

Application reference: 19/3352/FUL NORTH RICHMOND WARD

Date application received	Date made valid	Target report date	8 Week date
04.11.2019	14.02.2020	15.05.2020	15.05.2020

Site:

47A Lower Mortlake Road, Richmond, TW9 2LW,

Proposal:

Construction of a part 2/3 storey building to provide 16 co-living units (sui generis) and associated internal and external communal facilities, and bicycle parking spaces

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

APPLICANT NAME

c/o agent
c/o agent

AGENT NAME

Mr Ben Murphy
dp9 ltd
100 Pall Mall
London
SW1Y 5NQ
GB

DC Site Notice: printed on 28.02.2020 and posted on 06.03.2020 and due to expire on 27.03.2020

Consultations:**Internal/External:****Consultee**

14D Urban D
LBRUT Environmental Health
LBRUT Environmental Health Contaminated Land
LBRUT Transport
LBRuT Trees Preservation Officer (South)
14D POL
Transport For London
Metropolitan Police Service
Thames Water Development Control Department
LBRUT Director Of Social Services And Housing
LBRUT Director Of Social Services And Housing

Expiry Date

13.03.2020
13.03.2020
13.03.2020
13.03.2020
13.03.2020
13.03.2020
20.03.2020
20.03.2020
20.03.2020
13.03.2020
17.03.2020

Neighbours:

7 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
5 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
4 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
6 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
The New House, Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
16 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
2 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
1 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
3 Blue Anchor Alley, Richmond, TW9 2PJ, - 28.02.2020
Room 7, 47 Lower Mortlake Road, Richmond, TW9 2LW, - 28.02.2020
Room 6, 47 Lower Mortlake Road, Richmond, TW9 2LW, - 28.02.2020
Room 5, 47 Lower Mortlake Road, Richmond, TW9 2LW, - 28.02.2020
Room 4, 47 Lower Mortlake Road, Richmond, TW9 2LW, - 28.02.2020
Room 3, 47 Lower Mortlake Road, Richmond, TW9 2LW, - 28.02.2020
Room 2, 47 Lower Mortlake Road, Richmond, TW9 2LW, - 28.02.2020

Room 1,47 Lower Mortlake Road,Richmond,TW9 2LW, - 28.02.2020
 49A Lower Mortlake Road,Richmond,TW9 2LW, - 28.02.2020
 49 Lower Mortlake Road,Richmond,TW9 2LW, - 28.02.2020
 45 Lower Mortlake Road,Richmond,TW9 2LR, - 28.02.2020
 47 Lower Mortlake Road,Richmond,TW9 2LW, - 28.02.2020
 43 Lower Mortlake Road,Richmond,TW9 2LR, - 28.02.2020
 First Floor Flat,51 Lower Mortlake Road,Richmond,TW9 2LW -
 55A Lower Mortlake Road,Richmond,TW9 2LW -
 13 Ruskin Avenue,Kew,Richmond,TW9 4DR -
 53 Lower Mortlake Road,Richmond,TW9 2LW -
 Ground Floor Flat,51 Lower Mortlake Road,Richmond,TW9 2LW -

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

<u>Development Management</u>	
Status: WDN	Application:97/1321
Date:08/10/1997	Redevelopment Of Site Used As Builders' Merchant To Provide One One Bed Flat And One Two Bed Flat With Two Off- Street Parking Spaces
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<u>Development Management</u>	
Status: WNA	Application:98/1235
Date:28/07/1998	Proposed Two Flats With Off-street Parking.
<hr/>	
<u>Development Management</u>	
Status: REF	Application:06/3805/ADV
Date:14/02/2007	Erection of twin pole illuminated advertising sign 6400 x 1300mm
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<u>Development Management</u>	
Status: WDN	Application:16/4352/OUT
Date:31/01/2017	Proposed 3 storey office building (B1 usage)
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<u>Development Management</u>	
Status: PDE	Application:19/3352/FUL
Date:	Construction of a part 2/3 storey building to provide 16 co-living units (sui generis) and associated internal and external communal facilities, and bicycle parking spaces
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<u>Enforcement</u>	
Opened Date: 30.10.2001	Enforcement Enquiry
Reference: 01/00297/EN	
<hr/>	
<u>Enforcement</u>	
Opened Date: 07.02.2008	Enforcement Enquiry
Reference: 08/0061/EN/ADV	
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47a Lower Mortlake Road**Ward: Mortlake and Barnes Common**

Proposal: Construction of a part 2/3 storey and lower ground-floor level building to provide 16 co-living units (sui generis) and associated internal and external communal facilities, and bicycle parking spaces.

Main development plan policies (Not exhaustive):**National Planning Policy Framework (2018)****London Plan (Consolidated)****Adopted Local Plan (July 2018) – Not exhaustive**

- LP 1 - Local Character and Design Quality
- LP 2 - Building Heights
- LP 3 - Designated Heritage Assets
- LP 8 - Amenity and Living Conditions
- LP 10 - Local Environmental Impacts, Pollution and Land Contamination
- LP 11 – Subterranean Developments and Basements
- LP 16 – Trees, Woodlands and Landscape
- LP 17 – Green Roofs and Walls
- LP 20 – Climate Change Adaptation
- LP 21 – Flood Risk and Sustainable Drainage
- LP 22 – Sustainable Design and Construction
- LP 34 – New Housing
- LP 36 – Affordable Housing
- LP 37 – Housing Needs of Different Groups
- LP 39 – Infill, Backland and Backgarden Development
- LP 40 - Employment and Local Economy
- LP 42 – Industrial Land and Premises
- LP 44 - Sustainable Travel Choices
- LP 45 - Parking Standards and Servicing

Supplementary Guidance

- Residential Development Standards
- Small and Medium Housing Sites
- Affordable Housing
- Design Quality
- Refuse and Recycling Storage Requirements
- Residential Development Standards
- Sustainable Construction Checklist
- Richmond and Richmond Hill Village Planning Guidance SPD
- DCLG – Technical Guidance: Nationally described Space Standards

Site Description:

The site is the formers builder's yard at 47a Lower Mortlake Road. The site has an area of approximately 250sqm and is mainly hard standing, surrounded by a high brick wall which is approximately 3.8 metres high at the rear where it borders onto the flank southern wall of 3 Avoca Villas, in Blue Anchor Alley a large terraced dwelling to the immediate north of the site. There are two single-storey buildings constructed of brickwork towards the rear part of the site, adjacent to 3 Avoca Villas in Blue Anchor Alley. The site is also located directly adjacent to Kew Foot Road Conservation Area (CA) on the immediate western and northern boundaries, but is not within the CA.

The yard is currently vacant and being marketed (by Martin Campbell). For many years prior to this it was used as a builders' merchant, with trade and public attending the site to purchase/collect goods. Since the

cessation of this former use, it has been used as a car wash facility and also as a commercial car park (limited period only). The site has also been used on a temporary basis for the sale of Christmas trees. None of these more recent uses benefited from planning permission.

