Status: GTD Date:06/02/2015	Application:14/5248/ADV 1no. externally illuminated fascia sign; 1no. externally illuminated projecting sign
<u>Development Management</u> Status: WDN Date:07/06/2021	Application:21/1172/FUL Replacement entrance and shopfront.
<u>Development Management</u> Status: PDE Date:	Application:21/1779/FUL Replacement entrance and shopfront.
<u>Development Management</u> Status: GTD Date:29/07/2021	Application:21/1780/FUL Installation of an ATM with associated light and camera.
<u>Development Management</u> Status: PDE Date:	Application:21/1781/FUL Installation of plant and satellite equipment.
<u>Development Management</u> Status: PDE Date:	Application:21/1782/ADV 1 no. externally illuminated fascia, 1 no. fascia panel and 1 no. externally illuminated projecting sign.
<u>Appeal</u> Validation Date: 29.04.1996 Reference: 96/0536/FUL	Development Appeal
<u>Appeal</u> Validation Date:	Use of part of ground floor shop premises as office accommodation for a Building Society and retention of the remainder for retail purposes.
Reference: 76/0182	

Building Control

Deposit Date: 17.03.2010 Flat B : Installed a Vented Hot Water Storage Vessel

Reference: 10/FEN01199/GASAFE

Building Control

Deposit Date: 04.06.2010 Flat B: Replacement consumer unit Flat

Reference: 10/NIC01055/NICEIC

Building Control

Deposit Date: 20.06.2013 Installed a Gas Boiler Installed an Unvented Hot Water Storage Vessel

Reference: 13/FEN07651/GASAFE

Building Control

Deposit Date: 01.06.2015 Install a replacement consumer unit

Reference: 15/NIC01921/NICEIC

Building Control

Deposit Date: 01.06.2021 Fit-out to form Tesco Express Store

Reference: 21/0952/IN

Enforcement

Opened Date: 19.07.1995 Enforcement Enquiry

Reference: 95/00351/EN

Application Number	21/1781/FUL
Address	26-30 King Street, Twickenham, TW1 3SN
Proposal	Installation of plant and satellite equipment
Contact Officer	Sarah Griffiee
Target Determination Date	27.07.2021 EOT: 30.07.2021

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site is located to the North side of King Street which is formed largely of retail at ground floor with alternative uses above. In this instance, the building is three storeys with a commercial unit to the ground floor and red brick floors above.

The application site is situated within Twickenham Village and is designated as:

- Archaeological priority
- Building of Townscape Merit
- Queens Road Twickenham Conservation Area
- Key Office Area
- Key Shop Frontage
- Main Centre Boundary
- Takeaway Management Zone
- Throughflow Catchment Area

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Installation of plant and satellite equipment

The comprehensive list of planning history can be found above however the most relevant planning history is as follows:

21/1172/FUL – Replacement entrance and shopfront. Withdrawn: 07.06.2021

4. CONSULTATIONS CARRIED OUT

The list of neighbours notified of this application are listed above.

No letters of representation were received.

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

The key chapters applying to the site are:

- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

These policies can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

London Plan (2021)

The main policies applying to the site are:

Policy D4 Delivering Good Design
 Policy SD6 Town centres and high streets
 Policy HC1 Heritage Conservation and Growth

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	
Impact on Designated Heritage Assets	LP3	Yes	
Impact on Non-Designated Heritage Assets	LP4	Yes	
Impact on Archaeology	LP7	Yes	
Impact on Amenity and Living Conditions	LP8	Yes	

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Twickenham Area Action Plan (2013)

The main policies applying to the site are as follows:

Issue	Plan Policy	Compliance	
Retail Development in Twickenham	TWP 1	Yes	

These policies can be found at:

https://www.richmond.gov.uk/media/11660/adopted_twickenham_area_action_plan_july_2013.pdf

Supplementary Planning Documents

Buildings of Townscape Merit
 Shopfronts
 Development Control for Noise Generating and Noise Sensitive Development

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

Other Local Strategies or Publications

Other strategies or publications material to the proposal are:

Queens Road, Twickenham Conservation Area Statement
 Article 4 Directions restricting change of uses A1 to A2, B1 to C3 and basement development

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- i Design and impact on heritage assets
- ii Impact on Neighbour Amenity
- ii Archaeology
- iv Fire Safety

Issue i - Design and impact on heritage assets

The application site is not statutorily listed but neighbours a Grade II Listed Building to the south west within the same terrace row. The site is a designated Building of Townscape Merit (BTM) and falls within the Queen Road Conservation Area Statement. As such, great weight shall be given to the conservation of heritage assets and their settings in accordance with policies LP3, LP4 and the NPPF.

