



Mr & Mrs Frost

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**29-31 HIGH STREET, HAMPTON  
WICK**

Planning Statement



Mr & Mrs Frost

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## 29-31 HIGH STREET, HAMPTON WICK

Planning Statement

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# 1

## **INTRODUCTION**



# 1 INTRODUCTION

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1.1.1. This Planning Statement has been prepared by WSP on behalf of Mr and Mrs Frost (“the applicant”) in respect of a full planning application for a mixed use development at 29-31 High Street, Hampton Wick, KT1 4DA (“the site”).

1.1.2. The proposal seeks full planning permission for:

*“Demolition of Nos. 29 and 29b High Street and associated outbuildings, and erection of 8no. dwellings and Class E floorspace with associated works.”*

1.1.3. In support of this application and in accordance with the London Borough of Richmond upon Thames (“LB Richmond”) validation requirements, we submit the following additional reports:

- Architectural plans and drawings pack, prepared by Fletcher Crane Architects;
- Design and Access Statement, prepared by Fletcher Crane Architects;
- Heritage Statement, prepared by HCUK Group;
- Building Survey Report, prepared by Richard Greenyer;
- Transport Statement, prepared by Pulsar;
- Construction Logistics Plan, prepared by Pulsar;
- Archaeological Desk Based Assessment, prepared by Cotswold Archaeology;
- Ecological Appraisal Report, prepared by Wychwood Environmental;
- Daytime Bat Potential Roost Assessment and Ecological Walkover update, prepared by Wychwood Environmental;
- Arboricultural Report: Impact Assessment and Method Statement, prepared by Crown Tree Consultancy;
- Phase 1 Contamination Desk Study, prepared by TCS Ltd;
- Sustainability and Energy Statement, prepared by Blue Sky Unlimited;
- Daylight and Sunlight Report, prepared by Schroeders Begg;
- Flood Risk Assessment and Indicative Surface Water Drainage Strategy, prepared by RSK; and
- Financial Viability Assessment, prepared by Grimshaw Consulting Limited.

1.1.4. This Planning Statement includes the following sections:

- Section 2 provides details of the site and surroundings;
- Section 3 outlines the planning history of the site and surroundings;
- Section 4 sets out the pre-application engagement carried out by the applicant;
- Section 5 provides a description of the proposals;
- Section 6 outlines the relevant planning policy;
- Section 7 provides an analysis of the proposals against planning policy; and
- Section 8 sets out a summary of the application.



# 2

## **SITE AND SURROUNDING CONTEXT**



## 2 SITE AND SURROUNDING CONTEXT

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### 2.1 SITE DESCRIPTION

- 2.1.1. The site is located along Hampton Wick High Street in the London Borough of Richmond. Nos. 29-31 High Street make up the frontage of the site which extends some way to the rear, comprising approximately 0.092 hectares.
- 2.1.2. No. 29 High Street is a visually unattractive two storey building with a mono pitch lean to roof. The ground floor is occupied by a printing shop (Use Class E). A laser clinic (Use Class E) occupies No. 31 High Street which is three storeys in height and is identified as a Building of Townscape Merit. A residential unit is located on the upper floors of these two buildings.
- 2.1.3. No. 29b is located behind the main frontage of the site, comprising of two workshop units. A dilapidated storage unit is located adjacent to 29b and a further dilapidated storage unit is located at the rear of the site, adjacent to The White Hart Hotel car park.
- 2.1.4. Access to the site is provided between Nos. 27 and 29 High Street. The site currently incorporates eight parking spaces.
- 2.1.5. The site is located within the Hampton Wick Conservation Area (CA18). In addition to No. 31, most of the buildings which front the High Street are locally listed as Buildings of Townscape Merit (BTM), with the exception of Nos. 27 and 29.
- 2.1.6. At present, the site comprises the following:
- 531sqm of Class E floorspace;
  - A studio apartment totalling 34sqm;
  - Two dilapidated and unsafe storage sheds; and
  - Eight car parking spaces.

### 2.2 POLICY DESIGNATIONS

- 2.2.1. The site is subject to the following planning designations:
- PTAL 4;
  - Within an Area of Mixed Use;
  - Within Hampton Wick Conservation Area (CA18);
  - No. 31 High Street is a Building of Townscape Merit;
  - Along a Primary or Secondary Road;
  - Part of the site is located within Flood Zone 2; and
  - Within an Archaeological Priority Area.

# 3

## PLANNING HISTORY



### 3 PLANNING HISTORY

#### 3.1 SITE HISTORY

3.1.1. There have been a number of planning applications at the site which are set out below.

**Table 3-1 – Site Planning History**

Site	LPA ref.	Description	Decision
29 High Street	88/2345	Demolition of existing workshop and storage building and erection of a workshop building with ancillary storage and office accommodation. Plan amended on 02.02.89.	Granted 20 February 1989.
29 High Street	88/2346/LB	Demolition of unlisted workshop and storage buildings within a conservation area.	Granted 20 February 1989.
29 High Street	12/3213/FUL	Demolition of two derelict storage units to rear/side of no. 29 and erection of new single dwelling	Appeal dismissed 7 April 2014.
31 High Street	05/0361/COU	Change of use of property from A1 (retail) to D1 (healthcare/beauty treatment).	Granted 29 March 2005.
31 High Street	09/2570/ADV	4 no. swan neck lamps over shop signage.	Granted 15 January 2010.
31 High Street	10/1063/VRC	Conversion of the single storey rear shop storage building into a one bedroom flat without compliance to condition U28345 Code for ECO Homes - Conversions of permission ref. 09/1890/FUL.	Granted 21 May 2010.
31 High Street	17/4152/FUL	Change of Use of the first floor (Office Use) to D1 (Medical/Dental).	Withdrawn 27 July 2018.
Land Adjacent To 29A High Street	14/5300/FUL	Demolition of two storage units and erection of new single dwelling.	Granted 18 August 2015.

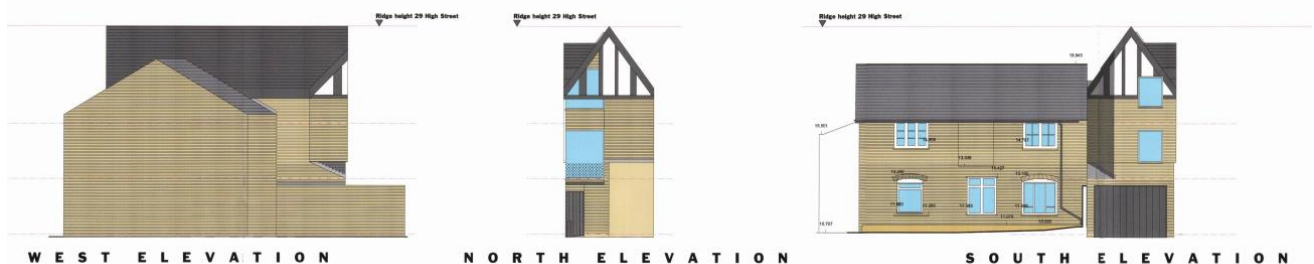
#### LPA REF. 12/3213/FUL

3.1.2. It is noted that an appeal on the site for one residential unit was dismissed in 2014 (see **Appendix A**). The Inspector considered that the main issues were:

- The effect on the proposed development on the character and appearance of the conservation area and on the setting of adjacent buildings;
- The effect of the proposed development on the living conditions of neighbouring occupiers; and
- Whether the scheme would provide acceptable living conditions for future occupiers, particularly in respect of enabling safe pedestrian access and standard of accommodation proposed.

- 3.1.3. The Inspector concluded that the scheme at three storeys would detract from the setting of the adjacent buildings and fail to preserve the character and appearance of the conservation area.
- 3.1.4. In terms of amenity, the Inspector concluded that the living condition of neighbouring occupiers was acceptable, however the scheme would not provide acceptable living conditions for future occupiers. It was also noted that the removal of the existing unattractive sheds was a benefit of the scheme.
- 3.1.5. The appeal decision noted that the three storey dwelling would be unusually tall and narrow which would be at odds with the more traditional proportions of the surrounding properties. Concerns were also raised over the shape and size of the glazing panels and the asymmetrical design of the roof.