There are some single storey sheds to the rear, with the main entrance/access into the site from Lower Mortlake Road (A316), a busy major road linking London to the South West via the M3. Blue Anchor alley runs along the western boundary of the site, which is a pedestrian cut-through to Kew Road further north. The site has the following relevant planning designations:

- Article 4 Direction (restricting basement extensions)
- CIL Levy (Higher)
- Richmond and Richmond Hill Village SPD

Proposal:

The application seeks planning permission for the proposed development, comprising of a part-2, part-3 storey building with a lower ground floor level, providing 576 sq. GIA of 'co-living' floorspace, including 16 units designed for single occupancy, and associated internal communal living areas, bin store and plant space, along with the additional provision of external private amenity space in a sunken basement to the rear of no.47 Lower Mortlake Road. At ground floor 17 secure and covered cycle parking facilities are proposed, reflecting the accessibility of the site (PTAL 6a - Excellent), the proposals take the form of a car free-development.

Relevant Planning History

01/2289 permission	Redevelopment Of Site with A Three Storey Building To Provide B1 Offices. Granted 28/03/2002
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Public and Other Representations:

Public representations were received from 9 neighbouring residents in objection to the proposals. The material planning considerations raised are summarised as follows:

- Proposed development is out of character with the surrounding area;
- Inadequate level of parking. 16 new properties will stretch this further
- Ruin the adjacent conservation area
- Result in loss of privacy to neighbouring dwellings;
- Result in loss of light to neighbouring dwellings (with specific reference to existing dwellings within Blue Anchor Alley;
- Potential damage to neighbouring properties from basement work
- Loss of light to rear gardens
- Proposal will result in overlooking/overshadowing
- Loss of view
- Increased traffic generation;

The Kew Society have submitted an observation commenting that they support the imaginative concept of co-living, they have concerns about this proposal. These are as follows:

- the proposed development is overdevelopment of the site, building over almost the whole of the vacant yard and attaining open space only by incorporating the rear garden of 49 Lower Mortlake Road and that at a basement level, as is the small area at the Lower Mortlake Road side
- this may be a result of the number of bedsitting units, 16, which for a site which would otherwise accommodate one dwelling (as with numbers 49 and 51) seems to be excessive, leading to the need to build over nearly the whole site and resort to basement rooms and garden
- the massing is out of keeping with the local character of the long row of terraced houses with front and rear gardens along Lower Mortlake Road and thus does offends against LP1 of the Local Plan; only the gabled front elevation does reflect the two properties to the east.
- as a result, the setting of the Kew Foot Road Conservation Area is harmed
- the amenity of the neighbours in Blue Anchor Alley who currently have a sky view and light coming from that site will be harmed despite the attempt to mitigate this by the lower height at the rear of the proposed development
- in that respect the visualisation at figure 6 of the Heritage Statement is misleading, not showing the full height of the development and emphasising the greenery of the homes on Blue Anchor Alley.

- whilst the co-living concept is a creative one that would provide for a particular demographic and that would be very suitable for a town centre location with good transport links, this proposed development is too dominant and too out of keeping with the Lower Mortlake Road houses
- a co-living development with fewer units and more open space could make better use of this site

Councillor Seamus Joyce has expressed concerns about the application and the limited consultation to neighbours, also commenting that the previous owners of the site had purchased the houses to each side of the development (45,47, 49 Lower Mortlake Road and No. 1 Blue Anchor Alley) and apart from 45, 47, and 49 Lower Mortlake Road which have been turned into high density multiple occupant buildings, the houses and flats surrounding are predominately owner occupied and well maintained.

Professional comments

The main issues for consideration would be:

- Principle of Development
 - Land Use;
 - Housing Mix
- Design and Siting;
- Residential Development Standards;
- Affordable Housing;
- Sustainability and Renewable Energy Targets;
- Residential Amenity;
- Highways, Parking and Refuse;
- Flood Risk.

Principle of Development

Land Use

Principle – Loss of Employment Land

Policy LP 40 Employment and local economy states that the Council will support a diverse and strong local economy, noting the following principle:

1. Land in employment use should be retained in employment use for business, industrial or storage purposes.

Policy LP 42 Industrial Land and Business Parks states that the borough has a very limited supply of industrial floorspace and demand for this type of land is high. Therefore, the Council will protect, and where possible enhance, the existing stock of industrial premises to meet local needs, noting at Part A:

Retention of industrial space

A. There is a presumption against loss of industrial land in all parts of the borough.

Loss of industrial space (outside of the locally important industrial land and business parks) will only be permitted where:

1. *Robust and compelling evidence is provided which clearly demonstrates that there is no longer demand for an industrial based use in this location and that there is not likely to be in the foreseeable future. This must include evidence of completion of a full and proper marketing exercise of the site at realistic prices both for the existing use or an alternative industrial use completed over a minimum period of two continuous years in accordance with the approach set out in Appendix 5; and then*
2. *A sequential approach to redevelopment or change of use is applied as follows:”*

a. Redevelopment for office or alternative employment uses.

b. Mixed use including other employment generating or community uses, and residential providing it does not adversely impact on the other uses and maximises the amount of affordable housing delivered as part of the mix.

Therefore, policies LP40 and LP42 emphasise that the need for retention of employment land is a specific objective which the Local Plan aims to fulfil. As such, marketing evidence must clearly demonstrate that there is no longer demand for an employment-based use in this location and that there is not likely to be in the foreseeable future. Such marketing evidence should include the following:

Attempts to market poorer quality premises should be based on their present condition, and not on their potential for redevelopment in other employment uses or proposing housing as the only viable option.

In line with the sequential test set out in policy LP42, if marketing for an alternative industrial use is not forthcoming then consideration should be given to alternative employment generating uses including, in the first instance, B use classes such as offices and if these are not practicable then social infrastructure and community uses.

Given the previous employment use on site, the primary consideration therefore, is the loss of employment land in respect of Adopted Local Plan Policies LP40 and LP42 as referred to and the NPPF.

Further, Policy 4.4 of the Adopted London Plan categorises LBRuT as a Restricted Transfer of Industrial land to other uses. The draft London Plan is even more specific, placing Richmond in the 'Retain Capacity' category for the management of industrial floor space capacity. Research for the Greater London Authority (GLA) indicates that there will be positive net demand for industrial land in London over the period 2016 to 2041. Any loss must therefore be supported by full and proper marketing and the sequential approach, as set out in policy LP42 must therefore be applied.

Only once this has been conducted satisfactorily, will alternative employment uses be considered and then the amount of floor space should be re-provided or enhanced, as required by Policy LP40 – Employment and local economy and LP41 - Offices. This approach is also noted in draft London Plan Policy E7 - Industrial intensification, co-location and substitution.

Development Plans and development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land through:

1. introduction of small units
2. development of multi-storey schemes
3. addition of basements
4. more efficient use of land through higher plot ratios having regard to operational yard space requirements (including servicing) and mitigating impacts on the transport network where necessary.

