



Appeal Decisions

Hearing held on 8 June 2011

Site visit made on the same day

by Jennifer Vyse DipTP DipPBM MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 July 2011

Appeal A: APP/L5810/A/11/2147776

37 Hamilton Road, Twickenham TW2 6SN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Hamilton Lofts Limited against the Council of the London Borough of Richmond-upon-Thames.
 - The application No 10/1691/FUL, is dated 10 June 2010.
 - The development proposed is described as conversion of redundant industrial buildings into 21 flats, demolition of minor buildings and structures, construction of six new residential units, with 24 parking spaces.
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Appeal B: APP/L5810/E/11/2147786

37 Hamilton Road, Twickenham TW2 6SN

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for conservation area consent.
 - The appeal is made by Hamilton Lofts Limited against the Council of the London Borough of Richmond-upon-Thames.
 - The application No 10/1692/CAC, is dated 10 June 2010.
 - The works proposed are described as conversion of redundant industrial buildings into 21 flats, demolition of minor buildings and structures, construction of six new residential units, with 24 parking spaces.
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Procedural Matters

1. The development proposed includes demolition within a conservation area. A recent Court of Appeal judgement has quashed paragraphs 2(1)(a) to (d) of the Town and Country Planning (Demolition – Description of Buildings) Direction 1995¹. As a consequence, the demolition of a building in a conservation area that is not a dwelling house, or adjoining a dwelling house, is now 'development'. Whilst permitted development rights for such development apply under part 31 of Schedule 2 to the GPDO 1995², an application to the local planning authority will be needed to check whether it requires prior approval of the method of demolition. The effect of the judgement does not, however, remove the need to obtain Conservation Area Consent for the works of demolition, since the requirement to do so is set out in a separate regime, namely the Planning (Listed Buildings and Conservation Areas) Act 1990, and does not depend on whether demolition constitutes development. In addition, although the works proposed are described as the demolition of 'minor buildings and structures', the word minor could be misleading in terms of the Act³.

¹ SAVE Britain's Heritage v SSCLG (C1/2010/1124)

² Town and Country Planning (General Permitted Development) Order 1995

³ The buildings and structures to be demolished exceed the 115 cubic metres threshold for demolition in a conservation area. Therefore, for the purpose of clarity, I shall refer to them as ancillary, not minor.

Accordingly, notwithstanding the descriptions of the proposal as set out above, which were taken from the application forms, I shall deal with Appeal A as relating to the conversion of existing redundant industrial buildings into 21 flats and construction of 6 new residential units, with 24 car parking spaces, and Appeal B as relating to the demolition of ancillary buildings and structures within the site.

2. In respect of Appeal A, the Council has indicated that, had an appeal against non-determination of the application within the statutory period not been lodged, the application would have been recommended for refusal on the grounds that i) the scheme would not provide a sufficient level of affordable housing in terms of numbers and tenure mix to compensate adequately for the loss of employment floor space; ii) that it did not provide a binding obligation to secure appropriate contributions and obligations in the context of its Supplementary Planning Document: *Planning Obligations Strategy* (2005); and iii) that it failed to secure car club membership for all units and future exemption from car parking permit eligibility.
3. In respect of Appeal B, although no objection is raised to the principle of the demolition proposed, the Council has indicated that, had it determined the application, it would have been refused in the absence of a satisfactory scheme of redevelopment.
4. The Council has no objection in principle to conversion of the existing industrial building into flats and the erection of six additional residential units. Moreover, as confirmed by the Inspector who dealt with the last appeal on this site⁴, it is accepted that the design, scale and type of redevelopment proposed are acceptable. I find no harm to the character or appearance of the Hamilton Road Conservation Area in this respect. The Council's objection relates to the absence of a suitable planning obligation.
5. A unilateral undertaking was submitted with the appeal. During the Hearing, it became apparent that the undertaking was deficient in terms of its legality. Moreover, the Council took issue with some of the provisions therein. It was confirmed, however, that there was near agreement on the outstanding elements. I afforded the parties a number of adjournments to facilitate further discussion on the matter and, towards the end of the Hearing, it was agreed that a resolution was likely. As a consequence, I allowed for the submission of a revised document following the close of the Hearing.
6. A revised undertaking dated 24 June 2011 (listed as Document 4 below) was received within the agreed timescale. I am advised that it has been agreed in full with the Council and that there are no longer any matters at issue between the main parties. The document is a material consideration in this case and I shall take its provisions into account in coming to my decision.