**Figure 3-1 - Elevation of dismissed appeal.**



**LPA REF. 14/5300/FUL**

- 3.1.6. Following on from the dismissed appeal set out above, part of the application site was granted planning permission on 18 August 2015 for a single 2.5 storey two/three bed residential dwelling, replacing the existing dilapidated sheds. No private amenity space was provided as part of the application. Whilst this consent lapsed without implementation, the principle of redevelopment of the unused and dilapidated storage sheds for residential use was established through this permission.
- 3.1.7. The officer's report (see **Appendix B**) acknowledges that LB Richmond considers the loss of the dilapidated sheds to be acceptable, based on the extended period of vacancy.
- 3.1.8. The revised proposals reduced the height of the dwelling to 2.5 storeys and officers considered that the design of the scheme was acceptable and planning permission was granted.

**Figure 3-2 - Elevation of granted application LPA ref. 14/5300/FUL.**



# 4

## PRE-APPLICATION



## 4 PRE-APPLICATION

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### 4.1 MAY 2017 PRE-APPLICATION

4.1.1. A pre-application request was submitted in May 2017 in respect of:

*“Replacement of 29 High Street with maisonette above; conversion of first and second floor of 31 High Street from ancillary space to residential (to make a maisonette); demolition and conversion of two-storey workshop to create family dwelling; demolition of workshops to the rear of the site and erection of three new mews houses.”*

4.1.2. A formal response was received from LB Richmond on 2 August 2017. Since that time, the applicant has sought to address matters previously raised by officers and appointed both WSP and Fletcher Crane Architects to work with them in develop a new scheme which is a well thought-out and sensitive response to the constraints and opportunity of the site.

### 4.2 JANUARY 2020 PRE-APPLICATION

4.2.1. Taking on board the comments received from LB Richmond with regard to the previous scheme, a revised scheme was submitted for further pre-application advice in November 2019 (LPA ref. 19/P0359/PREAPP) for:

*“Demolition of 29 and 29A High Street and associated buildings and replacement retail units, three B1 units and nine residential units.”*

4.2.2. The revised scheme proposed:

- Two retail units totalling 146sqm (located at the ground floors of 29 and 31 High Street);
- Three office/workshops totalling 266sqm (located at the ground floor to the rear of 29 High Street, the ground floor of 29b High Street and one to the rear of the site adjoining The White Hart Hotel car park, also at ground floor);
- Nine residential units with seven flats located at the first and second floors of 29, 29b and 31 High Street, and two mews houses located to the rear of the site; and
- Five car parking spaces, two allocated for the commercial units and three allocated to the residential units.

4.2.3. Following an initial meeting with the Council on 16 January 2020, comments were provided by Robert Buckley, LB Richmond’s Conservation Officer on 24 January 2020. A copy of this feedback can be found in **Appendix C**. A further meeting was then held with on 24 February 2020 with the case officer and Mr Buckley.

4.2.4. The full pre-application response was received on 20 March 2020. A copy of this response can be found in **Appendix D**.

4.2.5. The response supports the principle of residential in a mixed use area, however it noted the preference for a higher proportion of smaller units in this location.

4.2.6. The demolition of No. 29 was considered to be acceptable due to its conscious omission of the building from the Building of Townscape Merit register and its neutral contribution to the conservation area.

- 4.2.7. The conservation officer raised some concerns around the proposed heights of the development and advised that new buildings should be two storeys in height, acknowledging that this could mean a reduction in units. It was also noted that residential development would provide a public benefit.
- 4.2.8. The pre-application response contests that the planning permission from 2015 (LPA ref. 14/5300/FUL) no longer supports the loss of the dilapidated sheds as it pre-dated the Local Plan. The response also objects in principle to the loss of employment space. However, there was no in principle policy objection to the minor loss of 15sqm of retail floorspace.
- 4.2.9. The highways officer noted that the proposed parking layout may not make the most efficient use of land. The response goes on to state that the proposals should look to maintain or improve the current access in order that refuse vehicles can continue to reverse into the new mews area.
- 4.2.10. The pre-application responses from LB Richmond have been taken into consideration in the submission of this application.



# 5

## DESCRIPTION OF PROPOSALS



## 5 DESCRIPTION OF PROPOSALS

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5.1.1. Taking on board the comments received from the LB Richmond during pre-application discussions and careful consideration of the constraints of the site, the application proposes the following:

- 534sqm of Class E floorspace;
- Eight residential dwellings (5no. 1b2p, 1no. 2b3p, 1no. 2b4p and 1no. 3b5p);
- 24 cycle parking spaces; and
- Five car parking spaces.

### LAYOUT

5.1.2. The scheme proposes the demolition of the existing buildings on the site, including Nos. 29, 29b and the dilapidated outbuildings, but excluding No. 31 High Street. The proposed development will largely follow the existing building pattern, with built form focussed towards the north-western area of the site fronting on to the High Street and the access road.

5.1.3. No. 29 High Street will be reconstructed to mirror No. 27 and No. 33 and will assimilate into the surrounding streetscape. No. 31 High Street will be refurbished externally.

5.1.4. Residential development is located on the upper floors, with the commercial elements located at ground and basement level.

5.1.5. The commercial space is of high quality and will be flexible, with space available for small businesses and artisan studios. The space will have the ability to be combined or divided in order to adapt to changing market conditions.

5.1.6. At the rear of the site are two mews style, three storey dwellings with Class E at ground floor and two residential dwellings above.

### ACCESS AND PARKING

5.1.7. Access to the site will be as existing, but with a slight enlargement at the current pinch point.

5.1.8. Separate refuse stores for the commercial and residential uses are located in secure areas, close to the existing arrangement.

5.1.9. Visibility splays onto the High Street will be maintained and the corner of No. 29 High Street will be fully glazed.

5.1.10. The scheme includes five car parking spaces, three of these are reserved for the residential units and two for the Class E uses. Two of the spaces reserved for the residential units will have active electric vehicle charging points installed, with passive provision for the remaining three.

5.1.11. A total of 24 cycle parking spaces are proposed. Sixteen of these are for the residential dwellings, located securely at ground level with a secure entrance. Eight are proposed for the commercial units, four are located inside the commercial unit at the rear of the site, with a further four provided through Sheffield stands next to the car parking spaces.

## DESIGN

- 5.1.12. The scheme has been carefully designed to take account of the site's sensitive nature within the Hampton Wick Conservation Area. Building massing and heights have been reduced to respect neighbour amenity, alongside the careful placement of proposed windows.
- 5.1.13. The design includes stepped roofs which help break up the form of development and helps it assimilate the buildings into the wider context and character of the site.
- 5.1.14. At present, the dilapidated nature of the site means that it makes very little positive contribution to the Conservation Area. This proposal offers an opportunity to enhance the character of the local area and the site's contribution to the Conservation Area. As such, the design incorporates a number of design features including detailed fenestration, a green roof and materials such as timber and zinc. Evergreen planting is also proposed around the car parking courtyard which will improve biodiversity on the site.
- 5.1.15. All residential units will have access to private amenity space which meets policy requirements.
- 5.1.16. The proposals also include modular storage systems and pervious surfaces for surface water run-off which will improve the existing arrangement on the site.

# 6

## PLANNING POLICY



## 6 PLANNING POLICY

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- 6.1.1. The development proposal set out in section 5 of this Planning Statement will be assessed against the National Planning Policy Framework (“NPPF”) (2019) and the policies contained within LB Richmond’s adopted development plan.
- 6.1.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out that, provided that policies in the development plan are relevant, decisions on planning applications must be taken in accordance with the development plan, unless there are material considerations that indicate otherwise.
- 6.1.3. The development plan consists of the following documents:
- Local Plan (July 2018); and
  - London Plan (2021).
- 6.1.4. The following supporting documents represent material considerations in determining the planning application:
- National Planning Policy Framework (NPPF) (February 2019);
  - London Housing SPG (March 2016)
  - Affordable Housing SPD (March 2014);
  - Buildings of Townscape Merit (May 2015);
  - Design Quality SPD (February 2006);
  - Planning Obligations SPD (June 2020);
  - Sustainable Construction Checklist (June 2020);
  - Refuse and Recycling Storage Requirements SPD (April 2015);
  - Residential Development Standards SPD (March 2010);
  - Small and Medium Housing Sites (February 2006);
  - Transport SPD (June 2020);
  - Conservation Areas SPG (September 2002); and
  - Hampton Wick and Teddington Village Planning Guidance (June 2017).
- 6.1.5. In a letter dated 23 March 2020, the Chief Planner urged councils to be pragmatic and work proactively with applicants in decision-making, in order to aid the economic recovery from the pandemic.
- 6.1.6. On 12 March, the Secretary of State, Robert Jenrick, wrote to the London Mayor, Sadiq Khan, exercising his powers under section 337 of the Greater London Authority Act 1999 and directing the Mayor that he could not publish the emerging London Plan unit number of amendments had been incorporated. The Secretary of State asked the Mayor to commit to maximising housing delivery in London and support boroughs to go beyond the Plan targets to bring them closer to delivering against housing demand. This is a material consideration in the determination of planning applications.
- 6.1.7. Following a letter from the London Mayor to the Secretary of State on 9 December 2020, expressing the frustration over the lack of progress on the adoption of the Plan since March 2020, and setting out his intention to publish a new London Plan on 21 December 2020, the Secretary of State responded on 10 December 2020.

