

Ms Alice Eggeling, Indigo Planning
87 Chancery Lane
London
WC2A 1ET

Letter Printed 20 May 2016

FOR DECISION DATED
20 May 2016

Dear Sir/Madam

The Town and Country Planning Act 1990, (as amended)
Decision Notice
THIS APPLICATION IS SUBJECT TO A LEGAL AGREEMENT

Application: 16/0523/VRC
Your ref: 14/0451/FUL
Our ref: DC/LTH/16/0523/VRC/VRC
Applicant: Berkeley Homes (West London) Ltd
Agent: Ms Alice Eggeling, Indigo Planning

WHEREAS in accordance with the provisions of the Town and Country Planning Act 1990 and the orders made thereunder, you have made an application received on **25 January 2016** and illustrated by plans for the permission of the Local Planning Authority to vary condition(s) of the Planning Permission for land situated at:

HMP Latchmere House Church Road Ham Richmond

for

Variation of condition 2 (approved drawings) of planning permission 14/0451/FUL (Demolition of existing buildings, excluding Latchmere House. Provision of 42 residential units (Use Class C3) comprising 35 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 73 residential units including 66 new build units and 7 apartments within the converted and extended Latchmere House), to allow changes to design of individual houses and improvements to the landscape.

NOW THEREFORE WE THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF RICHMOND UPON THAMES acting by the Council of the said Borough, the Local Planning Authority HEREBY GIVE YOU NOTICE pursuant to the said Act and the Orders made thereunder that permission to develop the said land in accordance with the said application is hereby **GRANTED** subject to the conditions and informatives summarised and listed on the attached schedule.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Angus', with a long horizontal flourish extending to the right.

Robert Angus
Development Control Manager

SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION 16/0523/VRC

APPLICANT NAME

Berkeley Homes (West London) Ltd
C/o Agent

AGENT NAME

Ms Alice Eggeling, Indigo Planning
87 Chancery Lane
London
WC2A 1ET

SITE

HMP Latchmere House Church Road Ham Richmond

PROPOSAL

Variation of condition 2 (approved drawings) of planning permission 14/0451/FUL (Demolition of existing buildings, excluding Latchmere House. Provision of 42 residential units (Use Class C3) comprising 35 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 73 residential units including 66 new build units and 7 apartments within the converted and extended Latchmere House), to allow changes to design of individual houses and improvements to the landscape.

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

U05657	NS01 Formally condition 1
U05658	NS02 Formally condition 2
U05659	NS03 Formally condition 3
U05660	NS04 Formally condition 4
U05661	NS05 Formally condition 5
U05662	NS06 Formally condition 6
U05663	NS07 Formally condition 7
U05664	NS08 Formally condition 8
U05665	NS09 Formally condition 9
U05666	NS10 - formally condition 10
U05667	NS11 - Formally condition 11
U05668	NS12 - Formally condition 12
U05669	NS13 - Formally condition 13
U05670	NS14 - Formally condition 14
U05671	NS15 - Formally condition 15
U05672	NS16 - Formally condition 16
U05673	NS17 - Formally condition 17
U05674	NS18 - Formally condition 18
U05675	NS20 - Accessible, adaptable and wheelch
U05676	Window obscure glazed-No openable
U05677	Restrict outbuilds-Appear/amenity

INFORMATIVES

U02726	NS01 - Permeable material
U02727	Composite Informative
U03569	Section 106 agreement

DETAILED CONDITIONS AND INFORMATIVES

DETAILED CONDITIONS

U05657 NS01 Formally condition 1

The development hereby permitted shall begin no later than 3 July 2018.
REASON: To accord with the terms of the host application - 14/0451/FUL.

U05658 NS02 Formally condition 2

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

- o House Type F1 BKH04-P-208 01
- o House Type E2 BKH04-P-207 02
- o House Type E1 BKH04-P-206 02
- o House Type D1 BKH04-P-205 02
- o House Type B4 BKH04-P-201 01 (Referenced as BKH04-P-203 01 in drawing schedule)
- o House Type B3 BKH04-P-201 01 (Referenced as BKH04-P-202 01 in drawing schedule)
- o Roof Plan Sheet 1 BKH04-P-117 01
- o Second floor sheet 1 BKH04-P-115 01
- o First floor sheet 1 BKH04-P-113 01
- o Ground floor sheet 1 BKH04-P-111 01
- o Elevations BKH04-P-104 02
- o Site sections - sheet 2 BKH04-P-103 02
- o Site sections - sheet 1 BKH04-P-102 02
- o Site Plan BKH04-P-101 03
- o Letter from Berkeley dated 11 February 2016
- o Letter from Indigo dated 12 November 2015
- o Bin Store BKH04-P-237 01
- o Refuse Strategy Plan BKH04-P-301 02