Assessment of the marketing exercise.

The loss of industrial land may be permitted if a robust and compelling case is made to show there is no longer demand nor is likely to be in the future for an industrial based use at the location and includes full and proper marketing evidence. See para 10.3.4 of the Local Plan.

The site has been actively marketed by Martin Campbell Commercial Property Consultants as open storage space since 1st February 2017, at a rate of £30,000 per annum. The board was taken down in July 2019. The agents DP9 state that site has been marketed through a commercial agent for employment/storage uses for 32 months. The marketing particulars describe the site as 'industrial/warehouse'. It is advised that due to the restricted access to the site and lack of a turning circle for larger vehicle, there has been little interest, and they consider it to be unsuitable by prospective occupiers. The LPA is therefore aware of the marketing for the existing use and general industrial/warehousing and the period is not disputed. LP42 part A1 has been completed.

Thus, the assessment moves to criteria A2 of LP42. A sequential approach should be adopted with a preference for office or alternative employment uses.

The decision period was extended to enable the applicants to prepare additional further information in response to comments provided to them regarding the loss of employment use, namely the evidence extending to discount other employment (B Class) and community uses as per sequential test in policy LP42 A2.

In respect of this additional information submitted, it is acknowledged that the site is outside the town centre and the AMU. However, it is near the amenities and facilities of Kew Road and Richmond Town Centre. This subject site is not considered to be small-scale in the Richmond context.

The report by Savills dismisses the prospect of industrial type and social infrastructure uses, concentrating on office use of the site. Paragraph 4.2.4 of the Savills' report states "Whilst we believe that if constructed, occupiers could eventually be found. However, the site's constraints would significantly limit the premises' commercial attractiveness. It would only be attractive to a small proportion of the occupier base. This is likely to result in the landlord charging rents that are below market; the premises having long void periods; or that

occupiers interested in the premises would have poor covenants. All of these elements introduce significant risk to an office development and make it unlikely that a permitted office development on the site would be commercially viable.”

Savills analysis advises that the local area has about 166,000 sqft of available office floorspace which is an availability rate of about 10.3%. This is above the Borough’s availability rate of 8.8%. The property market area has a significant presence of small offices of which the average size is about 8,200 sqft. Savills say there is currently about 108,000 sq. ft of vacant office floorspace in the property market area. The level of vacant floorspace is expected to increase by about 17% by 2024. It states that due to the limited size of the site and its access/parking limitations with its position on a red route and a lack of prominence would count against the speculative development of the site for B1 commercial uses.

The LPA agree that offices in a mixed-use block could be a viable option here, with the residential element potentially subsidising the office development and mitigating the risks of development. However, it is acknowledged that the small plot size is unlikely to be able to accommodate the required scale and mix of uses without over-development. Whereas the feasibility of a mixed-use development has not been fully demonstrated, it is accepted that the constraints of the site would make the practicalities of a mixed-use with commercial on the ground-floor difficult to achieve and given the history of the site, its position on the north side of the A316 outside of the town centre, the predominant residential surroundings and worsening market conditions it is considered that on balance it is very unlikely that a small-scale office development would be a realistic proposition given the sites constraints and acknowledging the lack of parking, the access situation on a red route, lack of prominence outside of the main centre and the current economic situation. A mixed-use development whilst possible is not considered to be a very likely viable scenario for this particular site at this particular time. On that basis it is considered that adequate evidence has been provided that the scheme would not be suited to a mixed-use scheme and consequently there is no objection to the proposal on grounds that it is contrary to Policy LP42.

Proposed residential/co-living/Affordable Housing

As no objection is raised to the proposal on grounds of Policy LP42, it is acknowledged that a residential use can add to the vitality and viability in mixed use areas, provided a proposal secures an appropriate balance of uses for the location, does not have any negative impact on commercial uses and avoids potential conflict between uses such as entrances and servicing.

Policy LP36 seeks on-site affordable housing provision on sites capable of ten or more units gross. The proposal is for 16 flats, which therefore exceeds the threshold of ten units for on-site provision of affordable housing in terms of the number of units proposed.

Policy LP37 (Housing needs and different groups) does encourage housing choice for different groups. In terms of co-living products, the Local Plan only specifies at paragraph 9.4.12 that the Private Rented Sector (PRS) can assist in meeting a range of needs and be particularly suitable for certain locations, but it does not specify types of PRS such as co-living schemes.

In policy terms, therefore, it the proposal is assessed against Policy LP37 (B), which requires that the product envisaged would provide for an identified local need, across a range of tenures, and on a site and in a location suitable for that particular use.

The LPA has received detailed comments from the Council’s housing officer, which suggests there is no evidence the scheme will meet local needs, and the units could not be considered as affordable.

From the planning and co living statements, the applicant states the flats would be self-contained with a double bed, bathroom with shower and a kitchenette. The flats would range in size from 17 sqm – 20 sqm. In addition, the scheme would have shared indoor and external amenity areas, communal lounge and kitchen, gym, workspace, washing machine and dryers.

The rent would be between £ 800 -1,000 pcm (inclusive of all utility bills but would there be any additional service charges and would be targeted at 24 -42-year olds (mainly individuals in their 20’s) who were university graduates or households, who wanted to have good connectivity to central London but the enjoyment of living in Richmond. The applicant advises the average household income would be £ 27,000 pa and expect 50% of households to be from the UK, 40% from EU and 10% from China or Australia (it is not clear where these percentages have come from) “primarily” for single occupancy. They expect the average stay to be 6 months with tenancies of 3 months to 5 years – there is no indication of what type of tenancies that would be offered.

It appears the flats would be managed by Westlake Property Ltd who have other properties/schemes in the borough. There would be no on-site concierge but there would be a 24/7 property manager on call.

Based on household costs being no more than 40% of gross household income and net being 70% of gross, the rents quoted would be affordable to household incomes from £ 34,285 - £ 42,587. It is not clear how they have arrived at £ 27,00 pa as that would require rent of £ 630 pcm.

The incomes would fall within the Council's affordability for intermediate housing of two-thirds to be affordable at household incomes of up to £ 47,000 pa but these affordability standards assume that flat sizes meet space standards which these flats clearly do not.

The Housing Officer initially commented that,

"I could see no evidence/research to show who these units would be attractive or more a local need in LBR. In applications I have had in Wandsworth, the applicant has undertaken research into the number of house sharers in the locality, what rents they are paying and have been able to demonstrate who the co-living rents which include the cost of all service charges compare favourably with those renting a room in a shared house.

I could see no evidence on how they had arrived at their weekly rent

I could see no management plan on how the units would be managed and maintained or any track record of the managing agent having managed similar schemes elsewhere.

