

## Application reference: 19/0492/FUL FULWELL, HAMPTON HILL WARD

Date application received	Date made valid	Target report date	8 Week date
14.02.2019	22.06.2020	17.08.2020	17.08.2020

**Site:**

Land Off Taylor Close To, Rear Of 159A High Street, Hampton Hill,

**Proposal:**

Erection of a one-bedroom two-storey dwelling and associated car parking.

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

**APPLICANT NAME**

Mr John Strange  
Land Off Taylor Close  
Hampton Hill

**AGENT NAME**

Mr John Strange  
Aquinna Homes Plc

**DC Site Notice:** printed on 21.05.2020 and posted on 29.05.2020 and due to expire on 19.06.2020

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

14D Urban D  
LBRUT Transport  
LBRuT Trees Preservation Officer (North)  
14D POL

**Expiry Date**

04.06.2020  
04.06.2020  
04.06.2020  
04.06.2020

**Neighbours:**

157 High Street, Hampton Hill, TW12 1NL, - 21.05.2020  
Mega House, 159A High Street, Hampton Hill, Hampton, TW12 1NL, - 21.05.2020  
159 High Street, Hampton Hill, TW12 1NL, - 21.05.2020  
14 Cross Street, Hampton Hill, Hampton, TW12 1RT, - 21.05.2020  
4 Cross Street, Hampton Hill, TW12 1RT, -  
10 Cross Street, Hampton Hill, TW12 1RT, - 21.05.2020  
8 Cross Street, Hampton Hill, TW12 1RT, -  
6 Cross Street, Hampton Hill, TW12 1RT, - 21.05.2020  
12 Cross Street, Hampton Hill, TW12 1RT, - 21.05.2020  
Flat 21, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 20, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 19, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 18, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 17, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 16, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, -  
Flat 15, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 14, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 13, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 12, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 11, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 10, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 9, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 8, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 7, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 6, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020  
Flat 5, Garrick House, 163 High Street, Hampton Hill, Hampton, TW12 1BZ, - 21.05.2020

Flat 4,Garrick House,163 High Street,Hampton Hill,Hampton,TW12 1BZ, - 21.05.2020  
Flat 3,Garrick House,163 High Street,Hampton Hill,Hampton,TW12 1BZ, - 21.05.2020  
Flat 2,Garrick House,163 High Street,Hampton Hill,Hampton,TW12 1BZ, - 21.05.2020  
Flat 1,Garrick House,163 High Street,Hampton Hill,Hampton,TW12 1BZ, - 21.05.2020  
3 Radcliffe Mews,Hampton Hill,Hampton,TW12 1LN, - 21.05.2020  
1 Radcliffe Mews,Hampton Hill,Hampton,TW12 1LN, - 21.05.2020  
2 Radcliffe Mews,Hampton Hill,Hampton,TW12 1LN, - 21.05.2020  
4 Radcliffe Mews,Hampton Hill,Hampton,TW12 1LN -

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

Development Management

Status: PDE

Application:19/0492/FUL

Date:

Erection of a one-bedroom two-storey dwelling and associated car parking.

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**Recommendation:**

The determination of this application falls within the scope of Officer delegated powers - YES

**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): JSI

Dated: 13/08/2020

**I agree the recommendation: WT**

~~Team Leader/Head of Development Management/Principal Planner~~

Dated: .....14/8/2020.....

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: .....

<b>REASONS:</b>
<b>CONDITIONS:</b>
<b>INFORMATIVES:</b>
<b>UDP POLICIES:</b>
<b>OTHER POLICIES:</b>

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**

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### **CONDITIONS**

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### **INFORMATIVES**

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U0044948	Decision Drawing Nos.
U0044949	NPPF Refusal - paras 38 - 42
U0044950	Sustainability
U0044951	Construction Method Statement
U0044953	Tree protection

**Application reference:** 19/0492/FUL

**Site address:** Land off Taylor Close to rear of 159A High Street, Hampton Hill, TW12 1NL

**Proposal:**

The application seeks planning permission for: Demolition of front boundary brick walls and metal railings to facilitate the erection of a one-bedroom two-person two-storey dwelling and associated car parking and recycling/refuse and cycle storage; creation of new dropped kerb. The application proposes a new vehicular and pedestrian access to the highway and would involve the loss of three off-site parking spaces and the retention of one. Proposed materials would be single brick type and colour to match neighbouring properties, timber front door with traditional mouldings and raised panels, white painted timber six-panel sash windows and tarmac vehicular access and hard standing.

**Site description/key designations:**

The application site relates to a 77sqm plot of land located off Taylor Close, to the rear (west) of No. 159A Hampton Hill High Street, Fulwell and Hampton Hill ward. The site is not listed but Nos. 157 and 159 High Street are locally-designated Buildings of Townscape Merit (BTMs) and the site sits in High Street Hampton Hill Conservation Area CA38. The land currently serves as a car park for 4 no. vehicles and there are trees on site protected by virtue of being in the conservation area. Directly adjacent the site to the north is a tree protected by a Tree Preservation Order (TPO) (T1).

The site is bounded to the south by the rear gardens of residential two-storey semi-detached dwellings fronting Cross Street. To the west is a substation and the rear gardens of a two-storey residential mews, Radcliffe Mews. To the north the site is bounded by Taylor Close road and beyond that on the opposite side is Garrick Close, a recently constructed four-storey block of eight flats fronting the High Street with car parking to the rear. To the east is the rear garden/yard of No. 159A High Street and beyond that the High Street itself which is commercial and residential in character. Buildings range from two to three-storeys in height.

Below is a table of all relevant site designations and constraints:

<b>Site designation / constraint</b>	<b>Details</b>
Area of Mixed Use (AMU)	High Street, Hampton Hill
Article 4 Directive	B1 to C3 High Street, Hampton Hill (effective from 10/08/2016) Basements (effective from 18/04/2016)
BTM	Nos. 157 and 159 High Street
Conservation Area	CA38 High Street Hampton Hill
Flood Zone 1	Low risk of flooding.
Key Office Area	High Street Hampton Hill/North of High Street Hampton Hill
Land Use Past Industrial	Works 1950-1951
Listed Buildings	None
Surface Water Flooding Area	Less Susceptible To
TPO	T1 – T1007 (immediately adjacent to site to north)
Village	Hampton Hill
Village Character Area	Area 4 and CA38 (High Street Hampton Hill) – Hampton Hill Village Planning Guidance

Ward	Fulwell and Hampton Hill
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The CA38 Statement describes the character of the area as follows:

*'High Street (Hampton Hill) conservation area forms the busy centre of Hampton Hill and the historic core of the original linear settlement. It is a largely commercial and residential area that also retains a distinctive traditional village high street character. It retains many fine original shopfronts including a number of remarkable single storey shop units built on the frontage of former houses. The area is defined by the listed high brick walls of Bushy Park to the East and areas of later terraced housing along the railway to the West. The Pantile Bridge crossing the Longford River forms the south gateway to the high street. Here an important green space with rustic timber shelter at the junction with Uxbridge Road and the low wall to Bushy Park allowing wide open views into the park, are in contrast to the enclosed character of the high street to the North. The North gateway is less clear, marked by the transition to a more compact and smaller scale high street. The listed early 19th century No.167 and the opposing former engineering works in distinctive polychrome brickwork (no.92) frame this gateway. High Street is enclosed by closely packed predominantly two storey Victorian buildings occupying traditional long narrow plots. Some of the plots fronting the High Street still retain historic workshops behind, such as rear of 183 High Street which is accessed off a historic laneway from Park Road. The rear of properties along the High Street are particularly important with historic laneways still in existence and the historic character of activity to the rear of buildings fronting the High Street contributing to the character of the public realm and are still relatively architecturally authentic today. This allows a series of views North and South along this wide and gently curving street with glimpses up narrow streets and laneways between properties which add further interest to the street scene.'*

*The conservation area was extended to include further commercial development along the High Street along with high quality residential development which lead off the High Street that are also important for the contribution they make to the organic development of the area. The 1970's High Street development is included, however is considered to make a neutral contribution. The dwellings along Park Road (a historic main thoroughfare) are constructed with status and fine detailing in their design and massing, whereas a smaller and still affluent group of dwellings exist along Edward Road. Materials found throughout the area are predominately yellow stock brickwork with red brick dressings and timber sliding sash windows. Other buildings are either painted or rendered, all in a variety of architectural styles. The roofscape is characterised by mostly shallow pitched slate roofs with brick chimneys, all providing unity rhythm and interest to the street. The wider landscape setting of Bushy Park and the backdrop of mature trees contribute to the enclosure and distinctive village character of this area.'*

The Village Planning Guidance for the area adds:

*'The evolution of the High Street has resulted in many properties developing their front gardens as single storey shop units. It is a busy commercial area, and supports a wide variety of building uses, such as houses, flats, cottages, a church, several public houses, restaurants, newsagents, and more specialist shops selling antiques, craft materials and bicycles.'*

Characteristic materials and features are identified to include: Victorian housing with a variety of sizes and styles along the High Street, mixture of terraces, large detached and semi-detached townhouses in yellow stock brickwork and small Victorian artisan's

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cottages with sash style windows, Bushy Park boundary wall, and original shopfronts in the form of the old Hampton Hill Post Office and Star public house.

The site has a Public Transport Accessibility Level (PTAL) of 2, which is considered 'poor' on a scale of 0 to 6b with 0 being 'worst' and 6b being 'excellent'. There is no Controlled parking Zone (CPZ) in operation.

### **Planning history:**

#### **Development Control**

##### *Car Park Site Adjoining 2 to 32 Taylor Close*

- 15/2853/FUL – The proposal is for a new four storey block of two one-bedroom flats and six two bedroom flats. Eight parking spaces will be created as well as private amenity space. – **Withdrawn 30/09/2015**

### **Reason for withdrawal:**

*'The applicant has decided to withdraw the application. No reason was given.'*

##### *34 and 36 Taylor Close and 177 High Street*

- 18/1114/FUL – Proposed extension at roof level and 3 storey rear staircase extension to facilitate the creation of 1 no. 1B2P flat. Reconfiguration of existing 2 x 2 bed maisonettes into 2 x 2 bed flats. Alterations to external elevations of the property. Provision of 1 no. parking (accessed from Taylor close), bin storage and bicycle storage. – **Approved 25/06/2018**

### **Other matters:**

Pre-application advice has previously been issued for: 'Erection of a new four storey block of two 1 bed, 2 person flats; three 2 bed, 3 person flats and three 2 bed, 4 person flats, works to parking area and landscaping.' (ref. 14/P0095/PREAPP).

### **Amendments:**

The description of development was amended to describe the proposal in more detail. This was not considered to materially change the scheme and neighbours were not re-consulted. The applicant submitted a revised Site Location Plan as the originally-submitted one cited incorrect street names. Whilst a correct Site Location Plan is a validation requirement, the original plan was considered sufficient for the purpose of neighbour consultation, and so neighbours were not re-consulted on the revised drawing.

### **Public and other representations:**

#### **Neighbour consultation**

Letters of notification were sent to 34 no. neighbouring properties, a site notice was displayed in the local area and a notification was posted in the Richmond and Twickenham Times. Neighbour consultation formally closed on 19/06/2020. To date the Council has received 12 letters of **objection** to the scheme from the owners/occupiers of Hampton Hill High Street, Cross Street, Radcliffe Mews and Garrick House. Below is a summary of concerns raised followed by a brief officer response, where appropriate:

<b>Neighbour comment</b>	<b>Officer response</b>
<i>Principle of development / land use</i>	
A 2-storey house is not needed in this area.	The principle of the acceptability of a new dwelling in this location has been assessed in the 'Principle of Development / Land Use' section of the report.

Will be yet another unaffordable home. so there is no benefit to the community of Hampton Hill or the housing crisis.	The acceptability of the proposed affordable housing contribution for this application has been assessed in the 'Affordable Housing' section of the report.
<i>Character and appearance</i>	
Another blot on the conservation area. Another unnecessary 2-storey building will be a blight on the area and visual amenity. Against squeezing a residential property into a small space.	The impact of the proposal on the character and appearance on the visual amenities of the local area and its impact on nearby heritage assets has been assessed in the 'Character, Design and Impact on Heritage Assets' section of the report.
<i>Housing standards</i>	
Floor space is tiny.	The proposed housing standards of the development have been assessed in the 'Housing Standards' section of the report.
<i>Neighbour amenities</i>	
The 5 windows in the southwestern elevation are close to and overlook gardens. Windows will overlook rear of properties Will impact my privacy. Loss of light Why does a dwelling need a skip and a hoist? Suggest unacceptable noise and disturbance close to my garden. Have had to put up with the building of flats and the Jack and Jill school and need no more disruption.	The impact of the development on neighbouring amenities has been assessed in the 'Neighbour Amenities' section of the report.
<i>Trees</i>	
Will result in the removal of several healthy trees which are currently supporting life. There is a lovely big tree which is in a conservation area and does not need to be disturbed. Close to a tree with a TPO that may get damaged in the process of the build. Whilst they state they will retain the tree, 'accidents will happen' and then a protected tree will be lost.	The impact of the development on nearby trees has been assessed in the 'Trees and Landscaping' section of the report.
<i>Transport, highways and parking</i>	
Location of the proposal is on a narrow busy corner leading to a busy carpark and school. The stretch of road already has insufficient pavement.	The impact of the application on parking and highways is discussed in more detail in the 'Transport, Parking and Highways' section of the assessment.