- 6.1.8. In this letter, the Secretary of State issued two further directions in relation to industrial land and tall buildings. He reiterated the importance of the London Plan in helping to drive housing delivery and the economic recovery from the COVID-19 pandemic. It was confirmed that if the new Intend to Publish version of the London Plan addressed these 13 Directions, then the Secretary of State would be in a position to formally agree to its publication. These Directions are also material considerations in the determination of planning applications.
- 6.1.9. The Mayor published his revised Intend to Publish London Plan on 24 December 2020 and the Secretary of State formally approved the Plan on 29 January 2021. The Plan will therefore be formally adopted in the coming weeks. As such, the policies contained within it can be attributed almost full weight.

## **6.2 NATIONAL POLICY CONTEXT**

- 6.2.1. The NPPF was published on 24 July 2018 with amendments made in February 2019. Any applications made after this date are required to give material consideration to this version, even if the adopted development plan documents were adopted under the previous NPPF (2012).
- 6.2.2. The NPPF (2019) emphasises the importance of sustainable development and sets out the core planning principles guided by the Government's planning policies. Paragraph 8 states that sustainable development comprises three overarching objectives, these being economic, social and environmental. At paragraph 11 it confirms that councils should apply the presumption in favour of sustainable development and that proposals which accord with an up-to-date development plan should be approved without delay. This is reiterated at paragraph 47.
- 6.2.3. Paragraph 68 emphasises the important contribution which small and medium sites can make towards meeting housing requirements and their ability to be built out quickly.
- 6.2.4. Paragraph 85 states that council should take a positive approach to the growth of town centres and should allow for a suitable mix of uses, including housing, to achieve this growth.
- 6.2.5. In terms of highways, the NPPF is clear at paragraph 109 that development should only be refused if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe.
- 6.2.6. The NPPF recognises at paragraph 117, the importance of making effective use of land, particularly in relation to brownfield sites, such as this application site, for residential development. Paragraph 122 confirms this, stating that policies and decisions should support development that makes efficient use of land.
- 6.2.7. Paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided. Paragraph 163 goes on to confirm that when determining planning applications, it is important to ensure that flood risk is not increased elsewhere and that, where appropriate, applications should be supported by a site-specific flood risk assessment.
- 6.2.8. In relation to biodiversity, paragraph 175 states that planning permission should be refused if significant harm to biodiversity resulting from a development cannot be avoided or compensated for.
- 6.2.9. Concerning heritage, the NPPF at paragraph 189, states that councils should require applicants to describe the significance of heritage assets and the contribution made by their setting when submitting proposals. This level of detail should be proportionate to the assets' importance. At

paragraph 190, councils should take into consideration the significance of heritage assets when considering the impact of a proposal on that heritage asset.

- 6.2.10. When determining applications, councils are required at paragraph 192, to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.2.11. Paragraph 193 states that when considering the impact of a proposed development on the significance, great weight should be given to the asset's conservation.
- 6.2.12. At paragraph 197, the NPPF states that the effect of proposals on the significance on a non-designated heritage asset should be taken into account when determining applications. A balanced judgement is required when having regard to the scale of any harm or loss, and the significance of the heritage asset.

## **6.3 LONDON PLAN**

### **LONDON PLAN (2021)**

- 6.3.1. The new London Plan was submitted for independent examination in 2018, with hearings commencing in January 2019. In July 2019 the Draft London Plan – consolidated changes version was published, showing the Mayor's suggested changes following the Examination in Public.
- 6.3.2. The examination report was published on 8 October 2019 and was found sound by a panel of inspectors, subject to some modifications. The Mayor informed the Secretary of State on 9 December 2019 of his intention to publish the London Plan, alongside a statement setting out which recommendations he wishes to accept either in full or in part, and those he wishes to reject.
- 6.3.3. The Secretary of State wrote to the Mayor on 13 March 2020, expressing concern over the non-adoption of some of the proposed modifications and prohibited the adoption of the London Plan in its current form. Of particular concern was the ability of the Plan to deliver the number of homes that London needs. The Mayor responded, stating that he was mindful of the need to support the development industry and the wider economy as a result of the outbreak of COVID-19.
- 6.3.4. The Mayor submitted an updated Intend to Publish version of the London Plan to the Secretary of State on 24 December 2020. On 29 January 2021, the Secretary of State formally approved the London Plan and will be published by the Mayor in the coming weeks. The Plan is post-examination and nearing adoption, and as such, policies contained within it are afforded full weight as a material consideration.
- 6.3.5. The London Plan places an emphasis on outer London boroughs to contribute significantly to meeting London's housing need. As such, LB Richmond's housing target will increase by a third to a minimum of 411dpa and this should be exceeded wherever possible.
- 6.3.6. Policy D3 (Optimising site capacity through the design-led approach) of the Plan emphasises the importance of development making the best use of land by following a design-led approach which enhances the local context, encourages convenient travel patterns and well-designed streets. Developments should provide active frontages, deliver appropriate outlook, privacy and amenity and be of high quality.

- 6.3.7. Policy D7 (Accessible housing) states that at least 10% of new dwellings should meet Building Regulation requirement M4(3) “wheelchair user dwellings” and all other dwellings should meet Building Regulation requirement M4(2) “accessible and adaptable dwellings”.
- 6.3.8. Policy H1 (Increasing housing supply) sets out the 10 year housing targets for each Borough, for LB Richmond this is a minimum of 4,110 dwellings across the Plan’s period. The Policy also directs development towards areas that have a PTAL of three or higher and encourages Boroughs to optimise the potential for housing delivery on suitable and available brownfield sites.
- 6.3.9. Policy H2 (Small sites), states that Boroughs should proactively support the development of small sites for housing in order to significantly increase the contribution of small sites to meeting London’s needs. In LB Richmond, a minimum of 234dpa should be delivered through small sites.
- 6.3.10. Policy H10 (Housing size mix) states that schemes should generally comprise a range of unit sizes, having regards to need, the uses on the scheme and the nature and location of the site.
- 6.3.11. Policy E2 (Providing suitable business space) supports, where appropriate, the protection of a range of Use Class B spaces to meet the needs of businesses. This space should ensure that it is fit for purpose, having regard to the type and use of the space. Development proposals which involve the loss of Use Class B space in areas that have an identified shortage should either re-provide an equivalent amount of floorspace or demonstrate that there is no reasonable prospect of the site being used for business purposes.
- 6.3.12. These policies are also relevant in the consideration of the application:
- Policy HC1 (Heritage conservation and growth);
  - Policy G6 (Biodiversity and access to nature);
  - Policy SI 12 (Flood risk management);
  - Policy SI 13 (Sustainable drainage);
  - Policy D4 (Delivering good design); and
  - Policy D6 (Housing quality and standards).

## **6.4 LOCAL DEVELOPMENT PLAN**

### **ADOPTED PLAN**

- 6.4.1. The Local Plan was originally adopted in July 2018 which incorporated all the Main Modifications recommended by the Inspector and the Additional Modifications made by the Council.

### **EMERGING PLAN**

- 6.4.2. The Council is in the early stages of preparing a new Local Plan, with a “Direction of Travel” consultation undertaken between February and April 2020. Due to the new Plan being at such an early stage in the production process, no weight can be attached to it as a material consideration.

