

DCM

PLANNING REPORT

Printed for officer by
Ms Kerry McLaughlin on 9 October
2015

Application reference: 13/1147/DD01
ST MARGARETS, NORTH TWICKENHAM WARD

Date application received	Date made valid	Target report date	8 Week date
05.10.2015	05.10.2015	30.11.2015	30.11.2015

Site:

Land Known As Twickenham Rough To The West Of Twickenham Sorting Office, London Road, Twickenham,

Proposal:

Details pursuant to conditions U62126 - NS02 - Arboricultural Method Statement, U62127 - NS03 - Tree Protection, ~~U62131 - NS07 - Dawn to Dusk Access Only~~, U62134 - NS10 - Woodland Management Plan, U62135 - NS11 - Fencing/Gates Details, U62136 - NS12 - Pathway Details, U62138 - NS14 - Further Surveys, U62139 - NS15 - Hard and Soft Landscaping Works & U62639 - Construction Method Statement of planning permission 13/1147/FUL.

✓ U62137 NS13 - Eradication Programme - Needs (IN PART) & DV29E Potentially Contaminated Site (IN PART)

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

APPLICANT NAME

Mr D Leich
Marlborough House
298 Regents Park Road
Finchley
N3 2UA

AGENT NAME

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

Consultations:

Internal/External:

Consultee

LBRuT Ecology
LBRUT Trees Preservation Officer
14D Urban D
LBRUT Transport
Environment Agency

Expiry Date

23.10.2015
23.10.2015
23.10.2015
23.10.2015
30.10.2015

Neighbours:

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

Development Management

Status: GTD
Date: 19/08/2013

Application: 13/1147/FUL
Proposed change of use of land to provide public amenity land and the provision of a 3m wide footpath/cycleway and associated landscaping and fencing.

Development Management

Status: PCO
Date:

Application: 13/1147/DD01
Details pursuant to conditions U62126 - NS02 - Arboricultural Method Statement, U62127 - NS03 - Tree Protection, U62131 - NS07 - Dawn to Dusk Access Only, U62134 - NS10 - Woodland Management Plan, U62135 - NS11 - Fencing/Gates Details, U62136 - NS12 - Pathway Details, U62138 - NS14 - Further Surveys, U62139 - NS15 - Hard and Soft Landscaping Works & U62639 - Construction Method Statement of planning permission 13/1147/FUL.

Recommendation:

The determination of this application falls within the scope of Officer delegated powers YES / NO

I therefore recommend the following:

- 1. REFUSAL
- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

This application is CIL liable YES* NO
(*If yes, complete CIL tab in Uniform)

This application requires a Legal Agreement YES* NO
(*If yes, complete Development Condition Monitoring in Uniform)

This application has representations online (which are not on the file) YES NO

This application has representations on file YES NO

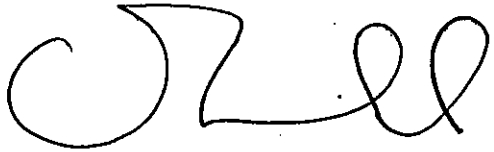
Case Officer (Initials): WNC

Dated: 21/7/16

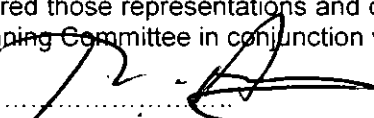
I agree the recommendation:

Team Leader/Development Control Manager

Dated: 26/7/16



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

Development Control Manager: 

Dated: 26/07/16

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

CAPS



The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

13/1147/DD01

Land known as Twickenham Rough

Proposal

This application relates to the discharge of conditions. The application to which this condition relates is 13/1147/FUL, which was granted permission on 19.08.2013. Planning consent was granted for the following development:

'Proposed change of use of land to provide public amenity land and the provision of a 3m wide footpath/cycleway and associated landscaping and fencing.'