I am not aware that we have much planning policy on co-living. The Draft London Plan Policy H18 does give some guidance on co-living but only on larger co-living schemes (which is defined as 50 flats and above). Certainly, the proposed scheme has some of the elements required in a larger co-living scheme but not all, such as a concierge (though I expect this would be uneconomic for this scheme to provide). The policy is clear however that co-living cannot be considered affordable housing due to the space standards. It does not expect on site affordable but that a commuted sum is paid equivalent to 35% affordable housing assuming 50% of the OMR or equivalent to 50% affordable housing if public or industrial land. I could not see a commuted sum offer from the applicant or any financial viability appraisal supporting the application which I assume is required before the application can be validated.

My view is that they seem to be trying to cram an awful lot in to a constrained site. Although they have facilities such as communal lounges and kitchens, workspaces and external amenity areas these look quite small given the number of flats

I cannot see they have provided any evidence of the demand for such a scheme locally, as you know LBR have no waiting list for such a scheme and there is no evidence how they would market locally, and I can see this just being occupied on a Pan London basis. I assume the rents they have quoted are open market rents and the flats could not be considered affordable and there is no commuted sum being offered or FVA submitted.

All the co-living schemes I have dealt with in Wandsworth have been for 200 flats +, with high levels of staff and other services provided such as cinemas, gyms, large communal cooking and dining areas, work spaces for home working and lots of events put on within the scheme for residents meets the ethos of co-living that residents spend little time in their flats and experience the benefit of community living. As we have a home ownership team we have negotiated rents at below OMR levels that will be nominated to through our home ownership team and these units will be promoted and publicised locally. I cannot see this being replicated in a scheme of this size and no on-site management presence is of a concern."

The decision period was extended at the applicants request as they wished to prepare additional further information to identify that there was demand for the proposed co-living product. Additional material was provided on the demand for proposed co-living use and this has been given further consideration by both the LPA and the Housing Team. It is accepted by Housing Officer's that in as much as the rents would be below market and in this respect is acknowledged to meets some form of identified need insofar as it provides a housing option in rather the same way a communal house-share would provide such an option, however this recognition in itself is not considered to override the need for affordable housing (within the national definition) and also does not provide certainty that it will meet a local need (without validation through nominations) unlike affordable rent/shared ownership/LLR and the units would be well below NDSS..

On the additional evidence provided, the following is noted:

The evidence provided on need in the defined locality i.e. roughly half mile radius assumes the existing sharers want to stay there and move to a main road situation with a small courtyard garden.

Depth of rental market in Richmond upon Thames /Affordability gap in Richmond upon Thames

The table refers to the maximum rent required for each size of home- so average would show a different picture. These tables ignore the cost per month of two sharing in a two bed, three sharing in a three bed etc- plenty of homes are affordable in a house share situation and it's an assertion (nothing more that young professionals would prefer co-living to a shared house (perhaps with parking/garden etc).

Housing is unaffordable to buy for many in the rented accommodation in Richmond upon Thames

“The unaffordability of sales values across Richmond upon Thames mean that the majority of rental households living in Richmond upon Thames would be unable to access home ownership.”

“This highlights the need for the increased delivery of a broad range of housing options that can cater for households that are priced out of existing open market options, such as co-living.”

This is agreed but not only co-living private rented schemes

The graph illustrates perfectly our approach to affordability i.e. there is a gap in provision for the household incomes that our affordable housing policies prioritise – i.e. LLR rent levels and prioritisation of households with mx. H/h income of £47k.

Affordable housing for s/o or LLR addresses this need,

Note: Policy LP36 advises on the weight given to this type of scheme:

9.4.12 The Private Rented Sector (PRS) can assist in meeting a range of needs and be particularly suitable for certain locations. It can for example offer longer term tenancies/more certainty over long term availability and ensure effective management through single ownership. Any PRS schemes are strongly encouraged to sign up to the London Rental Standard. Wholly PRS proposals are unlikely to be supported where they do not contribute to the higher priority need for affordable housing

Therefore, it is acknowledged that the product would satisfy a particular demand when assessed against Policy LP37.

In terms of Policy LP36 the applicants have included an Affordable Housing Statement which suggests the proposed scheme is projected to make a Net Development Profit of -16.84% and as such, it is not considered to be appropriate to include Affordable Housing or a commuted Affordable Housing payment as a part of the development. A summary of a viability toolkit is provided by applicant, however this has been considered and is found to be lacking any details about the justification for inputs, such as on land value and costs, which would be necessary to review (further information provided also fails to address the issue) in order to undertake an independent review to ensure that the assumptions and values are appropriate. A full viability report to clarify the affordable housing position is required, and this would need to be independently assessed. The outcome of this is necessary for the Council to be satisfied that the maximum financial contribution towards off site provision can be made, or that no contribution is viable, to accord with Policy LP36. The applicant has not provided the necessary detail to enable this process to occur and no viability review process has been agreed as a result.

The decision period was extended at the applicants request as they wished to prepare additional further information. Rather than a full viability report and costings, the original viability summary submitted at validation stage was supplemented with the following statement:

“ - As a matter of fact, the purchase price was £450,000. A RICS Red Book valuation for the site has also been secured by our client, valuing it at £400,000 (this can be used if Ian would prefer to use a valuation figure rather than a purchase price)

- The build costs use BCIS construction costs index published by RICS (and actually reduced the costs by about 15% to show further flexibility). The appraisal has therefore relied on an industry standard which is a RICS index.*
- The other development costs are a matter of fact and our client has invoices to prove them, except for the anticipated costs in relation to future planning related conditions which are, understandably, estimates at this stage.*
- The finance costs are assumptions based off of our client's experience The GDV is a rent and yield calculation. In the responses to the council our client has used an optimistic rent figure of £1,100 pcm*
- The yield applied is 5% to get a capital value for the GDV.”*

The Housing Officer reconfirmed his view on the viability and stated that the provided statement does not constitute the requested information our assessors need and no reference to policy LP36 is made in the additional information submitted.

The Council's Affordable Housing SPD states at para 2.7.2 that the GLAs Affordable Housing Development Control Toolkit or similar should be used in presenting the viability of a scheme. For the purposes of consistency and comparison the Council will use the GLA Toolkit in making assessment of all viability submissions. Para 2.7.5 notes that full disclosure of financial information is expected alongside arrangements to validate assumptions used.

The Mayors Affordable Housing and Viability SPG also provides guidance on the requirements and is clear that "There are a number of viability models used in the industry such as the GLA's own Affordable Housing Toolkit, the HCA model, Argus Developer, and bespoke models. Where viability information is required, the LPA... should be provided with the full working model and/ or all the assumptions and calculations included in the modelling so that officers can test and interrogate the information. There must be no hidden calculations or assumptions in the model. This will allow officers to vary assumptions to ascertain impact on the conclusions. Without this the LPA... cannot properly assess the validity of the appraisal and the assumptions used to underpin the affordable housing offer."

The LPA has been reasonable in providing the applicant with the opportunity to produce further information in support of their application. It should be noted that the LPA provided the applicant with extensive pre-application advice which clearly set out what information was expected with the application and also clearly set out that a full viability report was a requirement at validation stage.