## **6.5 RELEVANT POLICIES**

- 6.5.1. The relevant policies from the development plan documents are listed below:

### **LOCAL PLAN (MARCH 2018)**

- Policy LP 1 – Character and Design Quality;
- Policy LP 2 – Building Heights;
- Policy LP 3 – Designated Heritage Assets;



- Policy LP 4 – Non-Designated Heritage Assets;
- Policy LP 7 – Archaeology;
- Policy LP 8 – Amenity and Living Conditions;
- Policy LP 10 – Local Environmental Impacts, Pollution and Land Contamination;
- Policy LP 11 – Subterranean developments and basements;
- Policy LP 15 – Biodiversity;
- Policy LP 16 – Trees, Woodlands and Landscape;
- Policy LP 20 – Climate Change Adaption;
- Policy LP 21 – Flood Risk and Sustainable Drainage;
- Policy LP 22 – Sustainable Design and Construction;
- Policy LP 24 – Waste Management;
- Policy LP 25 – Development in Centres;
- Policy LP 26 – Retail Frontages;
- Policy LP 34 – New Housing;
- Policy LP 35 – Housing Mix and Standards;
- Policy LP 36 – Affordable Housing;
- Policy LP 39 – Infill, Backland and Backgarden Development;
- Policy LP 40 – Employment and local economy;
- Policy LP 44 – Sustainable Travel Choices; and
- Policy LP 45 – Parking Standards and Servicing.

## **LONDON PLAN (FEBRUARY 2021)**

- GG1 Building strong and inclusive communities;
- GG2 Making the best use of land;
- GG4 Delivering the homes Londoners need;
- GG5 Growing a good economy;
- Policy D1 London's form, character and capacity for growth;
- Policy D2 Infrastructure requirements for sustainable densities;
- Policy D3 Optimising site capacity through the design-led approach;
- Policy D4 Delivering good design;
- Policy D5 Inclusive design;
- Policy D6 Housing quality and standards;
- Policy D7 Accessible housing;
- Policy D8 Public realm;
- Policy D11 Safety, security and resilience to emergency;
- Policy D13 Agent of Change;
- Policy D14 Noise;
- Policy H1 Increasing housing supply;
- Policy H4 Delivering affordable housing;
- Policy H5 Threshold approach to applications;
- Policy H6 Affordable housing tenure;
- Policy H10 Housing size mix;
- Policy S4 Play and informal recreation;
- Policy G5 Urban greening;
- Policy G6 Biodiversity and access to nature;
- Policy SI 13 Sustainable Drainage;



- Policy T4 Assessing and mitigating transport impacts;
- Policy T5 Cycling;
- Policy T6 Car parking; and
- Policy T7 Deliveries, servicing and construction.

# 7

## **PLANNING CONSIDERATIONS**

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## 7 PLANNING CONSIDERATIONS

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### 7.1 PRINCIPLE OF DEVELOPMENT

- 7.1.1. The principle of mixed residential and commercial development is established through the existing uses on the site and through extant permissions. The site currently comprises a mix of retail floorspace and workshops (all of which fall under Use Class E) alongside a residential dwelling.
- 7.1.2. The Council has confirmed through pre-application discussions that the principle of residential and commercial uses on this site is acceptable, subject to compliance with other policies in the development plan. The planning history of the site also shows that the addition of residential dwellings in this location is acceptable in principle (LPA ref. 14/5300/FUL).

#### LOCATION OF DEVELOPMENT

- 7.1.3. The site is located within an area designated as PTAL 4, with PTAL 6 being the highest. This is indicative of good connectivity to public transport. A bus stop is located close to the entrance of the site which provides services to Hounslow and Heathrow Airport. A further bus stop is located less than 100m to the south which provides services towards Kingston and Tolworth. Hampton Wick train station is located 250m north of the site which offers regular trains into London Waterloo.
- 7.1.4. The High Street includes amenities such as restaurants and hairdressers, with a wider range of facilities located just over the River Thames in Kingston Town Centre.
- 7.1.5. The adopted and draft London Plans promote residential development in outer London Boroughs, such as LB Richmond, in order to help meet the capital's housing requirements. The NPPF, at paragraph 117, promotes the effective use of brownfield sites for residential development. Therefore, the site is an ideal location for housing which helps realize the objectives of the adopted and emerging London Plans and LB Richmond's Local Plan.
- 7.1.6. The site lies within an Area of Mixed Use, as designated by the Local Plan (2018). Policy LP25 (Development in Centres) of the Local Plan states that the Council will support development which optimises the potential of sites through the contribution of a suitable mix of uses which enhance the vitality and viability of centres such as Areas of Mixed Use. The scheme proposes a mix of commercial and residential uses, all of which will enhance the local area through improved quality of employment space and through future residents' expenditure from the residential element of the scheme.
- 7.1.7. The site, therefore, promotes patterns of sustainable development in line with national, regional and local policy, and reduces the reliance on private motor vehicles.

#### SUSTAINABLE DEVELOPMENT

- 7.1.8. The development will deliver sustainable social, environmental and economic benefits. The benefits associated with this application should be considered in a planning balance exercise as set out within this context of sustainable development and paragraphs 8 and 11 of the NPPF.

##### Social

- 7.1.9. The scheme proposes a mix of dwelling sizes, including a high proportion of smaller units, which contributes to mixed and balanced communities.

- 7.1.10. The amenities in Hampton Wick and Kingston are in close proximity to the site, promoting active and healthy communities.
- 7.1.11. The proposal would deliver market dwellings which will contribute towards ensuring there are a mix and choice of homes. Further, the development will improve the quality of the commercial floorspace, ensuring that jobs are retained in the local area, contributing to the local economy. This should be given significant weight in the determination of the application.
- 7.1.12. As set out within the accompanying Financial Viability Assessment, prepared by Grimshaw Consulting Ltd, a financial contribution of £70,650 will be made as part of the application.

### **Environment**

- 7.1.13. The site comprises previously developed land which will reduce pressure on greenfield and Green Belt sites. The proposal seeks to make effective reuse of land within a sustainable and urban area, providing future occupiers with access to sustainable transport connections, reducing the reliance on private vehicles.
- 7.1.14. The brownfield nature of the site means that it does not support habitats of ecological value. The development will incorporate a green roof on top of the bin storage area and evergreen planning in the parking courtyard.
- 7.1.15. Modular storage tanks and pervious surfaces will improve surface water run off areas on the site. Further, the scheme incorporates Air Source Heat Pumps (ASHPs) and other energy efficiency measures which will reduce emissions by over 11% under the 'Be Lean' category and over 40% under the 'Be Clean' category.
- 7.1.16. In developing the site, the proposal will ensure that any contaminants which may be causing harm to the environment will be removed.
- 7.1.17. The site therefore contributes positively to the environmental arm of sustainability.

### **Economic**

- 7.1.18. The development represents significant private sector investment in terms of construction costs. This will have a considerable positive effect in terms of the new jobs created and support for other businesses and services that are employed through the construction of the proposed development and the associated supply chain.
- 7.1.19. The NPPF, at paragraph 8, confirms that the planning system should contribute to building a strong, responsible and competitive economy. The development, through providing open market dwellings and high-quality employment space, will introduce a new economically active population to Hampton Wick that will represent inward investment and provide a significant boost to the local economy through increased patronage, helping support existing local jobs, services and facilities.
- 7.1.20. The development will bring permanent economic benefits through additional household expenditure and council tax payments.
- 7.1.21. In addition, the New Homes Bonus is a government scheme aimed at encouraging local authorities to grant planning permissions for the building of new houses in return for additional revenue. The scheme provides a lump sum payment for each new home built and is payable for a total of four years. The scheme will therefore provide New Homes Bonuses to the Council.

- 7.1.22. In terms of temporary economic benefits, the proposed development will generate turnover and temporary employment for construction firms and related trades.

### Summary

- 7.1.23. The site has been assessed against a range of indicators (social, environmental and economic) and performs well, demonstrating that the proposals reflect sustainable development principles. Not only is the site well located to provide access to existing community facilities and the local public transport network, it also generates both temporary and permanent economic benefits to the local area.

### HOUSING NEED

- 7.1.24. LB Richmond's housing target is set to increase by a third to 411dpa in the new London Plan. In the Secretary of State's letter dated 13 March 2020, it is clear that there is the expectation that these targets should be exceeded.
- 7.1.25. Whilst LB Richmond is meeting its current housing target of 315dpa, it is not currently delivering enough housing to meet this higher target based on completions in the reporting year 2019-2020. Housing delivery is also likely to be further impacted by the current COVID-19 pandemic.
- 7.1.26. It should be emphasised that this target is a **minimum** (as confirmed through paragraph 11 of the NPPF) and in order to meet the Government's target of 300,000 homes a year, LB Richmond will need to increase its housing supply.
- 7.1.27. The Government and the new London Plan also stress the importance of small sites, such as this, in delivering housing targets (paragraph 68 of the NPPF and Policy H2 of the draft London Plan). In LB Richmond, the new London Plan sets a target for over half of houses to be delivered through small sites at 234dpa. The development of this site will make a meaningful contribution to this target.
- 7.1.28. Therefore, the net contribution of seven units should be considered a significant benefit to the local area and should be given great weight in support of the application.