Representations

6 letters of Objections have been submitted and the comments can be summarised as follows: (Objections including a preliminary objection from Heatham Alliance)

- From early stages raised noise, privacy and safety concerns
- No liaison group has been set up
- No consultation
- Opening path 24 hours will attract anti-social behaviour
- Security
- Path was proposed to be meandering
- Path is straight and wide designed for cyclists
- Path located near existing houses rather than closer to the railway lines
- Loss of wildlife habitat is a concern by removing trees
- Woodland Management Plan does not take account of screening from homes along the north bank of the river

1 Letter of support has been received and the comments can be summarised as follows:

- Support general principle of the path along the river.
- Open up river and provide different access route from the station to the new proposed college development and to Harlequins games
- Should open in evenings and at nights and have lighting

A support has been received from friends of the River Crane Environment (FORCE) subject to the following:

- Fencing of the path
- Surface of the path to be a self-bonding Cotswold gravel type finish
- Width of path less than 3m
- Oppose to any lighting
- Path should be open 24hrs

1 General Observation has been received and the comments can be summarised as follows:

- Security to allotments

This application seeks to discharge the following conditions:

U62126 NS02 - Arboricultural Method Statement

Prior to any works associated with the approved scheme commencing on site, a scheme specific Arboricultural Method Statement shall be submitted to and agreed in writing by the Local Planning Authority: this is to include details of all special engineering within the RPA and other relevant construction details. The AMS shall include a Tree Protection Plan

The Tree Protection Plan and Arboricultural Method Statement must be written in accordance with section 6.1 of BS5837 2012 (Trees in relation to design, demolition and construction - recommendations)

No materials or machinery shall be brought onto the site prior to the approval of the Arboricultural Method Statement.

The scheme shall be undertaken in accordance with the approved Arboricultural Method Statement and Tree Protection Plan at all times.

Reason: To ensure that trees are not damaged or otherwise adversely affected by the building operations.

The following has been submitted:

- Email from applicant dated 20 July 2016
- Arboricultural Method Statement JTK/AMS/7720 Rev B (AMS) received on 20 July 2016

It is noted that the applicant has been in discussions with the Tree Officer since submission of the application. The submitted AMS has been reviewed by the Council's Tree Officer. The AMS needs to be read in conjunction with the email from the applicant confirming the ongoing involvement of the Tree Officer when works recommence.

The details are considered satisfactory and can be discharged.

U62127 NS03 - Tree Protection

No works or development shall take place until a scheme for the protection of the retained trees (section 7, BS5837, the Tree Protection Plan) has been agreed in writing with the LPA. This scheme shall include:

- a, a plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (para. 5.2.2 of BS5837) of every retained tree on site and on neighbouring or nearby ground to the site in relation to the approved plans and particulars. The positions of all trees to be removed shall be indicated on this plan.
- b, the details of each retained tree as required at para. 4.2.6 of BS5837 in a separate schedule.
- c, a schedule of tree works for all the retained trees in paragraphs (a) and (b) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic or operational reasons.

All tree works shall be carried out in accordance with BS3998, 1989, Recommendations for tree work.

d, the details and positions (shown on the plan at paragraph (a) above) of the Ground Protection Zones (section 9.3 of BS5837).

e, the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers (section 9.2 of BS5837), identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). The Tree Protection Barriers must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase.

f, the details and positions (shown on the plan at paragraph (a) above) of the Construction Exclusion Zones (section 9 of BS5837).

g, the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 11.7 of BS5837).

h, the details of any changes in levels or the position of any proposed excavations within 5 metres of the Root Protection Area (para.5.2.2 of BS5837) of any retained tree, including those on neighbouring or nearby ground.

i, the details of the working methods to be employed for the installation of drives and paths within the RPAs of retained trees in accordance with the principles of "No-Dig" construction.

j, the details of the working methods to be employed with regard to the access for and use of heavy, large, difficult to manoeuvre plant (including cranes and their loads, dredging machinery, concrete pumps, piling rigs, etc) on site.

k, the details of tree protection measures for the hard landscaping phase (sections 13 and 14 of BS5837).

l, the timing of the various phases of the works or development in the context of the tree protection measures.