- o Indigo document - Amendments to dwellings and landscape 'Minor Material Amendment' February 2016 (not including applications drawings)
- o Latchmere House - Richmond Drawing Schedule
- o Masterplan - Richmond 07.3a
- o Deed of Modification under Section 106A of the Town and Country Planning Act 1990 dated 18 April 2016

...And those which have not been superseded by the above, as outlined in:

- o Drawing Transmittal Sheet BKH04, Issue No 003, dated 10 January 2014; supplemented by the Schedule of Amended drawings dated 31 December 2014 submitted with the appeal (CDs 8.1 and 8.3); and Section 106 Legal Agreement dated 13 May 2015. (Associated to application 14/0451/FUL)

REASON: To ensure a satisfactory form of development.

U05659 NS03 Formally condition 3

The development hereby approved shall not be implemented other than in accordance with the following drawings and details that were approved in application 14/0451/DD01 (Condition 3 (ancillary site buildings/parking of vehicles)) - Construction Management Plan Rev: D received on 23 December 2015; Latchmere - Logistic Plan BHWL/LATCH/LOGISTICS contained within the CMS; and emails from Mathew Mainwaring dated 23 December 2015 and 20 January 2016.

REASON: To protect the amenities of the site and residents.

U05660 NS04 Formally condition 4

No development, except for works of demolition, shall take place until details of the following have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- a) The materials to be used in the construction of the external surfaces of all buildings hereby approved, including their colour and texture.
- b) Boundary treatments, including walls, fences and gates.
- c) The treatment and layout of all parts of the site not covered by the approved buildings, including hard and soft landscaping. All hard surfaces shall be made of porous materials.
- d) Refuse storage facilities.
- e) Street furniture and lighting.
- f) Sewer and drainage runs.
- g) Any external plant and equipment.
- h) Details and siting of solar panels.

REASON: To ensure a high quality development, and protect the amenities of residents.

U05661 NS05 Formally condition 5

No development, except for works of demolition, shall take place until details of secure cycle parking facilities for the occupants of the dwellings hereby approved have been submitted to and approved in writing by the local planning authority. The facilities shall be implemented in accordance with the approved details prior to the occupation of the dwellings and shall be retained as such thereafter.

REASON: To ensure the development meets the Council's cycle standards

U05662 NS06 Formally condition 6

The development hereby approved shall not be implemented other than in accordance with the details and drawings that were approved as part of application ref:

14/0451/DD01 (investigation / protection of bats) - Bat Mitigation Report 854891 (August 2015, UPDATED October 2015), prepared by RSK and Email from Matthew Mainwaring dated 20 January 2016. The measures set out within the approved Statement shall be implemented prior to the commencement of development and shall be maintained to the satisfaction of the local planning authority until its completion.

REASON: To protect the ecological value of the site.

U05663 NS07 Formally condition 7

The development hereby approved shall not be implemented other than in accordance with the details and drawings that were approved as part of application ref:

14/0451/DD01 (protection of trees) - Tree retention & removal plan demolition tf913a1/TRR/300; Tree protection & AMS - Demolition tf913s1/TPP/301 Rev: B; Facilitative Tree Works Demolition tf913s1/TW1/500 (part superseded); Tree Protection & AMS - Construction tf913s1/TPP 302; and Email from Matthew Mainwaring dated 20 January 2016; and in accordance with BS 5837 (2012) and current good Arboricultural Practice. The measures set out within the approved documents shall be implemented prior to the commencement of development and shall be maintained to the satisfaction of the local planning authority until its completion.

REASON: To protect the tree value of the site.

U05664 NS08 Formally condition 8

No development, except for works of demolition, shall take place until a scheme for the provision of a play area within the site, including details of its siting, design, equipment, materials and boundary treatments; as well as a timetable for its installation and provisions for its future management and maintenance, has been submitted to and

approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme.

REASON: To ensure a satisfactory form of development.

U05665 NS09 Formally condition 9

All of the dwellings hereby permitted shall be built in accordance with the Lifetime Homes Standards.