The information submitted does not provide sufficient information for the LPA to undertake a review and without assessing the viability, the application is considered to have failed to address Policy LP36 and it is not considered there is a strong justification within the application that this scheme will meet local needs and maximises affordable housing, particularly given this is a former employment site.

Therefore, the scheme would make no contribution to affordable housing (as proposed and insufficient information has been provided to undertake viability review) given this is a former employment site and for these reasons the application is found to be contrary to policy LP36.

Standard of Accommodation

Regarding the standard of accommodation, the application emphasises the proposal is of a home scale, and all facilities including shared working spaces, gym, cleaning etc. along with shared indoor and outdoor space are included in the membership of the proposed co-living product. The garden area to the rear is approximately 66sqm and the individual units are all a similar size and would all over single level, with the internal floor area ranging from 17sqm to 20sqm, which is well short of usual policy requirements for C3 housing as contained within the Technical Guidance.

There is reference in the Design & Access Statement submitted with the application that the proposal is for 16 x 1 bed 1 person units, however while these units are aimed at single occupancy and the research suggests occupants will be predominantly single; each unit is shown with a double bed. The LPA cannot control occupancy therefore the implied occupancy could be up to 32 persons, if each of the proposed units were to be shared by a couple. Many of the units would be single aspect, including two units at lower ground-floor level. The communal facilities and external amenity space are at lower ground floor, with only some small desks for workspace etc. at the end of a corridor on upper levels. The quality of outlook and space here will be impacted by the rear elevation of 47 Lower Mortlake Road, the side elevation of 3 Blue Anchor Alley and the host building itself so would have a substantial degree of enclosure. The combination of factors is such that the LPA has significant concerns regarding the residential standard of accommodation that would be produced, which would fall well short of adopted guidance for 1 and 2 person flats and which it is considered would be overly congested. It is acknowledged that there are no specific standards set out in planning guidance for co-living schemes and the emerging London Plan Policy H16 applies to schemes generally of at least 50 units, although it sets out useful principles for the type of product envisaged. The application does promote the concept of a co-living scheme, but due to the small size of units and limits to the communal facilities, the potential occupancy provided is considered to be cramped, congested and to constitute sub-standard housing, well below standards expected for standard residential housing as set out in the Nationally Describes Space Standards (DCLG Guidance).

The LPA has noted that a large scale co-living scheme was considered recently by Wandsworth Planning Committee. The officer report, in relation to the London Plan Policy H16, included the following as a material planning consideration: "It should be noted that the policy does not take account of the experiences of the population faced by the current pandemic with consequence for future planning for living and working, including internal space standards, outdoor and recreation space.". The officer report found the standard of accommodation could be better, including "...it is considered that the standard of accommodation within this scheme falls short given the recognised contribution that a good standard of accommodation to live in gives to the health and wellbeing of individuals. This is more acute at the current time given the impact of the Officer Planning Report – Application 19/3352/FUL Page 10 of 18

coronavirus pandemic globally and the forced requirement for many to work and live in the same space, all day and every day. This is a relevant material planning consideration and the analysis of the scheme in this regard has to weigh against the proposal."

These principles are considered sound, bearing in mind the London Plan and consideration of material planning considerations and the role of the Planning system in promoting health and wellbeing. Notwithstanding the current pandemic, it remains that "it is recognised that adequate space in the home has an effect on health, diversity and community cohesion and that insufficient space provision in the housing stock will therefore impact on local services. It is an important issue in the borough given the scarcity of housing land supply and particularly to prevent sub-standard accommodation in small units" (para 9.2.4 of the Local Plan) and as set out above the combination of the limited size of the private units and limited size and quality of communal accommodation are considered to result in an overly cramped and congested form of development.

Design and Siting

The NPPF (National Planning Policy Framework) advises good design is a key aspect of sustainable development and is indivisible from good planning and should contribute positively to making places better for people. Local Plan Policy LP1 states that the Council will require all development to be of high architectural and urban design quality. The high-quality character and heritage of the borough and its villages will need to be maintained and enhanced where opportunities arise. Development proposals will have to demonstrate a thorough understanding of the site and how it relates to its existing context, including character and appearance, and take opportunities to improve the quality and character of buildings, spaces and the local area.

The NPPF states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset the greater the presumption in favour of its conservation should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

The site is adjacent to the Kew Foot CA and Policy LP3 seeks the protection of areas of special significance by designating Conservation Areas and that the impact of proposals within and affecting the setting of Conservation Area will be taken into account. New development should conserve and enhance the character and appearance of the area.

Policy LP 39 - Infill, Backland and Backgarden Development. All infill and backland development must reflect the character of the surrounding area and protect the amenity and living conditions of neighbours. In considering applications for infill and backland development the following factors should be addressed:

1. Retain plots of sufficient width for adequate separation between dwellings;
2. Retain similar spacing between new buildings to any established spacing;
3. Retain appropriate garden space for adjacent dwellings;
4. Respect the local context, in accordance with policy LP 2 Building Heights;
5. Enhance the street frontage (where applicable) taking account of local character;
6. Incorporate or reflect materials and detailing on existing dwellings, in accordance with policy LP 1 Local Character and Design Quality;
7. Retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP 16 Trees and Landscape;
8. Result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens, in accordance with policy LP 8 Amenity and Living Conditions;
9. Provide adequate servicing, recycling and refuse storage as well as cycle parking;
10. Result in no adverse impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.

The site of the proposed new building is not within the CA, but any infill design would affect its setting as it is on the boundary. This is an infill site previously used as a builder's yard. The houses on the north side of Lower Mortlake Road are mainly late Victorian terraces, and the site bounds Blue Anchor Alley leading up to Kew Road. The proposals are considered to have largely followed pre-application advice given in relation to the scale of the development proposed, which included a suggestion to remove a previous proposal to provide box top window at the front, to better relate better to the adjoining pair of houses in Lower Mortlake Road, and to reduce the height to rear.

The proposed front elevation is generally considered to relate well to the adjoining pair of houses which have distinctive front gables. The design is considered to be a positive modern interpretation of the adjoining elevations, which relates to the existing rhythm of street frontages.

The development proposed to the rear is intensive. It is accepted however that this is a sustainable location near the town centre which has a dense development pattern. It is generally acknowledged that this would relate acceptably in terms of scale and design to the prevailing townscape of rather tight grain, and the fenestration arrangement proposed would avoid a dead frontage along the alleyway. The indication of materials is generally considered to be acceptable and to relate well to this setting, subject to appropriate conditions.

In relation to the alleyway elevation, it is considered that the proposals have addressed previous advice provided and would relate adequately to the conservation area setting and would harmonise with the established character and architecture, respect the surrounding built form and subject to conditions, requiring further details of facing materials would adequately respect local character and design quality, in particular policies LP1 and LP3.