### EMPLOYMENT

- 7.1.29. The application site currently comprises 531sqm of Use Class E commercial floorspace. A total of 534sqm of Use Class E floorspace is being proposed. This is a small **increase** of 3sqm of commercial floorspace.
- 7.1.30. The current units are tired and are of poor quality. As part of this application, the commercial floorspace will therefore be re-provided through high quality units which allow for flexibility to suit the needs of tenants. The new units will be far superior in terms of quality and energy efficiency, ensuring that the space remains attractive and jobs are retained in the local area.
- 7.1.31. Officers have suggested during pre-application discussions that the dilapidated sheds should be included in the employment floorspace calculations. The Council asserts that the unimplemented permission (LPA ref. 14/5300/FUL) covers a small parcel of the wider site and it predates the current Local Plan, which increases the protection of existing employment floorspace. Further, the Council refers to the previous pre-application advice which stated that there was specific reference to the presumption against the loss of light industrial/storage.

- 7.1.32. A Building Survey Report, undertaken by Richard Greenyer in March 2020, has been submitted in support of this application. The report notes that these two outbuildings are in a very poor state of disrepair and are considered to be unstable and unsafe. The roofs of these buildings are falling in and are structurally unsound, posing a serious health and safety risk.
- 7.1.33. These outbuildings have been unusable for a significant period of time and have not been in a condition to be let as employment space or as storage space. The application made in 2014 (LPA ref. 14/5300/FUL) makes reference to the length of time that these outbuildings had been unused, and these outbuildings have not been used since. The applicant can also confirm that the outbuildings have not been in a useable state for a significant period of time.
- 7.1.34. As noted in paragraph 3.1.4 of this report, the Inspector of the 2014 appeal (LPA ref. 12/3213/FUL), stated that the removal of the existing unattractive sheds was a benefit of the scheme. As such, the removal of the outbuildings proposed as part of this scheme should also be considered a benefit.
- 7.1.35. Whilst local planning policy may have increased protection for employment floorspace, given the serious state of disrepair of these outbuildings and the length of time they have been unusable, the outbuildings cannot be considered to form part of the existing employment floorspace calculation.
- 7.1.36. Furthermore, the proposed high-quality commercial floorspace that will be re-provided on the site will result in a far greater contribution to the site's employment generation compared to the existing level.
- 7.1.37. Using employment density guidance, we estimate that the proposed employment floorspace will generate approximately 27 to 35 full time employment (FTE) jobs. This is an increase of approximately 10 to 18 FTE jobs compared to the existing provision.

**Figure 7-1 - Images from Building Survey Report showing poor condition of outbuildings.**



## 7.2 DESIGN

### CHARACTER AND APPEARANCE

- 7.2.1. The site is unusual in shape with a narrow frontage onto the High Street. The site comprises poor quality buildings along the north and western edges and two dilapidated sheds to the south, with a large area of hardstanding.
- 7.2.2. The proposals offer an opportunity to significantly improve the quality of the buildings on the site, thereby improving the setting of the Conservation Area and views from the High Street.
- 7.2.3. The scheme has been designed to broadly follow the layout of the existing building pattern on site. No. 29 will be reconstructed and the façade of No. 31 will be improved, which will greatly enhance

the streetscene. No. 29b and associated outbuildings will be demolished and replaced, and the dilapidated outbuildings located at the southern end of the site will also be replaced.

- 7.2.4. The units fronting onto the High Street will replicate the aesthetic of the existing buildings and will be finished with an off-white render and natural slate roofing. Details such as chimneys have been designed to match the existing buildings.
- 7.2.5. To the rear of the buildings fronting on to the High Street, the units have been designed to reflect the light industrial heritage of the site. Form has been broken up into three sections using galvanised metal pitched roofs and setbacks to delineate individual units. The scheme incorporates vertical timber cladding with various finishes to provide visual interest.
- 7.2.6. The two mews houses to the rear will be set above Class E floorspace and incorporate similar features to the other buildings.

### **SCALE AND MASSING**

- 7.2.7. The scale and massing of the scheme take note of the site's designation within a Conservation Area. Building heights have been reduced at the request of officers to 2.5 storeys. The massing will be broadly in line with the existing buildings and will preserve local neighbouring amenity.

### **DENSITY**

- 7.2.8. Although the density matrix set out within the previous London Plan (2016) has not been carried forward in the new London Plan, it nonetheless provides a guideline for councils to assess development proposals. The site is located within 800m from Kingston town centre, which is a Metropolitan Centre and characterised by medium building footprints and typically buildings of two to four storey, is therefore to be classified as being somewhere between an Urban or Central area for the purposes of the density matrix.
- 7.2.9. The site has a PTAL of 4 and is proposing a mix of dwellings with a greater proportion of smaller units. Therefore, the guidance suggests a range of between 70 dwellings per hectare (dph) and 405dpa. The application proposes 117dpa which is considered appropriate given the site's location within a Conservation Area.

## **7.3 AFFORDABLE HOUSING**

### **VIABILITY**

- 7.3.1. A Financial Viability Assessment, prepared by Grimshaw Consulting Ltd, has been submitted in support of this application.
- 7.3.2. Under Policy LP36 of the Local Plan (2018), sites which are below the threshold of 'capable of ten or more units gross' should make a financial contribution to the Affordable Housing Fund, in line with the sliding scales set out in the Affordable Housing SPD.
- 7.3.3. As the site proposes at total of eight residential units where there is no loss of former employment space, a level of 40% affordable housing is sought.
- 7.3.4. Policy LP36 goes on to state that the Council will seek the "maximum reasonable amount of affordable housing", taking into consideration economic viability, site costs and the overall mix of uses and other planning benefits.



7.3.5. As the Assessment sets out, there will be no loss of employment space and due to the constraints of the site, a financial contribution of £70,650 will be made as part of the application and secured through a Section 106 agreement.

## 7.4 RESIDENTIAL AMENITY

### Daylight/sunlight

7.4.1. A Daylight and Sunlight Report, prepared by Schroeders Begg, has been submitted in support of this application. The report demonstrates that the proposals will have limited effects on the surrounding properties in relation to daylight and sunlight.

7.4.2. The report also shows that all new habitable rooms meet the target criteria in terms of provision of suitable daylight and the scheme provides good levels of sunlight to new habitable living rooms.

7.4.3. The scheme is, therefore, compliant with policy and is acceptable in planning terms.

### Residential standards

7.4.4. All proposed units are in compliance with the minimum space standards as set out under Policy D6 of the new London Plan. The development offers a high quality of living with all of the eight units being dual aspect.

7.4.5. The dwellings have been designed to protect the amenity and privacy of both the existing local residents and future occupants.

### Amenity provision

7.4.6. In accordance with the London Plan standards, a minimum of 5sqm of private outdoor space should be provided for a one to two person dwelling with an extra 1sqm provided for each additional occupant. A schedule of the proposed amenity space for each dwelling is set out below.

**Table 7-1 – Amenity Provision**

Dwelling	Amenity provision
1b2p apartment	5sqm
1b2p apartment	5sqm
1b2p apartment	5sqm
1b2p apartment	5sqm
2b4p duplex	22sqm
3b5p apartment	14sqm
1b2p duplex	7sqm
2b3p apartment	6sqm

## 7.5 TRANSPORT

7.5.1. A Transport Statement, prepared by Pulsar, has been submitted in support of this application.

### ACCESS

7.5.2. As set out within the accompanying Transport Statement, pedestrian and vehicle access will be retained as it currently exists. Due to the limited building footprints of Nos. 29 and 31 High Street, and the need to re-provide the existing commercial floorspace as a continuation of the High Street frontage, it has not been possible to widen the existing access. However, the number of parking spaces at the site have been reduced which will ensure that there are fewer traffic movements and therefore any potential conflicts at the access point is minimised.

7.5.3. The net impact of the proposals on trip generation will be minimal and are therefore in accordance with paragraph 109 of the NPPF.

### PARKING

7.5.4. The scheme proposes a total of five car parking spaces within the existing courtyard and 24 cycle parking spaces.

7.5.5. A total of three car parking spaces are allocated for residential development, with two allocated for the Class E floorspace. Of the three residential spaces, two will incorporate Electric Vehicle Charging Points (EVCPs), with the remainder having passive provision. This is in excess of the London Plan requirements.

7.5.6. Of the 24 cycle parking spaces, 16 of these will be for the use of future residents and securely located at ground floor level. Eight spaces for the commercial uses will be provided with four spaces located at the ground floor of the mews Class E units and a further four provided though Sheffield stands.

7.5.7. The number of car and cycle parking spaces are therefore in compliance with the London Plan.

7.5.8. As part of the pre-application discussions, LB Richmond requested that the applicant consider the provision of an on-site car club. However, due to the lack of proximity of the site to an existing car club (150m away) and the lack of public visibility of a car club parking space within the site, this option is not considered to be viable.

7.5.9. All cycle parking is secured and covered, and the number of spaces provided are in compliance with the new London Plan standards.

### SERVICING

7.5.10. The Transport Statement confirms that refuse collection will operate as existing, with refuse vehicles reversing into the site, stopping outside block two and leaving the site in a forward gear. Delivery vans will be able to enter the site, turn at the southern end and leave in a forward gear. Details of tracking are contained within the accompanying Transport Statement.

## 7.6 ENVIRONMENT

### FLOODING AND DRAINAGE

- 7.6.1. A Flood Risk Assessment and Indicative Surface Water Drainage Strategy, prepared by RSK, has been submitted in support of this application. The site is mostly located within Flood Zone 1, however, part is located in Flood Zone 2. None of the site is located in Flood Zone 3.
- 7.6.2. The report demonstrates that the level of risk from fluvial flooding is moderate. The more vulnerable residential uses are located at first floor and above and the development will not result in the loss of floodplain storage. A Flood Emergency Plan will also be implemented.
- 7.6.3. The risk from tidal, surface water, sewers and artificial sources is assessed as low. There is a low to moderate risk from groundwater flooding but the proposals include structural waterproofing at basement level and there will be internal access to ground floor levels.
- 7.6.4. Due to the constraints of the site, the proposals will not change the amount of impermeable areas on the site, but surface water will be managed by attenuation prior to being discharged to the main sewers. The proposals incorporate permeable paving, modular storage tanks and a green roof. These SuDS will reduce the existing runoff rate by 50% and will also provide additional water quality and biodiversity benefits.
- 7.6.5. As such, the proposals are in accordance with the NPPF and Policy LP21 of the Local Plan (2018).

### ECOLOGY

- 7.6.6. A Preliminary Ecology Appraisal was carried out by Wychwood Environmental, in October 2019. This showed that the proposed development had a low potential to impact foraging and roosting bats, a limited potential to impact breeding birds and there was the potential to impact trees adjacent to the site. The impact on trees is dealt with in a subsequent section. The report confirmed that the site had a low ecological value.
- 7.6.7. The report recommended that further bat emergence and re-entry surveys were undertaken. Due to the time of year, a Potential Roost Assessment was carried out on 5 November 2020. This assessment showed that the results of the updated survey are largely similar to the previous results, however Building 4 was downgraded to negligible-low roosting potential. No existing buildings on the site show potential for roosting above a “low” grade.
- 7.6.8. The survey recommends that an emergency survey is undertaken in May 2021. It is considered that due to the low roosting potential of the existing buildings, the requirement for this survey to be undertaken can be secured through an appropriately worded condition.
- 7.6.9. A walkover was also carried out on 5 November 2020 in order to establish whether there had been any change in other protected species and habitats constraints since the initial assessment in October 2019. This walkover showed that no change had occurred since the original survey.

### ENERGY

- 7.6.10. In accordance with Policy LP 22, the development is required to achieve a minimum of a 35% reduction in carbon dioxide emissions. An energy report, prepared by Blue Sky Unlimited, has been undertaken in support of this application. In addition, a Sustainable Construction Checklist has been completed.

- 7.6.11. The report demonstrates that in the context of “Be Lean” (reducing demand and consumption), the scheme will deliver a reduction in emissions of 11.80%. Under “Be Clean” (supply energy efficiently), the scheme will deliver a reduction in emissions of 40.17%. A carbon offset payment of £13,381 will be made as part of the proposals and secured via a section 106 agreement.
- 7.6.12. The proposals include passive design measures including passive solar gain, natural daylighting and efficient building fabric including reducing air leakage and thermal bridging. Active design measures will include efficient lighting and controls,
- 7.6.13. The report considers a number of renewable energy sources for the development including ground source heat pumps (GSHPs) and solar power. These options are not considered viable on the site due to the constrained nature of the site, including its located within a Conservation Area. As such, the scheme proposed Air Source Heat Pumps (ASHPs) in lieu of a gas system which will reduce the amount of energy from non-renewable sources.
- 7.6.14. The scheme is therefore compliant with both national, regional and local policy.

## **CONTAMINATION**

- 7.6.15. As the site has a history of light industrial use, the Council has requested that a Contamination Report is submitted alongside the application.
- 7.6.16. The report, prepared by TCS Ltd, concludes that whilst there are a number of potential sources of contamination, these risks are low. The report recommends that ground investigation work and geotechnical investigation are undertaken. These requirements can be sufficiently covered through an appropriately worded condition.
- 7.6.17. This is in compliance with Policy LP 10, part “F”, of the Local Plan.

## **TREES**

- 7.6.18. Whilst there are no trees located on the site, there are several trees which are located close to the site where the root protection areas (“RPA”) encroach on to the site. Therefore, the application is supported by an Arboricultural Impact Assessment, prepared by Crown Trees.
- 7.6.19. The report shows that trees T1, T3, T8 and T9 will be pruned to ensure adequate clearance to construct the buildings and ensure safe usage of the parking spaces. This pruning will be undertaken sympathetically to ensure there is no adverse impact on local visual amenity.
- 7.6.20. The foundations of Block 2 will extend into the potential outer RPA of T1 by approximately 10%. It is considered that the impact of this will be small, however, in order to minimise any potential impacts on the roots, a shallow raft or beam foundation will be installed and excavation will be overseen by the local authority tree officer or the consultant arborist. The foundations will be hand-dug.
- 7.6.21. Therefore, the proposals will not have any detrimental impact on the neighbouring trees, in accordance with national, regional and local policies.

## **7.7 HERITAGE**

### **ARCHAEOLOGY**

- 7.7.1. The site is located within an Archaeology Priority Area, and as such an Archaeology Desk Based Assessment (“DBA”), prepared by Cotswold Archaeology, has been submitted in support of this application.

- 7.7.2. The DBA shows that no known archaeological remains have been identified within the site and it is considered that there is low potential for any significant unknown archaeological remains which survive on site.
- 7.7.3. The DBA recommends that trial trenching and further archaeological analysis is undertaken ahead of construction but that this can be sufficiently secured through an appropriately worded condition.

## **HERITAGE**

- 7.7.4. The site is located within the Hampton Wick Conservation Area (CA18). The area was designated in 1969 and has been extended several times, with the most recent being in 2014. The application site is located within the area which was subject to the original designation.
- 7.7.5. Due to the site's location within a Conservation Area, a Heritage Statement, prepared by HCUK Group, has been submitted in support of this application.
- 7.7.6. The report demonstrates that the majority of the buildings on the site make no contribution to the character or appearance of the Conservation Area due to their dilapidated state and lack of historic or architectural interest. It notes that whilst No. 31 High Street is designated as a Building of Townscape Merit, it is not in a good state of repair and is likely to have been designated due to its age rather than for any architectural or historical merit. As such, the application site offers a significant opportunity to enhance this part of the Conservation Area.
- 7.7.7. The replacement of No. 29 with a building that matches the appearance of No. 31 and 33 will greatly enhance the frontage onto the High Street and, by extension, the setting of the wider Conservation Area. The street elevation of No. 31 will also be improved by removing the modern windows and replacing them with more sympathetic and better quality sash windows.
- 7.7.8. The new buildings to the rear of the site, at 2.5 storeys, maintain the prevailing two and three storey heights of the surrounding area, ensuring that there is no impact of wider views into the Conservation Area.
- 7.7.9. In light of the above, the proposals are in accordance with policies LP1, LP3 and LP4 of the Local Plan (2018) and Policy 7.4 of the London Plan (2016). The scheme is also in accordance with the heritage paragraphs set out within the NPPF.