REASON: To ensure housing for all.

U05666 NS10 - formally condition 10

No development shall take place, except for works of demolition, until a scheme to provide for the following has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

a) All dwelling to meet the target for water use of 105 litres or less per person per day, excluding an allowance of 5 litres or less per person per day for external use.

b) The development overall to achieve a 35% reduction in CO2 emissions over that required by the Building Regulations, 2013, unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure a sustainable form of development, and one that meets adopted standards.

U05667 NS11 - Formally condition 11

The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Assessment (Ref 132034-R1(3), by RSK, December 2013), incorporating the mitigation measures detailed therein, to limit surface water run-off generated by the 1 in 100 climate change critical storm event so that it shall not exceed the run-off from the site as existing and not increase the risk of off-site flooding. The mitigation measures shall be implemented before the development is occupied, or in accordance with any phasing with the prior written agreement of the local planning authority.

REASON: To minimise floodrisk.

U05668 NS12 - Formally condition 12

If, during demolition or construction, any contamination not previously identified is found to be present on the site, then work shall cease until a Remediation Strategy detailing how the contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. All further work shall be carried out in accordance with the approved strategy.

REASON: To ensure a satisfactory form of development, and to protect the amenities of future residents.

U05669 NS13 - Formally condition 13

(A) Within 8 months of the date of this decision, a soft landscaping scheme (planting, seeding, turfing) shall be submitted to and approved in writing by the Local Planning Authority. This shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) and shall specify the quantity, density, size, species, position and the proposed time or programme of planting of all shrubs, hedges, grasses etc, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance.

All tree/plant/shrub planting included within the approved specification shall be carried out in accordance with that specification and in accordance with BS 3936:1986 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(B) All soft landscaping works shall be carried out in accordance with the approved details and in the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner.

(C) The approved landscaping areas shall be permanently retained for that purpose and any trees, shrubs or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

REASON: To ensure a satisfactory form of development

U05670 NS14 - Formally condition 14

Before any of the dwellings hereby approved is occupied, a Landscape Management Plan for all landscaped areas except for small, privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority. The Plan shall include details of the long-term design objectives for the landscaped areas, along with management responsibilities and maintenance schedules for them for a period of at least 10 years from the date of completion of the development. The Plan shall be carried out as approved.

REASON: To ensure a satisfactory form of development

U05671 NS15 - Formally condition 15

The car parking areas shown on the approved plans shall be provided with a hard bound, dust-free surface, and be adequately drained before the dwellings to which they relate are occupied. Thereafter, they shall be kept free from obstruction for use for their intended purpose and shall not be used other than for the parking of vehicles by residents of the development and their visitors.

REASON: To ensure the development does not prejudice the free flow of traffic and highway and pedestrian safety.

U05672 NS16 - Formally condition 16

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 extensions (including porches or dormer windows) to the dwellings hereby permitted shall be erected within its curtilage.

REASON: To prevent overdevelopment, and to preserve the amenities of residents.

U05673 NS17 - Formally condition 17

The roof areas of the buildings hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority; and they shall not be accessed other than for maintenance purposes.

REASON: To prevent overdevelopment, and to preserve the amenities of residents.

U05674 NS18 - Formally condition 18

The rating level of the noise of the CHP Plant, determined by the cumulative sound emissions of the Energy Centre, shall be at least 5dBA lower than the existing background noise level at all times of operation. The noise level shall be determined 1m externally from any window at the nearest residential façade. All measurements and assessments shall be carried out in accordance with British Standard 4142:1997.

REASON: To preserve the amenities of nearby occupiers.

U05675 NS20 - Accessible, adaptable and wheelch

Unless otherwise agreed in writing with the local planning authority, 90% of the new housing hereby approved shall meet Building Regulations M4(2) 'accessible and adaptable dwellings' and 10% of the new housing shall meet Building Regulation M4(3) 'wheelchair use dwellings'. Prior to the commencement of construction of the development hereby approved, a scheme shall be submitted to and approved in writing identifying which units will achieve the above standards. The development shall only be implemented in accordance with the approved standards.

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

U05676 Window obscure glazed-No openable

The proposed bathroom and WC window(s) in the building(s) hereby approved shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.75 metres (5'7") above the relevant floor level.

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

U05677 Restrict outbuilds-Appear/amenity

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no building, enclosure or swimming pool falling within Part 1, Class E, shall be erected on any part of the land.

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

DETAILED INFORMATIVES

U02726 NS01 - Permeable material

The applicants are advised, when considering the block paving materials, this should be permeable material, to increase surface water drainage.

U02727 Composite Informative

Reason for granting:

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

In July 2015, the Planning Inspectorate approved the following development (ref: 14.0451/FUL) at the HM Resettlement Prison, Latchmere House, Church Road, subject to conditions and a Section 106 Agreement:

Demolition of existing buildings, excluding Latchmere House. Provision of 42 residential units (Use Class C3) comprising 35 new build units and the conversion and ground floor extension of Latchmere House to provide 7 apartments. Associated highways works, landscaping, tree works and car parking. Cross-boundary application also comprising land within the Royal Borough of Kingston upon Thames and providing in total 73 residential units including 66 new build units and 7 apartments within the converted and extended Latchmere House), to allow changes to design of individual houses and improvements to the landscape.

This scheme proposes an amendment to the approved drawing numbers condition of the above said planning permission to allow for amendments to, the external layout of the development, the internal living arrangements and the design. The scheme does not propose an increase in the number of units on the part of the site within the London

Borough of Richmond. Further the scheme retains a development based around a tree lined avenue with Latchmere House being at the centre-piece.

The revised design is deemed an improvement to that originally approved, whereby the flat roof crowns have typically been replaced with pitched roofs, the scheme incorporates greater detail, and fenestration has been simplified. The alterations to the access approach (from the north of Latchmere House) are appropriate and may improve the setting of the House.

No additional units are proposed, and the scheme retains approved car parking provision, thereby not raising additional adverse highway implications. In response to the omission of the integral garages and their replacement with additional habitable rooms, the applicants have agreed to £50,000 towards affordable housing, which is welcomed.

There are modest changes to the siting and height of the units, however, given the extant consent and distances to surrounding residential properties, the scheme will retain an appropriate relationship with nearby residential properties.

Principal Policies:

Where relevant, the following have been taken into account in the consideration of this proposal:-

National Planning Policy Framework and Planning Practice Guidance
London Plan

Core Strategy: CP1, CP2, CP5, CP7, CP14, CP15, CP16, CP17

Development Management Policies: DM SD1, SD2, SD5, SD6, DM SD10, DM OS5, DM OS7, DM OS6, DM HO2, HO4, HO6, DM EM1, EM2, DM TP1, TP2, TP7, TP8, DM DC1, DC2, DC4, DC5, DC6

Supplementary Documents/Guidance: Design Quality; Residential Development Standards; Small & Medium Housing Sites; Sustainability Construction Checklist; Planning Obligations SPD; Ham Common Conservation Area Statement and Study; Affordable Housing SPD; The Latchmere House and HM Remand Centre Planning Brief; Site Allocations Plan Site HP1.

Building Regulations:

The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control Section of the Street Scene department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Control Department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

Damage to the public highway:

Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage.

BEFORE ANY WORK COMMENCES you MUST contact Highways and Transport, London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ (Telephone 020 8891 7090 ask for the Streetscene inspector for your area or email highwaysandtransport@richmond.gov.uk) to arrange a pre commencement photographic survey of the public highways adjacent to and within the vicinity of the site. The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works.

If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.

Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

Noise control - Building sites:

The attention of the applicant is drawn to the requirements of section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites. Application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health Department.

Under the Act the Council has certain powers to control noise from construction sites. Typically the council will limit the times during which sites are permitted to make noise that their neighbours can hear.

For general construction works the Council usually imposes (when necessary) the following limits on noisy works:-

Monday to Friday 8am to 6pm

Saturdays 8am to 1pm

Sundays and Public Holidays- No noisy activities allowed

Applicants should also be aware of the guidance contained in British Standard 5228;2009- Noise and vibration control on construction and open sites.

Any enquiries for further information should be made to the Commercial Environmental Health Team, 2nd Floor Civic Centre, 44 York Street, Twickenham TW1 3AB.

U03569 Section 106 agreement

This planning permission has a Deed of Modification under Section 106 of the Town and Country Planning Act, dated 18th April 2016, which must be read in conjunction with it. The Deed of Modification is to be read in conjunction with the original Section 106 Legal Agreement dated 13 May 2015, associated with application 14/0451/FUL

END OF SCHEDULE OF CONDITIONS AND INFORMATIVES FOR APPLICATION
16/0523/VRC