Whereas the development would be significantly more intensive than the existing buildings on the site, it is generally accepted in terms of the scale and buildings for this accessible site, close to Richmond town Centre on a busy classified road would generally relate well to the street-scene, and is of an acceptable design for the nature of the product intended and although providing little relief, it is acknowledged that as part of a planning balance of making efficient use of this brownfield site that the scale proposed is within acceptable parameters for the nature of the development. Whereas the development would be large and assertive on a prominent corner site, it is considered that the design approach is generally acceptable and in accordance with design policies.

There is no in principle objection to the formation of a basement on the site, but any proposed basement extension would be considered in accordance with policy LP11 which states:

- A. The Council will resist subterranean and basement development of more than one storey below the existing ground level to residential properties or those which were previously in residential use.
- B. Proposals for subterranean and basement developments will be required to comply with the following:
1. extend to no more than a maximum of 50% of the existing garden land or more than half of any other undeveloped garden area (this excludes the footprint of the original building);
 2. Demonstrate the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure, including related to the highway and transport; a Structural Impact Assessment will be required where a subterranean development or basement is added to, or adjacent to, a listed building.
 3. use natural ventilation and lighting where habitable accommodation is provided;
 4. include a minimum of 1 metre naturally draining permeable soil above any part of the basement beneath the garden area, together with a minimum 200mm drainage layer, and provide a satisfactory landscaping scheme;
 5. demonstrate that the scheme will not increase or otherwise exacerbate flood risk on the site or beyond, in line with policy LP 21 Flood Risk and Sustainable Drainage;
 6. demonstrate as part of a Construction Management Statement that the development will be designed and constructed so as to minimise the impact during construction and occupation stages (in line with the Local Environmental Impacts, Pollution and Land Contamination policy of this Plan);
- C. Proposals for subterranean and basement developments, including extensions, as well as lightwells and railings, will be assessed against the advice set out in the Council's SPDs relating to character and design as well as the relevant Village Planning Guidance and the forthcoming

SPD on Basements and Subterranean Developments. Applicants will be expected to follow the Council's Good Practice Guide on Basement Developments.

It is noted that point 2 above requests that an application demonstrates that the scheme safeguards the structural stability of neighbouring buildings and other infrastructure, in this case the highway given its proximity. Whilst a full structural impact assessment is not required, the application advises that there are no ground stability factors identified which could affect the creation of a subterranean level. The application draft Construction Method Statement will also be required to accompany the application. It is considered that the application is in general accordance with the requirements of policy LP11 and there is no specific objection to the principle of a lower ground/basement level.

Residential Amenity of Neighbouring Properties

Policy LP8 states in considering proposals for development, the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance. The Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings and that adjoining land or properties are protected from overshadowing in accordance with established standards.

It is generally acknowledged that a redevelopment has potential to improve the character and appearance of

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the site, which presents as a functional employment site dominated by hard-standing and whereas there would be a change of view for properties surrounding the site, the planning system cannot protect specific views from private properties (unless these are strategically important) but can only consider whether a proposed development is intrusive or overbearing to the outlook of a property, particularly residential properties, due to the massing and proximity of a proposal, and whether this would cause demonstrable harm to the amenity of the property.

The development form achieves a degree of separation with regards to surrounding buildings, given the existing retaining wall to the north, the proposed set-backs of the upper floors and the intervening accessway. It is noted that the property at 47 is within the same ownership as the application site and that a concerted effort has been made to orientate the site away from neighbouring development to the immediate north and west and to avoid direct overlooking.

Generally, there are no significant concerns in relation to properties on the other side of the passage, given the degree of separation and the relative orientation of sensitive elevations away from neighbouring proposed development. Outlook from the flats is orientated towards the east elevation and it is acknowledged that with the imposition of appropriate privacy screening, obscure glazing any increased overlooking of neighbouring gardens could be mitigated.

Daylight/Sunlight: In this respect, a Daylight and Sunlight report has been submitted by the applicant prepared by specialist daylight consultants TFT confirming that daylight and sunlight availability to neighbouring residential properties adjacent and to the rear of the site would continue to satisfy British Research Establishment's (BRE) recommended values and occupiers would not be unduly harmed.

The report has undertaken a daylight / sunlight analysis and their report submitted in support of this application states that, *"83.3% of the 42 windows considered will fully comply with BRE target values. 5 of the 7 windows falling below the suggested BRE benchmark are secondary windows serving rooms that have the benefit from receiving daylight from other windows. The NSL results indicated that 25 (96.1%) of the 26 rooms considered will fully comply with the BRE target values. The only room that marginally falls below the suggested BRE benchmark maintains an NSL of over 68% indicating that the space will remain well-lit in the proposed condition.."*

The technical assessment has been undertaken in accordance with the methodology outlined in The Building Research Establishment Report "Site Layout for Daylight and Sunlight 2011" (BRE 209). The BRE document is the principle guidance when considering daylight, sunlight and overshadowing.

Overall, the proposed scheme has been demonstrated to have a negligible effect to the sunlight the relevant neighbouring properties current receive, when assessed against the VSC and NSL assessment criteria. The internal daylight adequacy assessment demonstrates that all habitable rooms within the proposed scheme will fully comply with the BRE target values. Overall, the findings indicate that the development is not of an excessive scale for the immediate surrounding area in daylight and sunlight terms and will meet the intentions of the BRE guide.

Outlook/Privacy: The scale of the redevelopment scheme would be intensive, covering much of the available site area and does raise concerns regarding its impact upon neighbouring amenity, particularly with a substantial increase in the actual and perceived potential for overlooking and overbearing from the proposed building to the surrounding gardens to the north, east and west side of the development, with a development, which proposes a much larger structure closer to their properties.

45 Lower Mortlake road is to the immediate west of the site and located on the other side of the intervening Blue Anchor Alley and is also within the same ownership as the application property and it is understood is in used as a House in Multiple Occupation (HMO). The mainly blank flank wall, of this property faces onto Blue Anchor Alley and the first-floor of new development would be visible in oblique views from the rear shared garden area as it would also be from would from the front garden area of number 3 Blue Anchor Alley to the immediate rear of number 45 Lower Mortlake Road. It was noted in a site visit that the front of 3 Blue anchor Alley is heavily vegetated, with a tall tree in the front garden which would also mitigate the impact of the proposed development to some degree. Whereas residents of both of these properties would notice an increase in built form from their respective rear/front garden/amenity areas it is acknowledged that due to the relative orientation of this site, that with appropriate screening/opaque glazing any concerns about overlooking/loss of privacy to these residents could be mitigated by condition. It is not considered that the proposed development would be significantly detrimental to the residential amenities of these properties on the other side of the intervening alley, with the overall height of the first-floor rear element broadly in line with the eaves height of these neighbouring residential properties and whereas some passive surveillance of the proposed windows in the flank elevation may occur, the main aspect of the property is focused towards the east. It is acknowledged that there would be a loss of outlook to a flank facing window in at second-floor level of number 45 Lower Mortlake, but given this window provides a secondary aspect onto the alleyway and in Officer Planning Report – Application 19/3352/FUL Page 13 of 18

the context of the tight urban terrace grain of this area this is not considered objectionable. The proposed height of the 3-storey front part of the proposed development is directly in scale with properties either side of it on Lower Mortlake Road and given the terraced nature of the area, any development coming forward for this site would reasonably expect to relate to the height and scale of the properties either side of it.