Reason: To ensure that trees are not damaged or otherwise adversely affected by building operations and soil compaction.

The following have been submitted:

- Drawing 7720/05B – Tree Protection Plan received on 31 May 2016
- Drawing 7720/02B – Tree Protection Plan received on 6 June 2016

The submitted drawings have been reviewed by the Tree Officer and are considered satisfactory.

U62134 NS10 - Woodland Management Plan

No development shall take place until a woodland management plan and landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except private owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The woodland and landscape management plans shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- a) details of the extent and type of new planting (native species to predominate)**
- b) details of maintenance regimes**
- c) details of any new habitat created on site**
- d) details of treatment of site boundaries and /or buffers around d water bodies**
- e) details of management responsibilities**

Reason: To ensure the site is adequately managed for the benefit of biodiversity, in particular wildlife and habitat protection, and public amenity.

The following have been submitted:

- Email from Applicant dated 20 July 2016
- Woodland Management Plan received on 15 October 2015

The submitted details have been reviewed by the Tree and Ecology Officers and when read in conjunction with the email from the applicant are considered acceptable.

U62135 NS11 - Fencing/Gates Details

Details of the means of enclosure/fencing/gates to the southern, eastern and western boundaries of the site shall be submitted to and agreed in writing prior to the commencement of development, such fencing/enclosure shall then be constructed in accordance with these approved details.

Reason: To provide appropriate security to neighbouring residential properties, the Marsh Farm allotments and Heatham House and to ensure that neighbouring amenity is adequately safeguarded and to deliver a safe pathway/form of development.

The following has been submitted:

- Drawing 4616/CIVIL/70/M – MOL footpath received on 20 July 2016

The fencing/gates details submitted are considered satisfactory and the condition can be discharged.

2m high security palisade fencing will be erected along the southern boundary adjacent to Network Rail land. Entrance gates and railings will be 1.8m high and painted in black.

In terms of gates to bridge, railings will be installed above existing brick piers so overall gate/fence at bridge will measures 1.8m in height.

No objections have been raised by Urban Design, Parks and Tree Officers.

U62136 NS12 - Pathway Details

No development shall take place until details of the route of the 3m wide pathway/cycleway have been submitted to and agreed in writing by the Local Planning Authority and thereafter constructed in accordance with these details, such details to include alignment, levels, construction and surfacing of

pathway, underground ducting for electric cables, seating, resting benches, litter bins, signage, ecological information boards, means of enclosure and timing of construction in relation to the development of adjoining land. The route of the footpath shall accord with the Secured by Design and Safer Places principles and the London Borough of Richmond upon Thames Public Space Design Guide.

Reason: To ensure that neighbouring amenity, arboricultural and nature conservation interests are adequately safeguarded.

The following has been submitted:

- Drawing 4616/CIVIL/70/M – MOL footpath received on 20 July 2016

The path will be paved in permeable resin bond gravel with 1m wide grass edging on either side. *renewly seeded.*

Timber posts will be erected in keeping with the woodland appearance.

for signage → The submitted details are acceptable and no objections have been raised by Tree, Parks and Urban Design Officers.

U62137 NS13 – Eradication Programme – Weeds

As part of the development hereby approved, a method statement and programme for the removal and/or chemical treatment of any Japanese Knotweed, Giant Hogweed and Wall Cotoneaster discovered on site shall be submitted to and agreed in writing by the Local Planning Authority. An eradication guarantee shall be provided to the Local Planning Authority following treatment.

Reason: To enhance the nature conservation value of the site and to prevent migration to adjoining land.

The following has been submitted:

- Recommendation for Japanese Knotweed Remediation received on 5 October 2015
- Final Report & Warranty of works for the treatment of JKW received on 21 July 2016
- Monitoring Report received on 21 July 2016
- Email from agent dated 21 July 2016

It has been submitted that herbicide treatment has been employed to treat JKW. The submitted final report confirms that the treatment has been effective however long term monitoring for the site will continue for a period of 2 years after completion of works.

The submitted details have been reviewed by the Ecology Officer and are considered acceptable.

Given the eradication guaranteed will not be available until 2 years after completion of works, this condition can only be partially discharged.

U62138 NS14 - Further Surveys

An enhanced Phase 1 Habitat Survey and Bat Survey shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To enhance the nature conservation value of the site and to prevent migration to adjoining land.

The following have been submitted:

- Ecological Assessment received on 20 July 2016
- Ecological Appraisal 2015 received on 20 July 2016

The submitted reports have been reviewed by the Council's Ecology Officer and are considered to address the requirements of the condition.

U62139 NS15 - Hard and Soft Landscaping Works

A) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include all ecological enhancements recommended in the Ecological Assessment report hereby approved by Aspect Ecology, proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artifacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing utility services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant; a program or timetable of the proposed works.

B) Where within the Root Protection Area of retained trees hard landscape design, small structure installation and service installation should be formulated in accordance with section 7.4, 7.5 and 7.7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations.

C) Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); the specification is to include details of the quantity, size, species, position, planting methodology, proposed time of planting and anticipated routine maintenance of all trees to be planted. Any proposed tree planting should be undertaken in accordance with section 5.6 of British Standard 5837:2012 Trees in relation to design, demolition and construction - Recommendations.

D) 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).

E) All hard and soft landscape works shall be carried out in accordance with the approved details and in any event prior to the commencement of use of the land and pathway/cycleway

Reason: To ensure that the proposed development does not prejudice the appearance of the locality and to preserve and enhance nature conservation interests

The following have been submitted:

- Drawing 4616/CIVIL/70 Rev M – MOL Footpath received on 20 July 2016
- Drawing 1305/052D – MOL Planting Plan received on 31 May 2016

The submitted details have been reviewed by the Council's Tree and Ecology Officers and are considered acceptable.

Details of proposed benches and litter bins along the footpath have been reviewed by Parks and Urban Design Officer and are considered acceptable.

U62639 – Construction Method Statement

No development shall take place, including any 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:

- 1. the parking of vehicles of site operatives & visitors**
- 2. loading/unloading of plant & materials**
- 3. storage of plant and materials used in constructing the development**
- 4. the erection and maintenance of security hoardings including decorative displays and facilities for public viewing, where appropriate.**
- 5. wheel washing facilities**
- 6. measures to control the emission of dust and dirt during construction**
- 7. a scheme for recycling/disposing of waste resulting from demolition & construction works.**
- 8. routing of delivery vehicles to and from the site**

Reason: in the interests of highway and pedestrian safety together with the amenity of the area

The following have been submitted:

- Site Supervision and Construction Method Statement received on 13 October 2015
- Plan showing Location of Material Storage received on 20 July 2016

The submitted details have been reviewed by the Council's Transport Officer and are considered acceptable.

DV29E Potentially Contaminated Site

1. No development shall take place until:

- a) a desk study detailing the history of the site, hazardous materials, substances used together with details of a site investigation strategy based on**

the information revealed in the desk study has been submitted to and approved in writing by the local planning authority

b) an intrusive site investigation has been carried out comprising: sampling of soil, soil vapour, ground gas, surface water and groundwater in locations and at depths stipulated by the local planning authority. Such work to be carried out by suitably qualified and accredited geo-environmental consultants in accordance with the current U.K. requirements for sampling and testing.

c) written reports of i) the findings of the above site investigation and ii) a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the local planning authority

Note: some demolition work, if required, could be allowed beforehand for enabling the above requirement (1b), subject to the agreement of the Local Planning Authority.

2. None of the dwellings/buildings hereby approved shall be occupied until:

a) the remediation works approved as part of the remediation strategy have been carried out in full and in compliance with the approved strategy. If during the remediation or development work new areas of contamination are encountered, which have not been previously identified, then the additional contamination should be fully assessed in accordance with condition [1(b, c)] above and an adequate remediation scheme shall be submitted to and approved in writing by the local planning authority and fully implemented thereafter.

b) a verification report, produced on completion of the remediation work, has been submitted to and approved in writing by the local planning authority. Such report to include i) details of the remediation works carried out and ii) results of verification sampling, testing and monitoring and iii) all waste management documentation showing the classification of waste, its treatment, movement and disposal in order to demonstrate compliance with the approved remediation strategy.

REASON: To protect future users of the site and the environment.

The following have been submitted:

- Remediation Method Statement received on 5 October 2015

The report has been reviewed by the Council's Scientific Officer. Elevated concentrations of contaminants (Lead, PAHs) were identified along with Asbestos containing materials (Chrysotile fibres and board) in locations across the site. Remedial measures in the form of targeted excavation of impacted soils and replacement with clean topsoil is proposed.

The proposed remedial strategy is considered to be sufficient to render the site suitable for the proposed use and as such Part 1a of the contaminated land condition DV29E can be discharged. Part 2 should not be discharged until a suitable remediation verification report has been provided.

Other matters

Objections are addressed in turn below:

- No liaison group has been set up and no consultation

was advised to consult local amenity groups + local residents when preparing submission details.

A formation of a liaison group was not a requirement in the determination of this application. The applicant has confirmed regular meetings have been taking place with Heatham Alliance, Force and local residents. *St James (residents meeting 3/4/16)*

- Opening path 24 hours will attract anti-social behaviour

As noted in the Committee Report, the footpath is open from dusk to dawn. *(condition)*

- Security

Details of appropriate fencing have been submitted to safeguard security of adjoining *newbury* land. *new native hedgerows to A1120 and having to north of R. Crane*

- Path was proposed to be meandering

Path has been designed in consultation with Council's Tree and Ecology Officers taking account of site constraints and to ensure minimal tree removal and disturbance to existing wildlife habitat.

- Path is straight and wide designed for cyclists

As noted in the committee report and above, the path is to be a route for both cyclists and pedestrians. Route of the path has been designed in response to site constraints ensuring minimal tree removal and disturbance to existing wildlife habitat.

- Path located near existing houses rather than closer to the railway lines

The alignment of the path responds and protects the arboricultural and nature conservation value of the site. Additional hedge planting and trees along the northern bank of the river has been proposed to provide additional screening.

- Loss of wildlife habitat is a concern by removing trees

Council's Ecology and Tree Officer have been in discussions with the applicant.

- Woodland Management Plan does not take account of screening from homes along the north bank of the river

Additional hedge planting and trees along the northern bank of the river will provide additional screening.

Recommendation

Approve

IL14 – DD Informative

- Email from applicant dated 20 July 2016
- Arboricultural Method Statement JTK/AMS/7720 Rev B (AMS) received on 20 July 2016
- Drawing 7720/05B – Tree Protection Plan received on 31 May 2016
- Drawing 7720/02B – Tree Protection Plan received on 6 June 2016
- Woodland Management Plan received on 15 October 2015
- Drawing 4616/CIVIL/70/M – MOL footpath received on 20 July 2016
- Ecological Assessment received on 20 July 2016
- Ecological Appraisal 2015 received on 20 July 2016
- Drawing 1305/052D – MOL Planting Plan received on 31 May 2016
- Site Supervision and Construction Method Statement received on 13 October 2015

- Plan showing Location of Material Storage received on 20 July 2016
- Remediation Method Statement received on 5 October 2015
- Recommendation for Japanese Knotweed Remediation received on 5 October 2015
- Final Report & Warranty of works for the treatment of JKW received on 21 July 2016
- Monitoring Report received on 21 July 2016

NI01 – Applicant Informative

The applicant is advised that condition U62686 (NS14 - Eradication Programme - Weeds) has been partially discharged only. An eradication guarantee as required by the condition is outstanding.

Only Part 1 of Condition DV29E (Potentially contaminated Site) has been discharged under this application. A Verification Report will need to be submitted to discharge Part 2 of this condition.