Decisions

Appeal A

7. For the reasons that follow, the appeal is allowed and planning permission is granted for the conversion of redundant industrial buildings into 21 flats and the construction of six new residential units, together with 24 parking spaces, at 37 Hamilton Road, Twickenham, in accordance with the terms of the application, No 10/1691/FUL, dated 10 June 2010, subject to the conditions set in schedule A attached hereto.

⁴ APP/L5180/E/09/2110657 and APP/L5180/A/09/2110641

Appeal B

8. For the reasons that follow, the appeal is allowed and conservation area consent is granted for the demolition of ancillary buildings and structures within the site at 37 Hamilton Road, Twickenham, in accordance with the terms of the application, No 10/1692/CAC, dated 10 June 2010, and the plans submitted with it, subject to the conditions set out in schedule B attached hereto.

Main Issue

9. In light of the revised undertaking, I consider the main issue, which relates only to Appeal A, is whether the development contributions and obligations sought, meet the requirements of Circular 05/2005 and of Regulation 122(2) of The Community Infrastructure Levy Regulations 2010.

Reasons for the Decision

Appeal A

10. The appeal site has been the subject of numerous planning applications over the last few years. The most relevant are No 06/3890/FUL (part demolition and part refurbishment to provide 30 residential units and 1 work/live unit, plus 32 parking spaces) and 08/2870/FUL (conversion of existing redundant industrial building into 21 flats and, demolition of outbuildings and structures, and construction of 6 new residential units, plus 24 parking spaces). Both applications were refused and were subsequently dismissed on appeal. The first scheme⁵ did not succeed at appeal due to the scale of development proposed, harm to the character and appearance of the Conservation Area within which the site lies, and adverse effect on the living conditions of nearby residents. However the principle of the loss of industrial floor space was accepted and a 40% affordable housing provision was deemed acceptable. The transport contribution secured by the unilateral undertaking did not take account of the provision of a turning head within the site for public use which made the scheme unviable, with the Inspector concluding that the requirement was contrary to the advice in Circular 05/2005.
11. In relation to the later appeal, whilst neither the Inspector nor the Council took issue with the principle or detailing of the development proposed, the unilateral undertaking was fatally flawed. Other than minor alterations to the elevations, the current appeal scheme is virtually the same as that considered in the last appeal, with the appellant seeking to address the shortcomings of the undertaking that had been identified.

Affordable Housing

12. Eight affordable housing units are proposed on the site (a provision of 30%) all of which would be for social rent. This falls below the 50% provision required by policy CP15 of the Council's Core Strategy (adopted April 2009) (CS). The same policy also requires a tenure mix. Moreover, policy EMP4 of the Unitary Development Plan: First Review (adopted March 2005) (UDP) requires that, where redevelopment of an employment site for housing is permitted, that accommodation should comprise affordable housing in its entirety.
13. In this case, the Council takes no issue with the tenure of the affordable housing. It is also accepted, based on the appellant's viability appraisal, that the provision of affordable homes in accordance with the relevant policies is

⁵ APP/L5180/A/07/2041553 and APP/L5180/E/07/2041554

restrained by current market conditions and would make the scheme financially unviable. I have no reason to disagree on these matters. However, any planning permission would be extant for a period of three years and market conditions could change during that time. On this basis, the undertaking includes contingent obligations that provide for a re-appraisal of the viability of the scheme as it is built out and sold. If the margins of viability/profitability increase after determination, a 'Further Contribution' may need to be paid to the Council towards the provision of affordable housing elsewhere in the Borough. If the situation does not improve, the approved obligation stands. This allows for development to be carried out when it may otherwise not be viable to do so, or to do so would be at increased levels of risk.

14. Affordable housing is an important facet in the government's overall housing strategy, as evidenced by national policies in Planning Policy Statement 3: *Housing* and in The London Plan consolidated with alterations since 2004 (2008) and the UDP. Since the lower level of affordable housing proposed would not otherwise be acceptable on this site, I consider the arrangements secured to be appropriate in this case and that they meet the relevant tests. It may also serve to encourage development sooner rather than later. This kind of arrangement is also referred to by policy 3.13 of the Consultation Draft of the Replacement London Plan (2009).

Effect on Existing Facilities

15. UDP policy HSG19, policy CP16 of the CS, and the Council's Planning Obligations Strategy (POS)⁶, make clear to developers when planning obligations will be required to secure contributions towards community and infrastructure needs generated by the development, with the POS setting out the basis for the contributions sought including, in broad terms, how the moneys collected will be spent. In this case, financial contributions are required in respect of transport, education, health, and the public realm.

Transport

16. Development of the scale proposed would, as was recognised by the previous Inspectors, have some impact on existing services and journeys to work and there is no dispute that some contribution is required in order to offset that impact. The calculations at Section 7 of the POS indicate a need for a transport contribution of £97,860. There was some question in the earlier appeals, about the methodology used in the POS calculation, relating to the proportionality of the applied variations between what are referred to as Public Transport Accessibility Factors (PTAFs). However, the factors are based on the PTAL⁷ for the area in which a site is located. No issue was taken by the appellant in this respect. In coming to a view on the matter, I note that while the PTAL for the site is low (2), the Council confirms that it is close to fairly good bus routes and that the proximity of nearby shops, cafes and restaurants render the site relatively sustainable in terms its location. All in all, taking the POS as a whole, and having regard to CS policy CP16, policy TRN2 of the UDP and policy 3A.26 of The London Plan, I find the calculation for the transport contribution to be appropriate and justified.
17. As part of the scheme, a turning head for public use is to be incorporated into the site at the appellant's expense. Hamilton Road is a narrow cu-de-sac with no off-street parking for residents. As a consequence, on-street parking

⁶ Adopted as supplementary planning guidance in June 2005 following public consultation

⁷ Public Transport Accessibility Level

generally restricts the width of the road to a single carriageway. There is no turning head within the highway, with the result that drivers proceeding down the street looking for a parking space, often have to reverse back along the length of the road, exiting onto a tricky local junction with restricted visibility. I am in no doubt, therefore, that the provision of a turning head for public use would be a significant benefit to local residents and to highway safety. In order to justify discounting the cost of the provision of the turning head against the required transport contribution, the undertaking obliges the owner to make it available for public use prior to occupation of any part of the development. When the cost of providing that is discounted⁸, the required transport contribution reduces to £65,691. That sum is secured by the undertaking.

Education, Health and the Public Realm

18. CS policy CP16, policy 3A.26 of The London Plan, and policy HSG19 of the UDP set out the Council's approach to contributions towards community facilities. Accordingly, the undertaking includes a commitment for contributions of £17,808, £5,377, £21,216 towards education, health and the public realm respectively. These figures have been agreed by the Council and are based on the methodology set out in the POS. From the evidence before me, I am satisfied that these contributions are necessary in this case. The trigger for the payment of these, and the transport contribution, is completion of the 15th dwelling on the site. In the current economic climate, I have no reason to disagree with parties that this is appropriate.

Parking and Sustainable Travel

19. Policy DM TP8 of the Council's emerging Development Management DPD (consultation draft 2010) expects that car parking standards will be met unless it can be shown that there would be no adverse impact on the area in terms of street scene or parking. The appeal scheme would be short of the maximum requirement by a couple of spaces. However, as already noted, the appeal site occupies a relatively sustainable location. I agree with the Council, therefore, that future residents of the proposed development would not be entirely reliant on the private car to meet their everyday needs. Accordingly, whilst there may be some increase in demand for on-street parking in the area, that increase would be minimal. Nevertheless, given the high demand for on-street parking in the locality, any increase could have significant consequences for highway safety and in terms of the living conditions of existing local residents as they would need to park further from their homes.
20. In order to address this matter, the undertaking secures the establishment of a car club at the appeal site, with the submitted plans showing a dedicated on-site parking space. Membership of the scheme would be open to future residents of the development and to other local residents within 250m of the site. In addition, the undertaking further discourages car ownership at the site, and promotes sustainable travel patterns, by removing the eligibility of future residents of the development for any Controlled Parking Zone permits, should the surrounding area be designated as such in the next five years.
21. Having regard to the relevant policies and guidance⁹ that seek a shift towards more sustainable modes of transport and appropriate demand management, I

⁸ The Council confirms that the appellant has demonstrated the expected construction costs to be £32,169.

⁹ The Council's adopted Car Club Strategy SPD (December 2006), national guidance in PPS3 and PPG13, policy 3C.3 of The London Plan and CS policy CP5

consider that the obligations contained in the undertaking in this regard, are necessary in this location and are reasonable in all other respects.

Other Matters

22. Local residents, some of whom were present at the Hearing, continue to have concerns relating to parking, loss of light and privacy, noise and disturbance, the density of development proposed, and the loss of employment land. I have already touched on the matter of parking. Moreover, the provisions of the undertaking, the car club, and a condition to ensure that no more than one on-site parking space is allocated to each unit, would be sufficient to ensure that here would be no material increase in demand for the limited on-street parking that is available in the vicinity.
23. As mentioned at the outset, other than very minor alterations to some of the detailing, the scheme is the same as that considered by the previous Inspector. He concluded that the proposed layout and configuration of the development would have no adverse impact on the living conditions of neighbouring occupiers. There has been no material change in local conditions since then and I have no reason to disagree with his findings on this matter. As before, the development makes good use of an industrial site that is nearing the end of its useful life, whilst retaining and refurbishing a cherished building of local interest, a building that forms a focal point at the end of Hamilton Road and which is identified as a Building of Townscape Merit by the Council. I also agree that the amount of development would not be disproportionate in terms of density or intensity in this relatively sustainable urban location. Having regard to the information before me, and taking account of the comments of the previous Inspectors who dealt with appeals in relation to redevelopment of this site, I agree that the loss of employment land is justified in this case. I also find that there would be no harm to the character or appearance of the Conservation Area which would be preserved, if not enhanced.

Conclusion (Appeal A)

24. Drawing my conclusions together on the various elements of the undertaking, I consider that the contributions and obligations secured meet the tests in CIL Regulation 122 and Circular 05/2005. They are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to it. Therefore, for the reasons set out above, I conclude that the appeal should succeed. In coming to this decision, the views of all parties, including local residents and other interested persons, have been taken into account.

Conclusion (Appeal B)

25. As set out earlier, the Council takes no issue with the proposed demolition of the ancillary outbuildings and structures on the site. Since I have found the development to be acceptable in terms of its design and layout, there is no reason to withhold consent for the proposed works of demolition. I therefore conclude that the appeal should succeed.

Conditions (Appeal A)

26. The Council submitted a list of some 43 suggested conditions with its appeal statement. During the related discussion at the Hearing, it was agreed that a number of the conditions were repetitious or unnecessary. Others were amended and/or combined to aid clarity and to reflect the advice in Circular 11/95 *The Use of Conditions in Planning Permissions*.

27. In addition to the standard condition relating to the commencement of works (1), and the condition listing the plans to which the permission relates, which is necessary for the avoidance of doubt and in the interest of proper planning (2), conditions relating to external materials (3), external detailing (4), and boundary treatment (5) are necessary in the interest of protecting the character and appearance of the Conservation Area and, in relation to condition 5, in the additional interest of privacy. Condition 16, relating to a scheme of external lighting, is necessary to ensure the safety of users of the development and to protect the character and appearance of the Conservation Area.
28. Having regard to the various industrial uses that have taken place over the years, a condition is necessary relating to an investigation of site contamination and a strategy for dealing with any that is found, in order to protect public health and ground water conditions (6). Given the constrained nature of the site, and close proximity to tight-knit residential properties, a Construction Method Statement is necessary in the interest of safety, to protect the living conditions of local residents and, with regard to the need for foundation details, in the additional interest of protecting groundwater conditions (17).
29. Condition 7 is necessary to ensure that the development continues to contribute to the housing needs of the Borough through retention of dwellings of a variety of sizes and types. Having regard to the Design and Access Statement and accompanying Energy Statement, conditions requiring the achievement of Level 3 of the Code for Sustainable Homes (in relation to the new dwellings) (8), a 'very good' EcoHomes rating for the properties to be formed through conversion of the existing building (9), Lifetime Homes standards (10), and wheelchair accessible standards for 10% of the properties (units 1 and 9) (11), are justified in accordance with the relevant policies of the UDP and the CS to ensure that construction is undertaken in accordance with sustainable development principles, to ensure that the accommodation can be used by people with disabilities and to meet the changing needs of households.
30. Details of hard and soft landscaping (12 and 13) are necessary in the interest of visual amenity. Conditions relating to the provision and retention of car and cycle parking (14) and ensuring that not more than one space is allocated to each dwelling (18) are required in the interests of highway safety, to ensure adequate access for disabled people and to promote sustainable modes of transport. The provision and retention of the refuse storage facility is necessary in the interests of visual amenity and sustainability (14). The restriction of permitted development rights in relation to external alterations, extensions, and the erection of curtilage buildings, is necessary due the restricted plot sizes, spaces between the blocks, and to protect the privacy and outlook of adjoining occupiers (15). Although a possible condition removing permitted development rights for satellite dishes on the building to be converted was discussed, the building is less than 15m in height so permission would be required in any event.
31. A scheme for disposing of surface water by means of a sustainable drainage system is proposed. Having regard to the advice in PPS25, details of a scheme need to be agreed in order to prevent pollution of the water environment and to avoid increased run-off (19). Lastly, the buildings on the site have been assessed as having the potential to be used by birds and bats. In the interest of nature conservation a condition is necessary to secure a scheme of bird and bat boxes within the development (20).

Conditions (Appeal B)

32. In order to protect the character and appearance of the Conservation Area, a condition is necessary to ensure that the works of demolition are not carried out until a contract for redevelopment of the site has been made and planning permission has been granted for that scheme.

Jennifer A Vyse
INSPECTOR

Schedule A Conditions attached to Appeal Decision APP/L5810/A/11/2147776 37 Hamilton Road, Twickenham

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) Other than may be required by any of the conditions that follow, the development shall be carried out only in accordance with the following approved plans: 3903PL101, PL102, PL103, PL104, PL105, PL106, PL107, PL108, PL109, PL110, PL112A, PL113, PL114, PL115, PL116B, PL117A, PL118A, PL119A, PL120A, PL121, PL122, PL123, PL124B, PL125, PL126, PL127B, PL128 and PL129.
- 3) The external surfaces of the buildings (including fenestration) shall not be constructed other than in materials, detail and/or samples of which shall previously have been submitted to and approved in writing by the local planning authority. With regard to brickwork, the sample/detail shall be in the form of a sample panel of at least 1m² in area, to be constructed on site, of the brick, bonding, and pointing to be used. The local planning authority shall be informed on completion of the sample panel which shall then be inspected. All subsequent external walling shall match the sample panel, subject to any modifications required in writing by the Authority.
- 4) Notwithstanding condition 2 above, no development shall take place, including any works of demolition, until details of the following have been submitted to and approved writing by the local planning authority; new metal windows (including colour) steel stairs, landings and bridges, high level screens, balconies, balustrading, rainwater goods, entrance glazing, entrance signage, entrances to the flats, dormers, photovoltaic panels, timber doorways and window frames, and soffits. Development shall be carried out in accordance with the approved details.
- 5) Notwithstanding condition 2 above, no development shall take place until details of the design and materials for the boundary treatment to the site, and for the treatment of the boundaries between plots 22-27 (as shown on plan No 3903PL112A), have been submitted to and approved writing by the local planning authority. None of the residential accommodation hereby permitted shall be occupied until development has been carried out in accordance with the approved details.
- 6) No development shall take place until a site investigation of the nature and extent of contamination on the site has been carried out in accordance with a methodology which shall have previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local

planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins.