45 Lower Mortlake road is to the immediate west of the site is on the other side of the intervening Blue anchor Alley. The mainly blank flank wall of this property faces onto the alley. At the upper floors the new development would be visible in oblique views. Whereas these residents would notice an increase in built form from their rear amenity areas and first floor rear elevation window, due to the relative orientation of this site and with appropriate screening/opaque glazing concerns about overlooking could be readily mitigated.

3 Avoca Villas is a two-storey property with a large two-storey rear element to the immediate north of the site and its predominantly blank south elevation lies directly adjacent to the rear of 47 and 47A Lower Mortlake Road and is separated from the proposed development site by an existing high brick-built boundary wall. Whereas there would be a substantial uplift in the level of development at 47A Lower Mortlake Road, the part of the development that protrudes above the existing retaining wall would be orientated away from the boundary of 3 Avoca Villas at first-floor level to mitigate concerns about potential overlooking or an overbearing impact. In this regard the proposed development has been stepped down at the rear so it would be two-storeys from adjacent ground-floor level and the back portion of the development has been designed to essentially line up with the existing retaining brick wall along this boundary with the second-floor recessed, to form a softer more lightweight palette and in this respect would be in scale with the surrounding two-storey pattern of development. The height of the first-floor element is given as 12.77 m AOD, which is approximately the same height as the eaves of 3 Avoca Villas, which is given as 12.88 m AOD to eaves and 14.43 AOD to its ridge. Whereas it is appreciated that the design attempts to replicate the existing situation by keeping the rear element broadly at the same height as the existing rear wall, there is a concern that the first-floor element set approximately 1 m off the boundary where it tapers away from the solid flank wall and which would project forward of the front building line of 3 Avoca Villas could appear overbearing for the residents of 3 Avoca Villas especially when viewed from their front garden area. It is not clear from the plan submitted what the exact height differential is between the rear part of the existing rear wall and the back element of the proposed scheme, but even a modest increase in the height of the rear retaining wall would be very apparent to these residents and result in a far more cumbersome and prominent building in very close proximity to their boundary, which could appear overbearing and enclosing.

There is also concern about the proposed relationship with the large three-storey property existing properties within the existing site, in particular the dwellings at 47 Lower Mortlake Road, immediately to the east of the site. It is understood that 47 Lower Mortlake Road is an eight-bedroom HMO, although little detail of the internal arrangements of this neighbouring property have been provided within the application. It is noted that this property is also within the ownership of the applicant.

The proposed development would project substantially past a first-floor side facing window, inset into the outrigger of this property and also a rear window at first-floor level in the first-floor rear elevation and from the rear the first-floor rear elevation window, inset into the outrigger, which is not obscured and appears to serve one of the bedrooms in this neighbouring property. A side facing window in the ground-floor of 47 Lower Mortlake, which appears to provide a secondary aspect over the courtyard would also be blocked up by the proposed development. This is of a less of a concern, because this window is secondary and any development coming forward would necessitate that this window would be built over. However, there is little doubt that the extent of the proposed rearward projection and height of the proposed development would be overbearing and enclosing for these first-floor rear and side facing windows. Given the substantial projection of the proposed development the residents in 47 Lower Mortlake would be faced with a very dramatic uplift in the level of development and with a series of windows which directly look on to this side flank elevation and there are significant concerns that the proposed development would appear very overbearing and enclosing.

Further, the area over which it is proposed to provide the sunken garden to serve as the communal amenity space for the proposed development (which is currently separated from the main part of the application site and 47 Mortlake Road by a 2-metre high close boarded fence), is noted to currently serve as the rear communal amenity area of 47 Lower Mortlake Road. This is supported by the marketing details for this neighbouring property available to view online, which describes 47 Lower Mortlake Road as a HMO having 8 separate rooms, including one for let at the front on the ground-floor, 3 in the first-floor and a further 2 in the roof all rented to individuals, with this rear area described as providing a communal rear garden, with a shared kitchen on the ground-floor. It is acknowledged that the adjacent property is also in the applicant's ownership, however the flats in this property would not only lose this access to their rear amenity area as a result of the proposal and the sunken garden would be directly overlooked by rear windows in 47 Lower Mortlake Road, which would directly back onto this area. In providing amenity space in a sunken garden to serve the proposed 'shared-living' development, this would be achieved by depriving the occupants of the existing HMO at 47 Lower Mortlake Road of theirs. Clearly this arrangement would be deleterious to their living stands and result in a loss of an amenity area that they might reasonably expect to be able to continue

to enjoy.

Therefore whereas the proposals as submitted are not found to result in any significant impacts on the residential amenity of neighbouring occupants to the west of the site, or due to the intervening dual carriageway the flank elevation of the well separated properties to the south of the site in Salisbury road (which are over 40 metres away), there are concerns that the proposals would prove deleterious and detrimental to the residential amenities that the residents of 47 Lower Mortlake road might reasonably expect to be able to continue to enjoy due to a loss of privacy, a significant increased sense of enclosure and a loss of a rear amenity area that they might reasonably expect to continue to benefit from and for this reason the proposal as submitted is considered to be contrary to policies LP1, LP8 and LP39, which seek, amongst other matters to prevent harm to the amenities of neighbours.

Highways, Parking and Refuse

Policy LP44 and LP45 of the LP (2018) states that it is necessary to consider the impact of any new development on the existing wider and local transport network and that development will have to demonstrate that the new scheme provides an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions. The maximum parking standards contained within Appendix 3 of the Adopted Local Plan will be expected to be met, unless it can be shown that in proposing levels of parking applicants can demonstrate that there would be no adverse impact on the area in terms of street scene or on-street parking.

Policy LP44 also seeks the provision of appropriate cycle access and sufficient, secure cycle parking facilities. The Highways and Parking Impacts of the indicated development are considered:

Pedestrian Access

Pedestrians would access the site from the northern side of the A316 Lower Mortlake Road. This road has a high-quality footway and cycle-way and the development is proposed is intended to be car-free. The applicant would need to enter into an agreement under S278 of the Highways Act 1980 to restore the vehicular cross-over immediately south of the proposed access to the level of the surrounding footway and to install demarcation studs at the south-western corner of the site due to the altered building line. These will define the highway boundary.

The A316 Lower Mortlake Road is part of the strategic road network and maintained by Transport for London (TfL). Therefore, they would be required to be signatories to the agreement and provide technical approval for the work.