Queens Road Conservation Area Statement describes the area as being formed of commercial frontages on King Street where buildings are well proportioned with varying widths. Problems include the loss of original or quality shopfronts and unsympathetic alterations and advertisements. As such, an opportunity for enhancement is to retain and improve the quality of shopfronts and advertisements.

The proposed plant inevitably has a functional appearance due to its nature but is sited within an existing small external area. This is to the rear of the site which is screened from Holly Road by boundary treatments of other sites. While the gas cooler is larger in width, all proposed plant does not exceed ground floor level. As such, the positioning of the proposed plant provides screening in its own right and does not require additional screening which can add more massing and prominence to plant.

The existing AC units are proposed to be removed such that the visual impact of plant is not increased by inactive units. The proposed AC units are sited such that there is a degree of vertical and horizontal alignment.

The proposed satellite is of limited scale and its siting between ground and first floor will ensure it does not draw unnecessary prominence.

It is also noted that the application site forms part of a high street where backland areas are

used for functional purposes. As such, items such as plant are not out of character for the location proposed.

Therefore, the proposed plant and associated equipment, while functional in appearance is not considered to be harmful to the host BTM, the setting of the neighbouring Listed Building or the character and appearance of the wider conservation area.

Issue ii- Impact on Neighbour Amenity

Policy LP8 sets out that all development is required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties with particular regard to light provision, overlooking, noise or disturbance, sense of enclosure, visual intrusion or overbearing impacts.

The plant is not sited in front of any windows serving the residential properties above and so the proposal will not result in loss of light to sensitive neighbouring properties. For this reason, the proposal will also not result in a sense of enclosure, overbearing impacts or visual intrusion.

By the nature of the proposed development, it will not result in overlooking or loss of privacy to neighbouring occupiers. The platform for access to the plant is at ground floor level, above a lower ground floor area, rather than at upper floor level and so will not result in overlooking.

While the proposal has the potential to increase noise in close proximity to sensitive neighbouring occupiers, a noise impact assessment has been submitted which demonstrates that noise emitted from the proposed plant will not be detrimental. Background noise levels have been measured and the noise of the proposed plant compared against this. In order to be compliant with the SPD guidance on noise sensitive and noise generating development, the plant should be no more than 5db below background noise levels. Mitigation in the form of absorption panels to the rear and opposing wall are required to ensure this can be achieved during day and night time hours and so these have been secured via condition.

Therefore, no objection is raised to the proposal on the grounds of impact on neighbour amenity.

Issue iii - Archaeology

While the application site is located within an archaeological priority area, the works will not involve the excavation of any previously disturbed ground and so will not have a detrimental impact on any archaeological remains.

Issue iv – Fire Safety

The London Plan contains Policy D12 which requires a fire safety statement is submitted with all planning applications to fulfil the criteria of Part A of this policy.

A Fire Safety Statement has been submitted which sets out that a 30 minute fire wall compartment will be provided, as will smoke detectors and a fire blanket. Emergency exits will be clearly sign posted with 2 break glass points and with the associated exit doors being linked with the fire alarm system.

Therefore, the submitted document and information provided within satisfies the intent of Policy D12 and so no objection is raised to the proposal in this regard.

7. LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

On initial assessment this development is not considered liable for the Mayoral or Richmond CIL however this is subject to confirmation by the CIL Administration Team.

8. RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements set out in Chapter 16 of the NPPF.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

Grant planning permission with conditions

Recommendation:

The determination of this application falls within the scope of Officer delegated powers - YES

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): ...SGR.....

Dated:29.07.2021.....

I agree the recommendation:

Principal Planner

Dated:WWC.....29/7/21.....