If during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

- 7) None of the dwelling units hereby approved shall be occupied in any way which would result in a reduction in the overall number of residential units on the site.
- 8) The new dwellings hereby permitted shall achieve, as a minimum, Level 3 of the Code for Sustainable Homes: Technical Guidance (or such national measure of sustainability for house design that replaces that scheme). No dwelling shall be occupied until a Final Code Certificate has been issued for it, certifying that at least Code Level 3 has been achieved and has been submitted to the local planning authority for approval.
- 9) The units to be formed through the conversion of the existing building shall achieve, as a minimum, a 'very good' EcoHomes rating in accordance with the requirements of the BREEAM Guide (or such national measure of sustainability for residential conversion projects that replaces that scheme). No dwelling shall be occupied until a Post-construction Review Certificate has been issued for it, certifying that the stated rating level has been achieved and has been submitted to the local planning authority for approval.
- 10) The new dwellings hereby permitted shall not be constructed or adapted other than to Lifetime Homes standards. The units to be formed through the conversion of the existing building shall not be formed or adapted other than to Lifetime Homes standards, so far as is practicable.
- 11) Units 1 and 9 hereby permitted (as shown on plan No 3903PL112A) shall not be constructed or adapted other than to wheelchair standards, as required by policy CP14 of the Core Strategy.
- 12) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These works shall be carried out as approved prior to first occupation of any part of the development. The details to be submitted shall include proposed finished levels or contours; hard surfacing materials; the method of construction for the new access road and turning head; and the method of construction of the junction of the site access with the highway, including kerb alignment. Details of soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, size and proposed numbers/densities; an implementation programme; and an indication of how they are expected to integrate with the development in the long term with regard to their mature size and anticipated routine maintenance. All

tree and shrub planting shall be carried out in accordance with the relevant parts of BS 3936:1986, BS 4043:1989 and BS 4428:1989.

- 13) If, within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written approval to any variation.
- 14) None of the residential units hereby permitted shall be occupied until the parking spaces, cycle parking, and refuse store, as shown on plan Nos 3903PL112A and PL129, have been constructed in accordance with approved details. The car and cycle parking spaces and refuse store shall be retained thereafter and shall not be used for any other purpose.
- 15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no external alterations (including windows or other openings), extensions, or any building, enclosure or swimming pool within the curtilage, shall be carried out to the houses on plots 22-27 as shown on plan No 3903PL112A.
- 16) None of the residential accommodation hereby permitted shall be occupied until a scheme of external lighting (including security lighting) which shall previously have been submitted to and approved in writing by the local planning authority, has been installed in accordance with the approved details.
- 17) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and,
 - viii) the method of construction for the foundations, including method for piling if applicable.
- 18) At no time shall more than one parking space be allocated to each residential unit within the site.

- 19) None of the residential accommodation hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 20) Prior to first occupation of the development hereby permitted, bird and bat boxes shall be provided in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. The boxes so provided shall be retained thereafter.

Schedule B
Conditions attached to
Appeal Decision APP/L5810/E/11/2147786
37 Hamilton Road, Twickenham

- 1) The works of demolition hereby authorised shall begin not later than three years from the date of this consent.
 - 2) The works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides.
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APPEARANCES

FOR THE APPELLANT:

B Bailey	Director with Hamilton Lofts Limited
M Rockel	Director with Hamilton Lofts Limited

FOR THE LOCAL PLANNING AUTHORITY:

C Tankard	Development Control Team Leader with the Council
Miss K Barnes	Planning Solicitor with the Council

INTERESTED PERSONS:

Ms C Cooper	Local resident
N Warwick	Local resident
J Clinch	On behalf of a local resident

DOCUMENTS HANDED IN DURING/AFTER THE HEARING

- 1 House Price Index and report, house price sales and volume, household type breakdown, for Richmond upon Thames
- 2 Policy 3.13.1 from the consultation draft of the emerging replacement London Plan 2009
- 3 Copy of email dated 18 August 2010 relating to financial contributions pursuant to the Planning Obligations Strategy
- 4 Undertaking dated 24 June 2011 submitted after the Hearing