Vehicular Access and Parking

The proposed development would be car-free and no disabled parking spaces are proposed to be provided on the site. The site has a public transport accessibility level (PTAL) score of 6a (excellent)

The proposed development is also in a controlled parking zone (CPZ) N- North-East Richmond. This operates from 10.30 - 16.30, Monday - Saturday (exclusive of bank holidays and public holidays). The applicant would need to enter into a legal agreement with the Local planning Authority which will state that residents and employees of this development will be precluded from purchasing on-street vehicular parking permits within it apart from disabled residents and employees. This is in accordance with Local Plan policy LP45, Paras. 11.2.1 and 11.2.2.

Although there is not sufficient space to provide disabled vehicular parking on site in accordance with standards set out in the current London Plan, disabled motorists can currently park in controlled parking zone bays, business parking bays, and parking bays which have time restrictions for as long as they need to be provided as long as they display a blue badge on their vehicle. There are a number of bays 50m east of the site access which are 45 degrees to the carriageway. The applicant has also completed and submitted a vehicular parking stress survey which has been completed in accordance with the Borough's Supplementary Planning Guidance which demonstrates that there is sufficient space to accommodate up to two vehicles that may need to park on the carriageway or in other bays with restrictions on them without adding unduly to existing vehicular parking stress. Therefore, there is generally no objection to the proposals in this regard subject to the legal agreement being completed which could be secured by Grampian condition.

Servicing and Refuse Collection

There is a dedicated loading bay immediately south-west of the proposed development which motorists completing deliveries can use if necessary.

In order to meet the standards set out in the Borough's Supplementary Planning Guidance on refuse and recycling storage and collection, the applicant needs to provide sufficient refuse storage for up to 70l of

refuse per bedroom per week (16 x 70 = 1,120l), plus 2 x 360 bins for plastic and metal recycling and 2 x 360l bins for paper and cardboard recycling, plus storage for waste arising from the communal facilities. However, they state that refuse and recycling will be collected by a private contractor.

The A316 Lower Mortlake Road is a red route with a Traffic Management Order placed upon it which states "No stopping, Mon-Sat, 7am-7pm." Therefore, any refuse collection vehicle will have to use the servicing layby provided. Whilst indicative details have been provided regarding siting of refuse storage areas, it is considered that, in the event of granting planning permission; specific details would be required to be conditioned in order to safeguard the appearance of the surrounding locality and residential amenity of neighbouring occupiers and to ensure compliance with Policy LP24.

In light of the above; and in the event the application was to be supported an appropriate agreement the proposed development is therefore considered to, on balance to incorporate measures that would suitably control the effects of the development on the surrounding highway network, in accordance with the aims and objectives of policies LP44 and LP45 of the Local Plan (2018). To mitigate impacts on transport and amenity during construction; it would have been recommended that a full Construction Method Statement would be required to be submitted to and approved in writing by the Local Planning Authority in the event of approval.

Sustainability/Air Quality

Policy LP22 of the LP (2018) states new homes must achieve 35% reduction improvement in carbon dioxide emissions and new residential developments are to meet the targets for water consumption as set out within this policy i.e. 110 litres / person / day for new homes. Policy also requires that a Sustainable Construction Checklist be submitted with the planning application and that this is required for all new development of at least 1 new residential unit or 100sqm of non-residential floorspace.

The development proposes an efficient building fabric, including well insulated walls and highly efficient glazing, efficient systems and PV Panels are specified to maximise carbon savings for the site, resulting in a 26% improvement over Part L for the building. Measures have been incorporated to ensure that sustainability is considered throughout the construction and design process.

The applicants statement indicates that the scheme is not a major and that the shortfall to 35% can be achieved through an offset payment.

Whilst it is acknowledged that there is a degree of communal space, the private spaces contain all the key amenities for a self-contained residence behind a single door which only that household can use. As each unit is capable of independent living and severance, the LPA consider that this application meets the definition of a major development and have validated it as such.

The London Plan policy 5.2 requires major development to be zero carbon and to follow the energy hierarchy. The Intend to Publish London Plan seeks a minimum on-site reduction of 35% as part of that contribution. The supporting text to LP22 notes that a zero carbon home is one where at least 35% of CO2 emissions reductions are achieved on-site. Para 6.3.14 notes that 'The Council recognises that there may be instances where it is not technically feasible for a development to achieve a 35% reduction in carbon dioxide emissions over Building Regulations (2013). In such cases an applicant will have to demonstrate and set out clearly in the Energy Statement why the carbon dioxide emissions reduction target cannot be met on-site.'

A 26% reduction on site is considered low and a transparent explanation for why greater savings cannot be made on a new build scheme is not apparent within the application submission. For example, air source heat pumps are acknowledged to be feasible but not included due to limited roof space being taken by PV, although the PV is limited to only part of the roof area.

In light of the above and in the absence of an appropriate contribution to the Carbon Offset fund which would need to be secured through a section 106 agreement, the scheme would fail to meet the relevant sustainability targets and be contrary to the aims and objectives of Policy LP22 of the Local Plan, the Sustainable Construction Checklist SPD and Planning Obligations SPD and London Plan policy.

Trees/Ecology

Policy LP16 of the Adopted Local Plan is concerned that the boroughs trees and landscape will be protected and enhanced. There are no TPOs (Tree Preservation Orders) on site or adjacent land, but it was noted on site that there were trees in the adjacent conservation area, It was advised therefore at pre-application stage that any formal submission would be required to provide information about the existing trees and the impact assessment of the proposal upon them.

The proposal incorporates a blue roof to meet sustainability objectives and a sunken garden to green the site and the application has been supported with an Arboricultural Report. The Council’s Tree’s Officer has commented that the location of this proposal is not sited within a Conservation Area and there are no recorded Tree Preservation Orders (TPO) within or adjacent to the site. It has been confirmed that the trees adjacent to the site will not be affected by the construction of the proposal. However, any conditional consent would require that the area around these trees is suitably protected from any indirect construction activity, and not used for the storage of any materials and/or machinery.

This notwithstanding, the recommendations and working methodologies of the Tree Report are largely consistent with good Arboricultural practice for construction activities around trees and are in line with the British Standard BS5837 (2012) in the execution of this proposal. Therefore, there is no objections to the proposal subject to the appropriate conditions in respect of the application being undertaken in accordance with the submitted Arboricultural details, which would be secured through a condition.

Flood Risk

Policy LP 21 of the Adopted Local Plan aim to guide development to areas of lower flood risk and seek to ensure that development does not exacerbate flood risk off elsewhere (off site).

The site is not located within an area at risk of flooding however a surface and foul water drainage strategy has been submitted with the application, which demonstrates how the proposed development would introduce a blue roof system to aid the attenuation of excess water and the application is generally considered to be policy compliant in this respect.

Contaminated Land

The site may have been subject to former potentially contaminative land uses. Given the sensitivity of the proposed development a standard condition would be necessary if the application were to be approved.

Other Matters

Community Infrastructure Levy

The proposal would be liable for Mayoral Community Infrastructure Levy (CIL) and Richmond Community Infrastructure Levy (CIL). The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

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

Case Officer (Initials): VAA Dated: 26.06.2020

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner

Dated: ...26.06.2020.....

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

Head of Development Management:

Dated: