

References:	P/2008/0272 and P/2008/0393	00248/11-13/P16 and 0248/11-13/L6
Address:	11-13 Chiswick High Road, London, W4 2NN	
Ward:	Chiswick Homefields	
Proposal:	Change of Use of Ground Floor to D2 Dance Studio, construction of disabled access facilities, formation of a new plant room to the existing basement level storage area and installation of a pair of metal louvred doors and 4 condensor units. (Also for Listed Building Consent).	
Drawing numbers:	Design and Access Statement, received 28/1/08; Amended Plans reference 4.01C, 4.02C and 4.03C received 8/5/08; Green Travel Plan received 24/4/08.	

1.0 SUMMARY

- 1.1 The application seeks planning permission for the partial change of use of the ground floor to a D2 dance studio, installation of two new windows to the south elevation and construction of disabled access facilities, formation of a new plant room to the existing basement level storage area and the installation of a pair of metal louvred doors and 4 condensor units to this Grade II listed club building at the eastern end of Chiswick High Road. An application for listed building consent has also been submitted. The applications are recommended for approval.

2.0 SITE DESCRIPTION

- 2.1 The property is a club building on the south side of Chiswick High Road towards the Hammersmith boundary. It is a Grade II Listed Building, part of a terrace (1 – 15) used for mixed commercial, leisure, and residential purposes. Access to the car park at the rear is via British Grove. To the south of this, opposite the access, is Middlesex Court, a 1960's block of flats on the west side of British Grove.
- 2.2 The main part of the premises consists of the Chiswick Club Society, which occupies the front of this altered early 19th Century Building, part of a terrace of listed buildings. There are flats over the front part of the club and elsewhere in the terrace. At the rear there is a modern annexe, which was built originally as a hall for use as part of the club. The club no longer uses the hall, which is vacant, and has not been used since 2004. The hall has access, via stairs to a rear basement car park. The car park has an access to British Grove. The hall can also be accessed via a corridor with steps, from the stepped entrance to the club on the Chiswick High Road frontage. The car park contains 15 car parking spaces.
- 2.3 The property is not in a conservation area.

3.0 HISTORY

- 3.1 The premises has been a working men's club for many years.
- 3.2 In 2005 planning permission and listed building consent were approved for a conversion to two flats on the first floor (248/11-13/P14 and L4).
- 3.3 In 2007 a certificate of lawfulness for the use of the hall as a class D2 gymnasium was refused on the grounds that there was insufficient evidence that the hall had been used continuously as a separate use from the lawful club use (00248/11-13/LAW2).
- 3.4 In March 2008 planning permission and listed building consent were refused for change of use of the hall at the rear to a D1 health clinic, on the grounds that the building has inadequate arrangements for disabled access, which would be an important requirement for a health clinic (248/11-13/P19 and L9)
- 3.5 In March 2008, planning permission and listed building consent were refused for a timber structure to provide a flower stall on the grounds that the building would detract from the street scene and the character and setting of the adjoining listed building (248/11-13/LAW2).

4.0 DETAILS

- 4.1 It is proposed to change the use of the hall at the rear, formerly part of the working men's club, as a D2 dance studio. The hall consists of a room at the rear of the club, of some 215 sq m (2300 sq ft) floorspace. This room is in good condition, but has been hardly ever used in recent years. The hall is lit by a large roof light. Under the ground floor at the rear, there is a car park containing 16 spaces, with access via British Grove.
- 4.2 Access to the hall is through the Club premises from the front, via a corridor, and back from the car park rear. Both these accesses involve climbing steep steps.
- 4.3 The scheme would include internal alterations, and internal access by-passing the club rooms. Condenser units would be constructed in the car park area.
- 4.4 The dance studio would be expected to host no more than 50 persons. It is proposed that the hours of operation would be from 7.00 a.m to 9.00 p.m. Monday to Saturday.

5.0 CONSULTATIONS

- 5.1 Neighbouring residents and premises (40) were consulted. Two objections have been received on the grounds of traffic and parking problems arising from the proposed change of use. A site notice has been erected and there are no responses. There have been no responses to the press notice.
- 5.2 The Highways Engineer comments that the site is opposite a bus lane and there is no prospect of car parking outside or nearby. There is no objection on highways grounds.
- 5.3 L.B. Hammersmith has no objection.
- 5.4 The Environmental Health Officer (Pollution Control) considers that the new plant room is unlikely to give rise to noise and disturbance. A condition is recommended in relation to the condensor units.
- 5.5 The Senior Cleansing Services Supervisor considers that the refuse collection proposals are acceptable.

6.0 POLICY

6.1 The Development Plan

6.2 The Development Plan for the Borough comprises the Council's Unitary Development Plan (UDP) and the London Plan. The UDP was adopted in December 2003 and was amended and saved as of 28 September 2007 by direction from the Secretary of State. The 'London Plan (Consolidated with Alterations since 2004)' was adopted in February 2008.

6.3 Material Considerations and Emerging Policies

6.4 As part of its prospective Local Development Framework, the authority has prepared two draft development plan documents ('DPDs'): the Employment Development Plan Document and Brentford Area Action Plan, which are subject to Examination Hearings in March and April 2008 respectively. The authority has also prepared two draft supplementary planning documents ('SPDs') in relation to 'Planning Obligations' and 'Air Quality'. As emerging policy, the two DPDs and two SPDs are material considerations in determining applications for planning permission.

6.5 The London Plan

6.6 4B.10 London's Historic Environment

6.5 Unitary Development Plan 2003

ENV-B.1.1	New Development
ENV-B.2.5	Listed Buildings
T.1.4	Parking and Servicing
C.1.3	Social and Community Facilities
C.5.1	New Leisure Development
T.1.2	Movement Implications of Development

7.0 PLANNING ISSUES

7.1 It is considered that the planning issues are: (a) Whether the change of use is acceptable in principle (b) Whether the scheme is in keeping with the character and appearance of the existing buildings, (c) Whether the scheme would detract from local residential amenity, (d) Whether the access to the building is acceptable (e) whether the car parking is satisfactory (f) whether the scheme complies with the Council's Employment Policies (g) whether the scheme results in unacceptable loss of social and community facilities.

7.2 (a) Principle of Change of Use

7.3 The existing hall has not been used in recent years. However, in its previous use part of the club it could have been used as any function required by the club members. It is therefore the case that the previous use was potentially one which could have had similar numbers of attendance as now proposed for a variety of social events, and extending much later into the evening than that proposed by the applicant in the current planning application.

7.4 The building has clearly been designed as a hall and is therefore well suited to a use such as a dance studio. It would be difficult to adapt for some other uses, such as residential use.

- 7.5 Policy C.1.3 (Existing Social and Community Facilities) encourages retention of existing social and community facilities. The existing club continues, but with a declining membership, and parts of the building are unused, and have been separated to enable the club to remain viable.
- 7.6 A dance studio has some similarities to the previous social use, and therefore in many respects will maintain the facility lost as a result of the decline of the club membership. It is therefore concluded that in principle a change of use is acceptable, subject to the other planning considerations below being acceptable.
- 7.7 (b) Character and Appearance of the Existing Buildings
- 7.8 The scheme relates to the newer parts of the building, which although listed along with the rest of the property, are not the original historic parts. It is not considered that the scheme affects the setting of the neighbouring buildings or the character and appearance of the existing. There are alterations within the car park, but these will not be readily visible from outside. It is concluded that the scheme will not be harmful to the character and appearance of the building.
- 7.9 (c) The Effect on Local Residential Amenity
- 7.10 The main properties nearby are the flats at the rear of the site in Middlesex Court. These are situated opposite the access road at the rear of the site. It is not considered that the external alterations would be visible from neighbouring residential properties. It is concluded that the appearance of the proposal will not be harmful to local residential amenity.
- 7.11 With reference to car parking issues raised by the objector, the Highways Engineer considers that the car parking is adequate for the proposed use. The site is in an area of good public transport and there are parking restrictions in the surrounding area. It is therefore considered that the car park will not be excessively used as a result of the proposed use, and there will not be any significant loss of amenity to local residents.
- 7.12 Whilst the precise method of operation of the proposed dance hall studio is not given, the applicant has stated that the hours of operation would be 7.00 a.m. to 9.00 p.m. and not a late evening use.
- 7.13 With reference to the objection, it is not considered that the use of the hall building as a dance studio will result in any significant detriment to neighbouring residential amenity compared to the use by a club, subject to appropriate soundproofing measures being carried out and a limitation on hours of use.
- 7.14 (d) Access to the Building
- 7.15 The Disabled Access Officer comments that the opportunity to achieve independent level access to the main entrance in Chiswick High Road is extremely limited without making fundamental alterations to the front elevation of the listed building. Even if this were achieved, there would still be the question of the narrow corridor access and steps through to the hall when access is from Chiswick High Road. The scheme shows a rear access via a platform lift at the rear adjoining one of the two stairways to the basement car park. This arrangement is reasonable, taking into account the difficulties of providing an arrangement to the front of the building (there is insufficient room to provide a platform lift without encroaching on the highway), the listed building status, and the difficulty of adapting the building internally should appropriate access be provided to the front.

7.16 (e) Car Parking

7.17 The Highways Engineer states that the proposed car parking is appropriate. The site is located with very good public transport facilities with a tube station nearby and a regular bus service along Chiswick High Road.

7.18 A condition has been added requiring the submission of a Green Travel Plan to encourage promotion of public transport for the users of the property and discourage car use. An outline of a green travel plan has been submitted, but is lacking in exact details.

7.19 (f) New Leisure Development

7.20 It is considered that the development is sustainable for leisure use, as it is in an area of good public transport; the floor area is relatively small at 215 sq.m. and is considered to be appropriate in an area outside Chiswick Town Centre.

7.21 It is considered that the scale of the development is limited, with the floor area occupying only part of the existing club building. As proposed, there is unlikely to be an adverse impact on neighbouring residential properties.

7.22 (g) Loss of Social and Community Facilities

7.23 It is considered that the proposal does not constitute a loss of social and community facilities, as the club is being retained, albeit with a declining membership.

8.0 EQUAL OPPORTUNITIES IMPLICATIONS

8.1 There are no equal opportunities implications.

9.0 CONCLUSION

9.1 It is concluded that the scheme would be an acceptable use of the hall building, and approval is recommended.

10.0 RECOMMEND APPROVAL

10.1 Planning Application: Reasons for Approval:

10.2 The building is suitable for D.2 (Dance Studio), and there would not be any adverse effect on residential amenity, subject to appropriate sound proofing measures and limitations on the hours of use. The disabled access proposed is acceptable for the use proposed, taking into account the constraints of adapting the building and its listed status. The car parking arrangements are satisfactory taking into account the proximity of good public transport facilities. The use would not result in detriment to neighbouring residential amenity. The scheme complies with policies ENV-B.1.1 (New Development).

Conditions

- (1) A.1.A (Implementation)
- (2) B.5 (In accordance with approved plans)
- (3) Before the development is commenced, details of the disabled persons' lift control mechanism shall be submitted to the Local Planning Authority. The scheme shall be completed in accordance with the approved details.
- (4) The noise generated from the condensing units should be inaudible when assessed from the nearest noise sensitive receptor. The level of noise from the condensing units, shall not be less than 10dB(A) below the existing background noise levels (L_{aeq}), when measured from the nearest noise sensitive receptor, over any 24 hour period.
- (5) G.3 (Parking)
- (6) Before the development is commenced, details of a Green Travel Plan to promote use of public transport by the occupiers and discourage the use of the car shall be submitted to and approved by the Local Planning Authority. The Green Travel Plan shall be completed in accordance with the approved details.
- (7) D.13 (Sound Insulation)
- (8) The premises shall not be used for dance studio purposes, or any other use within Class D2 of the Town and Country Planning (Use Classes Order, as amended), outside the hours of 7.00 a.m to 9.00 p.m. on any day.

Reasons

- (1) A.1.A
- (2) B.5
- (3) To comply with the Council's U.D.P. policy E.3.1 relating to access for people with disabilities.
- (4) To safeguard the amenities of neighbouring residential properties.
- (5) G.3.
- (6) To comply with policy T.1.2 (Movement Implications of Development) of the Council's Unitary Development Plan.
- (7) To safeguard the amenities of neighbouring residential properties
- (8) To safeguard the amenities of neighbouring residential properties.

10.3 RECOMMEND THAT LISTED BUILDING CONSENT BE GRANTED.

10.4 Reasons for Approval

- 10.5 The development would be in keeping with the architectural and historic character of the Grade II Listed Building.

Conditions

- (1) H.1.A

Reasons

- (1) H.1.A