<i>Construction</i>	
Residents have endured months of inconsiderate contractors with the refurbishment of Garrick House and this build will cause similar anxieties.	Matters relation to construction are discussed in the 'Highways' section of the report.
Building on this site will create a danger to pedestrians and road users as there will be nowhere for the builders, delivery trucks and construction vehicles to access the site.	
As a resident who has already endured 4 years of major building developments in this small stretch of road, I am fed up of all the noise and air pollution this construction creates.	
Construction of this building takes place on a narrow road on a bend, making it impossible for builders to work without blocking off rest of the road which grants access to a public carpark and two private car parks.	
Nowhere to off-load building materials or plant machinery without using the road.	
Road provides delivery access for a number of shops including a pharmacy with urgent medical deliveries.	
Near a school entrance.	
Recycling bins on the road and recycling trucks are back and forth all the time. If the road is obstructed they will have no way of exiting. Will have to back out onto the High Street or wait.	
<i>Other matters</i>	
A better description of what this application is all about would be appreciated and honest.	Neighbours were consulted on a proposal for 'Erection of a two-storey dwelling'. All relevant plans and information are available on the public website. The Council has met its statutory duty in this respect.
How much is this company paying Richmond Council to railroad the application?	Each application is assessed independently on its own individual merits in accordance with national legislation and the Local Plan. There has been no undue process in the assessment of this application.
Developer has been the cause of months of distress to residents in Garrick House after mis-selling properties under the illusion they would be energy efficient and cheap to run. Don't want other prospective buyers to	This is not a material planning consideration in the assessment of this proposal.

be tricked.	
During the applicant's last development there were many issues including flouting regulations, working outside allowed hours, damage to property and ongoing complaints. There was damage to Radcliffe Mews when they developed Garrick House which resulted in an insurance claim.	This is not a material planning consideration in the assessment of this proposal. Any breach of planning conditions or building regulations is a matter for investigation for Planning and Enforcement and/or Building Regulations, and lies outside the scope of the assessment of this application.
Perhaps the owners of this plot would consider using some of their profits for repurposing the land and make it a small green space for residents to enjoy.	The Local Planning Authority can only assess the application as it is speculated, and the possibility of alternative uses or designs is not a material planning consideration in the assessment of the scheme.
Plot would be better used to provide secure bike storage for Garrick House. Failing that, car parking spaces for the smaller flats which do not have any allocated parking.	
Aquinas Homes have already built 21 flats which I understand are largely unoccupied across the road.	This is not a material planning consideration in the assessment of this proposal.
This piece of land is still a rubbish site and poses an accessible danger to the public. I previously had to request the Council to remove the 15 or so fire extinguishers they left in this area which children were playing with and setting off on the road.	This is not a material planning consideration in the assessment of this proposal. Any concerns regarding the current safety or condition of the existing site are a matter for Planning and Enforcement, Building Regulations and/or Environmental Health.
An example of building on the smallest amount of space for profit.	This is not a material planning consideration in the assessment of this proposal.
Trying to squeeze a house in here will set a precedent for similar-sized box houses wherever a few metres of land is going spare.	This is not a material planning consideration in the assessment of this proposal. Any potential future application would be assessed on its own individual merits.
Cannot see how a tiny 1-bedroom house will provide of benefit to the area or anyone apart from the developers.	This is not a material planning consideration in the assessment of this proposal.

#### Internal consultation

- Policy (Employment) – **objection**
- Policy (Housing) – **objection**
- Transport – **objection**
- Trees – **objection**
- Urban Design – **no in principle objection**

Internal colleagues' comments are summarised below and incorporated into the main body of the assessment.

#### **Policies:**

The proposal has been assessed having regard to the National Planning Policy Framework (NPPF) (2019), the London Plan (2016, consolidated with alterations since

2011) and the Council's Local Plan (2020), in particular, the following policies and supplementary planning guidance:

Local Plan (2020):

- Policy LP1 Local Character and Design Quality
- Policy LP2 Building Heights
- Policy LP3 Designated Heritage Assets
- Policy LP4 Non-Designated Heritage Assets
- Policy LP8 Amenity and Living Conditions
- Policy LP10 Local Environmental Impacts, Pollution and Land Contamination
- Policy LP15 Biodiversity
- Policy LP16 Trees, Woodlands and Landscape
- Policy LP20 Climate Change Adaptation
- Policy LP21 Flood Risk and Sustainable Drainage
- Policy LP22 Sustainable Design and Construction
- Policy LP25 Development in Centres
- Policy LP27 Local Shops, Services and Public Houses
- Policy LP34 New Housing
- Policy LP35 Housing Mix and Standards
- Policy LP36 Affordable Housing
- Policy LP39 Infill, Backland and Backgarden Development
- Policy LP40 Employment and Local Economy
- Policy LP41 Offices
- Policy LP44 Sustainable Travel Choices
- Policy LP45 Parking Standards and Servicing

Supplementary Planning Guidance (SPG) / Documents (SPDs):

- Affordable Housing SPD (March 2014)
- Air Quality SPD (June 2020)
- Buildings of Townscape Merit SPD (May 2015)
- Community Infrastructure Levy Charging Schedule (July 2014)
- Design Quality SPD (February 2006)
- Housing Optional Technical Standards update (June 2015)
- Part Q Building Regulations (October 2015)
- Planning Obligations (in conjunction with Borough Community Infrastructure Levy [CIL])
- Refuse and Recycling Storage Requirements SPD (April 2015)
- Regulation 123 List (July 2014)
- Residential Development Standards SPD (March 2010)
- Security by Design SPG
- Small and Medium Housing Sites SPD (February 2006)
- Sustainable Construction Checklist Guidance Document (January 2016)
- Transport SPD (June 2020)

Village Planning Guidance:

- Hampton Hill Village Planning Guidance

Conservation Area Statement

- High Street Hampton Hill CA38

**Professional comments:**

The application site has been assessed in relation to the following issues:

- Principle of development and land use;
- Character, design and layout;
- Impact on heritage assets;
- Housing mix and standards;
- Affordable housing;
- Residential amenity;
- Biodiversity and ecology;
- Trees and landscaping;
- Flood risk;
- Sustainability;
- Transport and highways.

Principle of Development / Land Use:

*Loss of employment space*

Local Plan Policy LP40 relates to employment and the local economy. This states that land in employment use should be retained in employment use for business, industrial or storage spaces.

Local Plan Policy LP41 relates to offices. This states that the Council will support a strong local economy and ensure there is a range of office premises within the borough, particularly for small and medium size business activities within the borough's centres, to allow businesses to grow and thrive.

Policy LP41(A) relates to retention of offices. This states that there is a presumption against the loss of office floorspace in all parts of the borough. Any loss of office space (on sites outside of the designated Key Office Areas) will only be permitted where:

1. Robust and compelling evidence is provided which clearly demonstrates that there is no longer any demand for an office-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 office use or an alternative office-based use completed over a minimum period of two continuous years in accordance with the approach set out in Appendix 5 of the Local Plan; and then
2. A sequential approach to redevelopment or change of use is applied as follows:
  - a. Redevelopment for alternative employment uses including social or community infrastructure uses; followed by
  - b. Mixed use including other employment generating or community uses. Such sites should maximise the amount of affordable housing provided as part of the mix; followed by
  - c. Residential with maximum provision of affordable housing in accordance with Policy LP36 Affordable Housing of the Local Plan.

Policy LP41(B) states that low-cost office spaces should be retained to meet the requirements of small businesses, start-ups and the voluntary sector.

Policy LP41(C) relates to Key Office Area. This states that in designated Key Office Areas, net loss of office floorspace will not be permitted. Any development proposals for new employment or mixed use floorspace will be required to contribute to a new increase in

office floorspace. Criteria 1 and 2 of Policy LP41(A) (above) do not apply to the Key Office Areas.

Policy LP41(D) relates to new offices. This states that the Council will support appropriate new office development by the following means:

1. Major new office development should generally be within the five main borough centres.
2. Smaller scale office development will be encouraged in suitable locations, particularly within the designated Key Office Areas.
3. New office accommodation should be suitable to meet future needs, especially to provide for the requirements of local businesses and small firms.
4. Design of office floorspace for flexible occupation and modern methods of working such as co-working space is encouraged.
5. The Council will require the provision of affordable office space within all major developments with over 1000sqm of office space.

Turning to the application site, the current use is for car parking. The Heritage Statement submitted with the application sets out that the site was previously attached to the former offices on the other side of Taylor Close – Nos. 161-163a High Street, known as Garrick House. It sets out that these parking spaces did not form part of the prior approval gained to convert these offices to a residential use in July 2016, and so suggests that they are currently not attached to any use and are private parking spaces.

However, the Council's position is that the proposal is considered to be a loss of employment land, as although now a separate planning unit, the site is also within a Key Office Area and a Mixed Use Area.

As stated above In Local Plan Policy LP41 the Council seeks to support a strong local economy and ensure there is a range of office premises in the borough, particularly for small and medium size business activities in the borough's centres. In the designated Key Office Areas, a net loss of office floorspace will not normally be permitted, and development proposals should contribute to a net increase in office floorspace where feasible. Part D particularly welcomes smaller scale office development in the Key Office Areas.

The proposal for a residential use would therefore be contrary to Policy LP41. Although the site does not currently have any employment floorspace on it, it may have the potential to accommodate an employment use suitable for a small business, particularly given a unit of 50.sqm has been proposed. It is recognised that there may be some constraints that would make it unfeasible for a development proposal to contribute to a net increase in office floorspace on this particular site, the onus is on the applicant to demonstrate this, and no evidence has been provided with the application to explain if and how this option has been explored by the applicants before proposing a residential use.

There is therefore an in-principle objection to the loss of employment space in this Key Office Area and it is recommended that the application's failure to comply with Local Plan Policies LP40 and LP41 constitute a reason for refusal.

#### *Principle of residential use*

The application site is situated to the rear of Hampton Hill High Street, which is a Mixed Use Area in a Local Centre. Notwithstanding the in principle objection to loss of employment space in a Key Office Area, the proposal for a new residential dwelling must also be assessed against Local Plan Policy LP21 which relates to development in centres.

Policy LP25(A) states that development in the borough's centres, as defined in the centre hierarchy, will be acceptable if it:

1. Is in keeping with the centre's role and function within the hierarchy and is of a scale appropriate to the size of the centre; and
2. Is in an appropriate location as follows:
  - a. A1 uses should be located within, adjacent to or well-related (or capable of being made so) to designated shopping frontages.
  - b. For Other appropriate uses (see part C below), major development and/or developments which generate high levels of trips should be located within a Main Centre Boundary. Elsewhere development should be located within the defined Area of Mixed Use boundary. For centres, or parts of centres where no boundary exists, proposals should be well-related to designated shopping frontages.
3. Does not adversely impact on the vitality and viability of the centre in which the development is proposed, or another centre; and
4. Optimises the potential of sites by contributing towards a suitable mix of uses that enhance the vitality and viability of the centre. Commercial or community uses should be provided on the ground floor fronting the street.

Policy LP25(C) states that in addition to Part A above, in the local and neighbourhood centres as well as parades of local importance, the following applies:

1. Appropriate uses could include new retail (including markets), business or employment developments, which maintain suitable provision for small businesses, and other uses, which primarily serve the needs of the local community or attract visitors and develop cultural opportunities.
2. Development should, wherever possible, include overall improvements and enhancements of the small centres where appropriate, and/or modernise outdated premises.

The proposal for a residential dwelling is therefore not considered to be an appropriate use as set out in Policy LP25 above, notwithstanding the in principle objection to the loss of employment space in a Key Office Area.

#### *Affordable Housing*

Local Plan Policy LP36 relates to affordable housing.

Policy LP36(A) states that the Council expects:

- a. 50% of all housing units will be affordable housing, with a tenure mix of 40% housing for rent and 10% intermediate housing.
- b. The affordable housing mix should reflect the need for larger rented family units and the Council's guidance on tenure and affordability, based on engagement with a Registered Provider to maximise delivery.

Policy LP36(B) states that a contribution towards affordable housing will be expected on all housing sites:

- a. On sites capable of ten or more units gross and all former employment sites, at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.
- b. On sites below the threshold of 'capable of ten or more units gross', a financial contribution to the Affordable Housing Fund commensurate with the scale of development, in line with the sliding scales set out in the Local Plan and in the Affordable Housing SPD.

Policy LP36(C) states that the Council will seek the maximum reasonable amount of housing when negotiating on individual private residential and mixed-use schemes. The Council will have regard to:

- a. economic viability;
- b. individual site costs;
- c. the availability of public subsidy; and
- d. the overall mix of uses and other planning benefits.

Policy LP36(D) states that where a reduction to an affordable housing contribution is sought on economic viability grounds, developers should provide a development appraisal to demonstrate that schemes are maximising affordable housing. The developer will be required to underwrite the costs of a Council-commissioned economic viability assessment. The Council will rigorously evaluate such appraisals and:

- a. Assess if the maximum reasonable amount of affordable housing is based on delivering the appropriate tenure, unit sizes and types that address local needs.
- b. Consider whether it is necessary to secure provision for re-appraising the viability of a scheme prior to implementation to secure contingent obligations.
- c. In most circumstances the Existing Use Value plus a premium (EUV+) approach to assessing benchmark land value in development and viability appraisals should form the primary basis for determining the benchmark land value.

Notwithstanding the in-principle objection to the loss of employment space, and residential use replacing employment floorspace should be in the form of affordable housing, and should comply with the tenure split required above and relevant housing strategies. The provision of affordable housing should normally be discussed with the Council's Housing Development Manager and Registered Providers who are interested in exploring opportunities and maximising funding opportunities. Whilst officers recognise this may not be suitable and may be considered unviable to a registered provider, the onus is on the applicant to provide evidence to accord with the Local Validation Checklist, before a financial contribution to off-site affordable housing would be considered appropriate. A financial contribution would not be discounted to reflect the size of the scheme, as the policy requirement for a change of use from employment to residential set out in employment policies and LP36 is to maximise above normal provision e.g. the financial contribution that would be sought would be discounted to represent 10% affordable housing where the proposal creates one unit replacing employment floorspace.

There is a commuted sum spreadsheet submitted with the application which suggests a contribution of £2,000. However, this is incorrectly on the basis of 5% and does not reflect the policy requirement tenure split of 80% for affordable rented and 20% for intermediate - shared ownership.

The Council's Planning Viability Advisor has reviewed the open market value and identifies a higher open market value on the basis of comparables.

On this basis, at 10% and using the Council's benchmark rent, the application fails to provide a policy-compliant level of affordable housing and there is therefore an objection to the proposal on the grounds the scheme fails to comply with Policy LP36.

#### *Acceptability of infill/backland/backgarden development*

The application proposes a new dwelling on what is currently a car park accessed off Taylor Road. Local Plan Policy LP39(A) which relates to infill development is therefore relevant. This states that 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 buildings;
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 LP2 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 LP1 Local Character and Design Quality;
7. Retain or re-provide features important to character, appearance or wildlife, in accordance with Policy LP16 Trees and Landscaping;
8. Result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens, in accordance with Policy LP8 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.

These issues are discussed in greater detail in the relevant sections of the report below. It is considered that the application fails to comply with Criteria 7, 8 and 9 of Policy LP39(A) above by virtue of failure to protect the TPO tree to the south east of the site, undue impact on neighbouring amenities and inadequate recycling and refuse storage and cycle parking. It is therefore considered that the proposal fails to comply with Policy LP39(A) and as such is considered an unacceptable form of infill development.

#### *Conclusion*

The principle of residential development is unacceptable on this site owing to an in principle objection to the loss of employment space a Key Office Area. Further, a residential use is considered incompatible in a Local Centre and Area of Mixed use. Moreover, notwithstanding the above, the application fails to provide a policy-compliant level of affordable housing. Furthermore, the application is considered to be an inappropriate form of infill development.

#### Housing mix and residential development standards

### *Housing Mix*

Policy LP35(A) of the Local Plan states that developments should generally provide family-sized accommodation, except within main centres and AMUs, and that the housing mix should be appropriate to the location. The application is for a one-bedroom dwelling to accommodate two people (1B2P) and therefore given that the site is in an AMU there is no concern regarding the proposed housing mix, notwithstanding the in principle objection to the loss of employment space.

### *Internal Space Standards*

Local Plan Policy LP35(B) states that all new housing is required to comply with the Nationally Described Space Standards.

For a two-storey 1B2P dwelling, 58sqm of gross internal floor area (GIA) would be required (plus 1.5sqm of built-in storage).

The applicant has failed to submit a Residential Standards Statement outlining room/unit sizes. Officers have measured the proposed floorplans and estimate that the dwelling would provide approx. 40sqm GIA. This is well short of the national minimum standards. Adequate storage space is provided.

The national standards also require the following minimum internal measurements:

- 15.sqm of built-in storage;
- in order to provide two bedspaces, a double (or twin) bedroom has a floor area of at least 11.5sqm and is at least 2.75m wide;
- head height should be at least 2.3m for a minimum of 75% of the GIA.

The proposed dwelling would meet and exceed these requirements. However, the shortfall in overall GIA is considered to be unacceptable low and would result in a sub-standard dwelling.

### *Outdoor amenity space standards*

The requirements of Local Plan Policy LP35 (C and D) and the Residential Development Standards SPD apply to external amenity space. This seeks a minimum of 5sqm of private outdoor space for a 1-2 person dwelling.

Local Plan Policy LP35(D) states that amenity space for all new dwellings, including conversions, should be:

- private, usable, functionable and safe;
- easily accessible from living areas;
- orientated to take account of the need for sunlight and shading;
- of a sufficient size to meet the needs of the likely number of occupiers; and
- accommodation likely to be occupied by families with young children should have direct and easy access to adequate private amenity space.

The Design and Access Statement submitted with the application states that a small amount of private amenity space would be provided. However, this is not indicated on the plans and no further details have been provided. It is presumed that the external amenity space would comprise the narrow boundary around the footprint of the dwelling. Whilst this would be greater than 5sqm in size, its narrowness in shape is considered to render it unusable and it is not considered that this would constitute outdoor amenity space in a meaningful sense in order to comply with the policy outcomes outlined above.

### *Accessibility*

Local Plan Policy LP35(E) states that 90% of all new build housing is required to meet Building Regulation Requirement M4(2) 'accessible and adaptable dwellings' and 10% of all new build housing is required to meet Building Regulation Requirement M4(3) 'wheelchair user dwellings'.

The new dwelling would be accessible from street level though given the two-storey nature and the limited size of the dwelling, it is not considered that it would be feasible to adapt the dwelling to be wheelchair accessible. Were the application acceptable in all other respects, the mandatory M4(1) would be applicable. As that is the default, it would not need to be secured by condition.

The proposed new dwelling is considered to fail to provide an adequate level or quality of indoor and outdoor amenity space and standards, and the application is subsequently considered to fail to comply with Policy LP35 and is unacceptable in this regard.

#### Character, Design and Impact on Heritage Assets

The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

According to the NPPF, paras 193 - 202, great weight should be given to the conservation of designated assets when considering the impact of a proposed development on the significance of a designated heritage asset. Para. 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

Local Plan Policy LP1 states that new development must be of a high architectural and urban design quality based on sustainable design principles. Development must be inclusive, respect local character including the nature of a particular road, and connect with, and contribute positively to, its surroundings based on a thorough understanding of the site and its context.

Local Plan Policy LP3 states that the Council will continue to protect areas of special significance by designating conservation areas. It is particularly important that any scheme not only preserves but positively enhances the conservation area.

Policy LP4 of the Local Plan states that the Council will seek to preserve, and where possible, enhance the significance, character and setting of non-designated heritage assets, including BTMs.

Local Plan Policy LP39 relating to infill, backland and backgarden development has been outlined above.

Further guidance is provided in the Council's SPDs on BTMs, Design Quality, Small and Medium Housing Sites, the High Street Hampton Hill Village Planning Guidance and the Conservation Area Statement for CA38.

Turning to the application, the proposed detached dwelling appears to have been designed to reflect the character and design of 159A High Street which is adjacent to the plot. The dwelling has a neo-classical design and flat roof with eaves height to match No. 159A. Windows and door would match the neighbouring property in terms of their design, size and orientation, except at the rear, where windows would be sash but narrower in design. The building would have a width of 9.3m, a depth of 3.5m, and would be set back from the street front by 0.3m.

The Council's Urban Design officer has been consulted on the proposal and has advised that the scale of the building is acceptable and in keeping with the surrounding properties and area. However, whilst the general architectural forms and elements are sympathetic in theory, they stray into the realm of pastiche, resulting in the proposed dwelling appearing as a curtilage building to the existing property it is mimicking. Concerns have also been raised regarding the failure to protect the TPO tree and the impact this would have on the visual amenities of the area.

Officers have taken these comments into consideration and share concerns about the potential harm or loss to the protected tree, which is considered to provide significant townscape and amenity value, and whose removal would cause harm to the character and appearance of the conservation area. It is noted that the dwelling reflects the style and materials of neighbouring properties, is appropriately spaced between 159A High Street and No. 2 Garrick Close, thus retaining the street pattern of the locality, and is of a size and scale which is smaller than No. 159A High Street and the row of apartments on Garrick Close. Its location to the rear of the No. 159A High Street renders it largely invisible from the High Street, thus reducing its visual presence and impact on the conservation area.

That said, whilst the issue of trees are discussed further below, the failure to protect the TPO tree is considered to cause harm to the conservation area. This harm is considered to be less than substantial.

Para. 196 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The application would result in the creation of one additional dwelling unit. The Local Authority is on target to meet its five-year new housing supply as conferred upon it by the Mayor of London. It is therefore not considered that the creation of one single unit is sufficient justification to outweigh the harm caused to the conservation area. Furthermore, the dwelling unit is considered to be substandard owing to its insufficiently sized internal areas and inadequate quality of outdoor space provision. Moreover, the creation of the unit would result in the loss of potential future jobs and employment in the area, owing to the net loss of employment floorspace. Overall, therefore, it is not considered that there any public benefits, or that the land's optimum viable use has been secured, which would be a justification which outweighs the less than significant harm caused to the conservation area.

### Residential Amenity

Policy LP8 of the Local states that 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.

Further guidance is provided in the Council's Residential Development Standards SPD. Supporting text para. 3.1.3 states that new dwellings that create an unacceptable sense of enclosure or appear overbearing when seen from neighbouring gardens or rooms or from the street will not be permitted. This could be due to the height, footprint or proximity of the proposals to the surrounding area.

Para. 3.2.1 states that windows should not overlook a habitable room or garden of a

neighbouring dwelling to an unreasonable degree. The degree of overlooking is affected by distance and the horizontal and vertical angles of view. Para. 3.2.2 goes on to state that distances between habitable rooms of different units that directly face each other will depend on existing character of the area. Para. 3.2.4 states that design solutions such as the use of angled windows or obscure glazing can often overcome adverse overlooking to existing residential properties. Para 3.2.6 advises that to prevent adverse overlooking and general unneighbourliness, windows should either be high level or omitted from any wall directly facing a neighbouring house or garden, depending on the distance and angles of view and the location of habitable rooms.

Para. 3.2.8 states that development which would result in the significant reduction of an existing important space or gap between neighbouring houses is not normally acceptable. This is particularly important for conservation areas and historic buildings where such infilling would result in the blocking of existing views of the sky or landscape behind pairs of semi-detached or detached houses within a suburban area.

Additional guidance on separate distances for new dwellings is contained within the Council's Small and Medium Housing Sites SPD. This states that to make sure that the privacy of occupiers is respected, the windows of main facing habitable rooms should preferably be no less than 20m apart. Where principal windows face a wall that contains no windows or those that are occluded, such as bathrooms, separation distances can be reduced to 13.5m. In terms of daylight, new buildings sited close to the main windows of existing properties should not cause obstruction or overshadowing.

Turning to the proposal, the rear elevation of the new dwelling would face the rear elevations of properties fronting Cross Street and rear gardens of Nos. 157 and 159 High Street. The new dwelling would have rear-facing windows at ground and first-floor level which would directly face the rear windows and/or gardens of these neighbouring dwellings. The separation distance would be approx. 22m from the neighbouring elevations and therefore in excess of the Small and Medium Housing Sites SPD guidance. Further, all first-floor windows would be obscure-glazed. It is therefore considered that neighbours would not experience an undue loss of privacy or overlooking.

It is further not considered that the new dwelling would appear unduly overbearing or create a sense of enclosure owing to the 22m separation distance from properties on Cross Street and the fairly significant length of the garden to relevant properties on the High Street.

It is not considered that the application would result in a level of noise or disturbance over or above what would be considered domestic in nature and therefore acceptable for this site given its residential character

### Ecology and Biodiversity

Policy LP15 of the Local Plan states that all new development will be expected to preserve and where possible enhance existing habitats including river corridors and biodiversity features, including trees. All developments will be required to enhance existing and incorporate new biodiversity features and habitats into the design of buildings themselves as well as in appropriate design and landscaping schemes of new developments with the aim to attract wildlife and promote biodiversity, where possible. When designing new habitats and biodiversity features, consideration should be given to the use of native species as well as the adaptability to the likely effects of climate change. New habitats and biodiversity features should make a positive contribution to and should be integrated and linked to the wider green and blue infrastructure network.

The application site is currently used as a car park, which is not considered to have a high-quality level of biodiversity in itself. However, there are a number of shrubs along the

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border, which would be removed. and it has also not been demonstrated that the TPO tree would be protected. The Design and Access Statement states that there is little scope for soft landscaping works as part of the proposal. It has therefore not been demonstrated that the loss in biodiversity from the removal of greenery and the likely loss of the tree would be mitigated against the thus the application is considered unacceptable in this regard and contrary to Policy LP15 of the Local Plan.

### Trees

Policy LP16(A) of the Local Plan states that the Council will require the protection of existing trees, and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high-quality green areas, which deliver amenity and biodiversity benefits. It is not considered that there are any trees on site which would be impacted by the proposal.

Local Plan Policy LP16(B) states that to ensure development protects, respects, contributes to and enhances trees and landscapes, the Council will, when assessing development proposals:

1. resist the loss of trees, including aged or veteran trees, unless the tree is dead, dying or dangerous; or the tree is causing significant damage to adjacent structures; or the tree has little or no amenity value; or felling for reasons of good arboricultural practice; resist development that would result in the loss or deterioration of irreplaceable habitat such as ancient woodland;
2. resist development which results in the damage or loss of trees that are considered to be of townscape amenity value; the Council will require that site design or layout ensures a harmonious relationship between trees and their surroundings are will resist development which will be likely to result in pressure to significantly prune or remove trees;
3. require, where practicable, an appropriate replacement for any tree that is felled; a financial contribution to the provision for an off-site tree in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT);
4. require new trees to be of a suitable species for the location in terms of height and root spread, taking account of space required for trees to mature; the use of native species is encouraged where appropriate;
5. require that trees are adequately protected throughout the course of development, in accordance with British Standard 5837 (BS5837:2012) (Trees in relation to design, demolition and construction – Recommendations).

In relation to landscape, the Council will:

1. require the retention of important existing landscape features where practicable;
2. require landscape design and materials to be of high quality and compatible with the surrounding landscape and character; and
3. encourage planting, including new trees, shrubs and other significant vegetation where appropriate.

Directly adjoining the site to the north west is a False acacia tree (Robinia) (T1), which is

protected by TPO T1007 of 2019. The Lawson cypress tree within the garden of No. 12 Cross Street is not protected and is not within the High Street Hampton Hill Conservation Area.

The application is accompanied by an Arboricultural Impact Assessment, however, this is considered to be insufficiently detailed and the application does not include a BS5837:2012 survey. The details provided within the Design and Access Statement are insufficient and not to BS5837:2012. The Council's Trees officer has been consulted on the proposal and raises an objection as the application fails to comply with Policy LP16 set out above and is not to BS5837:2012.

An informative is recommended reminding the applicant that when providing this detail for any future scheme, root protection areas need to be offset, typically an asymmetric rooting zone, and not as shown within the Design and Access Statement.

### Flood Risk

Policy LP21 of the Local Plan states that all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.

Whilst the site is in Flood Zone 1 and therefore at low risk of flooding, given that it has a Surface Water Flooding designation, the submission of a Sustainable Drainage Systems (SuDS) Statement is required. The application includes the submission of a Sustainable Construction Checklist which indicates that the development will include the following flood mitigation and drainage measures:

- storage of rainwater for later use;
- use of infiltration techniques such as porous surfacing materials to allow drainage on-site;
- discharge of rainwater to surface water drain.

However, the application fails to include a SuDS statement and is therefore not acceptable in this regard. Recognising that the proposal is not a major development scheme, the site is at low risk of flooding, and the Surface Water Flooding designation states that the area is 'Less Susceptible To', it is not considered that flood risk should be included as a reason for refusal. However, were the application acceptable in all other respects, this information would be requested, particularly in light of the concern raised regarding the likely loss of the protected tree.

### Sustainability

Policy LP20 of the Local Plan states that the Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.

Policy LP22(A) of the Local Plan states that developments of one new dwelling unit or more, including conversions, will be required to:

- comply with the Sustainable Construction Checklist SPD;
- incorporate water conversion measures to achieve maximum water consumption of 110 litres per person per day for homes (including an allowance of 5 litres or less per person per day for external water consumption).

Local Plan Policy LP22(B) states that developers are required to incorporate measures to

improve energy conservation and efficiency as well as contributions to renewable and low carbon energy generation. A proposed new non-major residential scheme of one unit or more should achieve a 35% carbon dioxide emissions reduction as a minimum. Targets are expressed as a percentage improvement over the target emission rate (TER) based on Part L of the 2013 Building Regulations.

Policy LP22(C) states that this should be achieved by following the Energy Hierarchy:

1. Be lean; use less energy
2. Be clean: supply energy efficiently
3. Be green: use renewable energy.

Policy LP22(D) states that the Council requires developments to contribute towards the Mayor of London's target of 25% of heat and power to be generated through localised decentralised energy (DE) systems by 2025. All new development will be required to connect with existing decentralised energy systems where feasible. Applicants are required to consider the installation of low, or preferably ultra-low, NOx boilers to reduce the amount of NOx emitted in the borough. Local opportunities to contribute towards DE supply from renewable and low-carbon technologies will be encouraged where appropriate.

Finally, Policy LP22(E) states that high standards of energy and water efficiency in existing developments will be supported wherever possible through retrofitting. Householder extensions and other developments proposals that do not meet the thresholds set out in this policy are encouraged to comply with the Sustainable Construction Checklist SPD as far as possible, and opportunities for micro-generation of renewable energy will be supported in line with other policies in the Local Plan.

The application is accompanied by the following supporting information:

- Sustainable Construction Checklist dated January 2016, completed but not signed or dated;
- Sustainability Statement prepared by Darren Evans Assessments Ltd dated 17/01/2020.

The Sustainable Construction Checklist states that the application would result in a 37% reduction in carbon emissions. However, the officer has reviewed the checklist and has found it to be inaccurate. Question 7.1(a) incorrectly states that the development will meet the nationally described space standard for internal space and layout. Further, no Water Efficiency Calculations Report has been submitted to corroborate that a total water consumption of 102 litres per person per day would be achieved at 'at built' stage (excluding the 5 litres per day per person required by Building Regulations for external water usage).

Given that it is not considered unfeasible that this policy could be met, via the provision of additional details, it is not considered reasonable that failure to comply with Policies LP20 and LP22 is included as a reason for refusal. However, were this application acceptable in all other respects, this information would be requested and assessed.

#### Transport, Parking and Highways

Policy LP44 of the Local Plan states that the Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access

to services, facilities and employment. The Council's Transport SPD is also relevant.

### *Car Parking*

Policy LP45 of the Local Plan outlines that developments must demonstrate an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions. It is further stated that in areas with a low Public Transport Accessibility Level (PTAL) rating (1-4), it is particularly important that parking standards are met. Appendix 3 'Parking Standards' of the Local Plan.

The Council's Transport SPD states that the effective management of on and off-street parking will be critical in order to restrain unnecessary use of private motor vehicles and protect the streetscene from the harmful impacts of poorly design parking. Strict design standards will be imposed where planning consent is required for the conversion of front gardens or ancillary land to car parking. Where residential development has the potential to result in an increased demand for on-street parking, an application may need to be supported by a parking survey. This should be undertaken in accordance with the Council's requirements and adhere to the Lambeth methodology.

The site has a low PTAL of 2 no CPZ in operation. Appendix 3 – Parking Standards in the Local Plan states that for a one-bedroom dwelling an area with a PTAL of between 0 and 3, one parking space is required. The application proposes the loss of all 4 no. on-site parking spaces and the re-provision of one space for the new dwelling. Whilst this is an adequate provision for the new dwelling, no reason has been provided which might justify the loss of the 3 remaining on-site parking spaces. There is therefore an objection to the loss of existing on-site parking proposed as a result of the application. The Council's Transport Planner has been consulted on the application and raises an objection to the loss of on-site parking.

The application proposes closing the existing vehicular entrance to the site and creating a new dropped kerb along the north east boundary onto Taylor Close directly adjacent to the protected tree. The Council's Transport SPD states that the presence of crossovers nearby should not be considered as a precedent because, where lawful, these would have been installed under a previous policy context and street parking supply becomes more limited as the numbers of crossovers increase.

Where an off-street parking space is provided, it should be designed in accordance with best practice set out in the Appendix to the Transport SPD. The proposed new crossover is accompanied by a drawing which is simply a sketch overlaid on the proposed layout drawing. This has no proper scale (the original is at 1:100 but the crude sketches do not conform) or context of the public highway. It has therefore not been demonstrated that the proposal would comply with the SPD or not adversely impact on highway safety.

Further, there is concern about the proposal's impact on the TPO tree. The SPD states that existing street trees are an asset and the provision of trees can significantly enhance the streetscene. With such a large number of street trees within the borough, a number of crossover applications are refused on the grounds that to construct the crossover would be detrimental to the environment, particularly where a tree will require felling or be damaged in the view of the Council's Arboricultural officer.

The SPD goes on to state that where there are street trees, applicants when providing information and plan of the crossover location, should ensure that the position of the crossover (including 0.5m taper), will not be within 4 times the circumference of the tree, once fully grown. Approvals for new crossovers within this zone would only be given if the tree in question is deemed to be dead, dying or dangerous by the Council's Arboricultural officer and can be removed. Where a tree is removed, the applicant will need to fund the

planting of an additional tree.

The SPD further states that trees can suffer if the roots are cut which may lead to damage and loss of the structural integrity of the tree, as well as adversely affecting the environment if it is removed. If roots greater than 25mm in diameter are encountered when constructing the crossover then the Council's Arboricultural officer may order the work to stop and the footpath replaced. The crossover would then be abandoned and any payments to the Council by the applicant in respect of the actual construction costs (not processing fee) will be refunded. Cutting of roots greater than 25mm can lead to premature death. If roots are left in situ, then there is the likelihood that the root will continue to grow and cause damage to the crossover leading to a hazard for pedestrians.

The applicant has failed to provide a BS5837:2012 survey and implications assessment. It is therefore not possible to determine whether the proposed new crossover would comply with the above policy requirements, and is unacceptable in this regard.

### *Cycle parking*

The Sustainable Construction Checklist submitted with the applications indicates that 2 no. cycle storage spaces will be provided. The Design and Access Statement states that cycle parking will be provided in the form of a garden shed which is shown on the plans to be sited next to the parking space. Whilst the provision of 2 no. cycle parking spaces is adequate in terms with the London Plan requirements for a one-bedroom dwelling, the proposed siting arrangements is considered unacceptable as there would be no way of accessing the cycles when a car is occupying the parking space. Were the application acceptable in all other respects, given that the proposal fails to demonstrate an indicative assurance that adequate cycle parking could be provided on-site, it is not considered possible to secure further cycle parking details via condition, and it subsequently considered to include the insufficient cycle parking provision as a reason for refusal.

### *Refuse and recycling*

No details of proposed refuse and recycling details have provided. Given the constraints of the site, officers are not confident refuse and recycling storage could be adequately provided on-site and there is concern that this would result in bins being permanently stored on the pavement, to the detriment of the visual amenities of the area and pedestrian and highways safety.

### *Construction*

The application is accompanied from a Construction Management Statement prepared by the applicant. However, this is extremely basic and inadequate, and the accompanying drawing is simply a sketch overlaid on the proposed layout drawing. This has no proper scale (the original is at 1:100 but the crude sketches do not conform) or context of the public highway. The application thus provides an inadequate level or standard of detail to sufficiently demonstrate it would have an acceptable impact during construction phase. The Council's Transport Planner has been consulted on the proposal and raises an objection.

### Community Infrastructure Levy (CIL)

Had this application been acceptable in all other respects, the scheme would have been liable for CIL contributions. The online calculator can be found here: [https://www.richmond.gov.uk/borough\\_cil\\_and\\_planning\\_obligations](https://www.richmond.gov.uk/borough_cil_and_planning_obligations)

### **Summary**

The site sits within a Key Office Area in an Area of Mixed Use in Hampton Hill Local Centre. There is therefore an in principle objection to the loss of employment space and its replacement with a residential use. Notwithstanding this, the proposed housing standards of the new dwelling are considered to be unacceptable and the application fails to provide

a policy-compliant level of housing. Further, the failure to protect a TPO tree and lack of proposals to replace on-site vegetation and shrubs with any form of soft landscaping, is considered to both fail to protect and enhance biodiversity and ecology in the area and cause undue harm to the character and appearance of the conservation area. Finally, the unacceptable design of the proposed crossover, inadequate cycle parking provision and refuse and recycling storage and insufficient details of construction methods, the application is considered to cause undue harm to the free movement of traffic and highways safety.

As such, the application is considered to fail to comply with the Council's Local Plan (2018) and supplementary planning guidance, in particular, Policies LP1, LP3, LP8, LP15, LP16, LP25, LP35, LP36, LP39, LP40, LP41, LP44 and LP45, the Affordable Housing SPD (March 2014), Design Quality SPD (February 2006), Housing Optional Technical Standards Update (June 2015), Refuse and Recycling Storage Requirements SPD (April 2015), Residential Development Standards SPD (March 2010), Small and Medium Housing Sites SPD (February 2006), Transport SPD (June 2020), Whitton and Heathfield Village Planning Guidance SPD (July 2014) and the CA38 High Street Hampton Hill Conservation Area.

**Recommendation: REFUSE**