# 8

## CONCLUSION



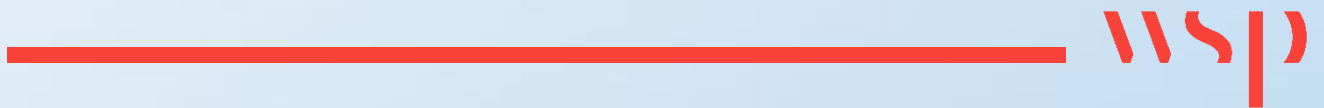
## 8 CONCLUSION

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- 8.1.1. The proposed scheme will provide a number of benefits to the surrounding area. The scheme will deliver eight (seven net additional), much needed homes on a brownfield site, alongside high quality flexible commercial space, replacing the existing low quality space. The proposals will also increase employment generation and ensure that jobs are retained within the local area.
- 8.1.2. The scheme will also make more efficient use of an under-utilised site in a highly sustainable and accessible location, which benefits from easy access to local amenities and central London, thereby reducing reliance on private vehicles.
- 8.1.3. The proposals are sympathetic to the site's context and will enhance the Conservation Area and improve the frontage of the site onto Hampton Wick High Street.
- 8.1.4. The existing access arrangements will be maintained, albeit with a slight enlargement of the roadway at the current pinch point. The scheme includes five parking spaces (three for the residential units and two for the Class E units). Two of these spaces will have active electric vehicle charging points installed, with the remaining three having passive provision.
- 8.1.5. Twenty-four cycle parking spaces are proposed, 16 of which are securely located at ground floor level for the residential units, four adjacent to the car parking spaces and four within the Class E unit to the rear of the site. This is a significant betterment on the existing arrangement.
- 8.1.6. All residential units will have access to their own private amenity space which meets London Plan policy requirements.
- 8.1.7. Surface water drainage will be improved over existing arrangements through modular storage systems which will hold runoff before releasing it into the main sewers. The development also incorporates a green roof, evergreen planting and permeable paving which will reduce runoff rates.
- 8.1.8. The development incorporates ASHPs and other energy saving features to reduce carbon emissions which weighs in favour of the scheme.
- 8.1.9. In terms of flooding, the level of risk from fluvial flooding is moderate, however, the more vulnerable residential uses are located at first floor. The development will not result in the worsening of flooding in other areas.
- 8.1.10. The scheme takes care to protect neighbouring trees, ensuring that pruning is undertaken sympathetically to protect visual amenity and the foundations to the rear mews buildings will be hand-dug to protect any roots.
- 8.1.11. The proposals provide clear benefits and are in accordance with the development plan and national policy. Therefore, as set out under paragraph 47 of the NPPF, the application should be approved without delay.

# Appendix A

**APPENDIX A – APPEAL DECISION  
(12/3213/FUL)**





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## Appeal Decision

Site visit made on 17 February 2014

**by Louise Phillips MA (Cantab), MSc, MRTPI**

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

**Decision date: 7 April 2014**

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**Appeal Ref: APP/L5810/A/13/2204775**

**29A High Street, Hampton Wick, Kingston upon Thames KT1 4DA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr Harpur Dearden against the Council of the London Borough of Richmond-upon-Thames.
  - The application Ref 12/3213/FUL, is dated 15 October 2012.
  - The development proposed is the demolition of two decrepit storage units and the erection of a new single dwelling.
- 

### Decision

1. The appeal is dismissed and planning permission for the demolition of two decrepit storage units and the erection of a new single dwelling is refused.

### Procedural Matters

2. I have taken the address of the appeal site from the application form, where it is given as "29A High Street". The appeal form gives the address as "land adjacent to 29A High Street" and as there is no suggestion that the proposed development would be in any way associated with the use at No 29A, I consider that the appeal form provides the more accurate address.
3. The proposal includes the demolition of two structures in a Conservation Area. The application form indicates that both planning permission and Conservation Area consent for demolition in a Conservation Area were sought. However, the Council has determined that Conservation Area consent is not required and as no such appeal is before me, my decision considers only the matter of whether or not planning permission should be granted.
4. Two sets of proposed plans are before me: Drawing nos HDH.75.03e and HDH.75.04d were submitted to the Council with the original application, while drawing nos HDH.75.03h and HDH.75.04e were submitted some time afterwards as amended plans. The Council has confirmed that it would have determined the application on the basis of the amended plans and that its appeal statement was made on this basis, but the appellant has requested that I consider both sets.
5. The Council has expressed concerns about this, but it is not clear to me that the appellant intended for the original plans to be set aside. Indeed his final comments state that the elevational treatment originally proposed would be the best interpretation for the locality (page 2). Therefore, given that the application

has not been determined on the basis of any specified plans, it is appropriate in principle for me to have regard to all of the drawings before me.

6. It is clear from the evidence that the Council consulted members of the public on both sets of plans and the Council itself has now had the opportunity to make further representations in relation to the original drawings. Consequently, I am satisfied that no parties would be prejudiced if I comply with the appellant's request and so I have had regard to both sets of plans in determining the appeal.
7. The government published its Planning Guidance on 6 March after my site visit. I have taken account of it in reaching my decision but it does not affect my conclusions in this case.
8. The appeal is made on the basis that the Council did not give notice of its decision on the planning application within the statutory period. However, since the appeal was lodged, the Council has explained that it would have refused planning permission for the proposed development for a number of reasons, had it been in a position to determine the application. These are set out within the Council's statement and additional comments and while I have considered the proposal from first principles, I have treated them as the decision it would have made had it been empowered to do so.

### **Main Issues**

9. Having considered the Council's statement and putative reasons for refusal; the representations of third parties; and what I saw on my site visit, I consider the main issues to be:
  - The effect of the proposed development on the character and appearance of the Conservation Area and on the setting of adjacent buildings.
  - The effect of the proposed development on the living conditions of neighbouring occupiers in respect of privacy and outlook.
  - Whether the scheme would provide acceptable living conditions for future occupiers, particularly in respect of enabling safe pedestrian access and the standard of accommodation proposed.

### **Reasons**

#### *Character and Appearance*

10. The appeal site lies to the west of the High Street within the Hampton Wick Conservation Area, a designated heritage asset. The Council has described the character of the Conservation Area and has explained that a number of distinctive areas within it are unified by their relationship to the historic village centre and the distinctive river and landscape setting.
11. The historic village centre is characterised by the distinctive curve of the High Street, which comprises attractive, closely packed buildings of various, but traditional, styles. These buildings are primarily in commercial use at ground floor level while residential accommodation is common on the upper floors. Several of the surrounding roads are composed of housing of a traditional style. The Council states that the buildings fronting the High Street are, with the exception of No 29, locally listed as Buildings of Townscape Merit.
12. The appeal site is situated within an area of land behind the High Street which is accessed via a driveway between Nos 25 and 29. No 25 forms part of a recent redevelopment providing a mix of commercial and residential uses and the

construction associated with it has resulted in a narrower entrance to the driveway. The appellant refers to the extended part of the redeveloped building as No 27 and comments that it is not listed as a Building of Townscape Merit. Nevertheless, it complements the traditional styling of the surrounding properties.

13. The area/yard to the rear of No 25/27 and No 29 is used primarily for vehicle parking for the surrounding commercial and residential properties but the appeal site itself is actually adjacent to the driveway. It is presently occupied by two dilapidated sheds that adjoin a brick-built barn in commercial use to the rear of No 29 High Street.
14. The proposed development would, through both the original and amended plans, replace the sheds with a three-storey dwelling house of a contemporary design which would fill the site. The site is long and thin and so the building would have an unusually tall and narrow appearance which would be at odds with the more traditional proportions of the surrounding properties. The form of the proposed building reflects the limited extent of the site and features such as the chamfered rear wall and the small recessed area at the front required to provide an entrance and accommodate a bin would further accentuate its constrained nature.
15. With regard to detailed design, it is proposed to construct the dwelling from high quality materials and the brick and render facades would complement the styling of the surrounding buildings. However, the shape and size of the glazing panels on all elevations would be inconsistent with the more conventional appearance of the buildings in the Conservation Area. Similarly, the asymmetrical design of the roof originally proposed would appear out of place, even in the context of the area's varied roofscape. Whilst this design would result in the building having less overall mass than would the more traditional gabled design shown on the amended plans, the latter would better reflect the character and appearance of the Conservation Area.
16. In this respect, it is clear that the amended design seeks to respond to the surrounding context by incorporating features such as gabled dormers with timber detailing. I further recognise that the dwelling would not be seen from the High Street other than by looking between two buildings and, given the degree to which it would be set back, I do not consider that it would compete visually with the buildings on the frontage to any significant extent. However, the Conservation Area designation does not stop at the High Street frontage and the dwelling would be visible from a large number of nearby residential/commercial buildings from which it would appear as a prominent and incongruous feature.
17. Therefore, I conclude that the proposed dwelling, by either the original or amended design, would detract from the setting of the adjacent buildings and fail to preserve the character and appearance of the Conservation Area causing harm to its significance as a designated heritage asset. Consequently, the proposal would be contrary to Policy CP7 of the Core Strategy, April 2009 (Core Strategy), which seeks to protect areas of recognised high quality and historic interest from inappropriate development; and to Policy DM HD1 of the Development Management Plan, November 2011 (DM Plan), which relates specifically to the protection of Conservation Areas. It would also be contrary to Policy DM DC1 of the DM Plan, which requires development to respect local character and to Policy DM HD3 of the same plan, which requires development to protect and enhance the setting of Buildings of Townscape Merit.

### *Living Conditions of Neighbouring Occupiers*

18. The proposed dwelling would be in close proximity to the back of a number of properties fronting the High Street and several of the flats in No 25/27 are single aspect with windows in the rear elevation only. Given that the proposed building would be substantially taller than the sheds it would replace, it would be more prominent in the outlook from these windows.
19. However, because it would be no wider, I do not consider that the building would be unduly overbearing. The basement flats below street level would be affected to the greatest degree, but the outlook from these properties is already severely restricted. In this context, the proposed dwelling would not have a significant additional effect. Similarly, the proposed dwelling would affect sun-lighting only in the late afternoon and would not be unduly detrimental in view of the existing residential environment.
20. In respect of privacy, the large windows proposed in the north and east elevations of the dwelling on both sets of plans would face the rear windows of the flats in No 25/27 and No 23 respectively. The relationship would be closer than the minimum 20m distance recommended by Policy DM DC5 of the DM Plan and the occupiers of the existing buildings would potentially experience significant overlooking to the detriment of their living conditions.
21. However, to mitigate this effect, both the original and amended plans indicate that the majority of the glazing in the north and east elevations would be obscured. Whilst the original plans indicate that the glazing at ground floor level in the southern elevation would not be obscure glazed, I share the Council's view that this would be necessary to protect the privacy of future occupiers.
22. I appreciate that the Council remains concerned about perceived overlooking, but I consider that the obscure glazing proposed would overcome the most serious effects of the scheme on the privacy of neighbouring occupiers, particularly when it is considered in the context of this closely packed urban environment. Therefore, I conclude that the proposed development, by either design, would not have a significantly detrimental effect on the living conditions of neighbouring occupiers in respect of either outlook or privacy. Thus I find no particular conflict with Policy CP7 of the Core Strategy insofar as it relates to amenity; or with the aims of Policy DM DC5 of the DM Plan.

### *Living Conditions of Future Occupiers*

23. The proposed dwelling would occupy the full area of the appeal site and so it would not benefit from any external incidental or amenity space in which to locate any of the general paraphernalia associated with its residential use. The Council is concerned that the proposal would not provide sufficient space to accommodate the full range of refuse and recycling storage to which the future occupiers would be entitled.
24. Whilst I share the Council's concerns in relation to the original plans, which would provide only a small front porch area in which to keep a wheelie bin, the amended plans would include a garage. Given that the appellant does not control the land outside the boundaries of the appeal site, I am not persuaded that it would be possible to park a car in the garage on a regular basis should other vehicles be parked on the adjacent land as they were at the time of my site visit. However, the Council has stated that no on-site parking space would be required and so the garage could reasonably be used to accommodate additional refuse and recycling storage if it were desired. The amended design would, therefore, provide sufficient space.

25. Similarly, while the original plans would not make adequate provision for cycle storage, the amended plans would provide a dedicated area within the garage. This might be difficult to reach if a car were to be parked within the garage, but there would be no requirement for it to be used for this purpose. Therefore, on the basis of the amended plans, I do not consider that these specific issues would warrant the dismissal of the appeal. However, like the extensive obscured glazing which would be required to achieve an acceptable relationship with the neighbouring properties, these issues do highlight the difficulties associated with providing a dwelling on this constrained site.
26. Notwithstanding my views in relation to the issues above, I do have significant concerns about the matter of providing safe pedestrian access to and from the dwelling. By both the original and amended designs, the proposed entrance to the dwelling would be located at the narrowest point of the driveway serving the yard to the rear of the site. Whilst the entrance door would be recessed into a covered porch, vehicles would nonetheless pass in very close proximity to people entering or leaving the dwelling. Should any obstructions be left in the porch adjacent to the wheelie bin, it would not be possible to stand clear of the driveway.
27. From my site visit, I estimate that the yard itself could accommodate up to eight vehicles and the evidence suggests that the driveway is frequently used by delivery vehicles servicing the adjacent commercial premises. It also appears that the access is used by the occupants (commercial or residential) of the properties fronting the High Street who have converted their 'garden' space to parking. In light of the significant number of vehicle movements this could generate, I am not satisfied that pedestrian movements could be satisfactorily separated in the vicinity of the proposed dwelling.
28. Therefore, I conclude that the proposed development would not enable safe pedestrian access to the dwelling and, taking into account the other issues identified above, I consider that it would not provide acceptable living conditions for future occupiers. It would therefore conflict with Policy DM TP6 of the DM Plan, which states that development should provide appropriate pedestrian access; and with Policy DM HO1 which requires development to provide a reasonable standard of accommodation.

### **Other Matters**

29. The Council's suggested reasons for refusal include the absence of a legal agreement to secure a financial contribution towards the provision of affordable housing in the Borough as required by development plan policy. On the basis of the evidence before me, I consider that such a contribution would be necessary in the terms of paragraph 204 of the National Planning Policy Framework (the Framework).
30. Following the submission of the appeal, the appellant has provided an executed unilateral undertaking, pursuant to Section 106 of the Town & Country Planning Act 1990 (as amended), to make a financial contribution of £5,980 towards the provision of affordable housing. This contribution represents a potential benefit of the scheme. I have also considered the proposal in the context of those policies in the development plan (including the London Plan) and the Framework which seek to increase the supply of housing generally.
31. The Council would also have refused the application because no Flood Risk Assessment (FRA) was provided. This was on the basis that the appeal site was located in Flood Zone 2 within which Policy DM SD6 of the DM Plan requires the majority of development proposals to be accompanied by an FRA. However, the

Council's correspondence with the appellant, which includes a map, indicates that the site in fact falls within Flood Zone 1. In this zone, Policy DM SD6 only requires an FRA to accompany proposals on sites larger than 1Ha in area. Therefore, in the absence of any specific concerns about flood risk on this site, the lack of an FRA does not weigh against the proposal.

32. In reaching my decision, I have considered a number of concerns raised by third parties including the provision of drainage, gas, water and electricity for the property; the potential for deliveries to and the use of machinery in neighbouring buildings to disturb future residents of the proposed dwelling; and the need for screening between the appeal site and the properties on St John's Road. However, given my findings in relation to the main issues of the appeal, my decision does not turn on these matters.

### **Conclusion**

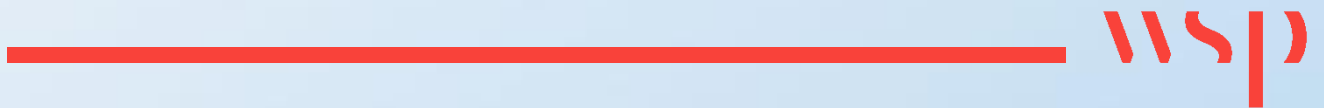
33. I have considered two sets of plans for this proposed dwelling. Whilst the amended plans overcome specific issues in relation to cycle and refuse storage, I nonetheless find that both schemes would detract from the setting of the adjacent buildings and fail to preserve the character and appearance of the Conservation Area. I have found in the appellant's favour in respect of the living conditions of neighbouring occupiers, but I do not consider that either scheme would provide acceptable living conditions for future occupiers of the proposed dwelling.
34. I have considered the benefits of the scheme, including the removal of the existing unattractive sheds and the modest contribution it would make to affordable housing and the supply of homes generally. However, these benefits would not outweigh the harm, including the less than substantial harm to the significance of the designated heritage asset, which would result from the proposed development.
35. Therefore, I conclude that the appeal should be dismissed and, consequently, planning permission is refused.

*Louise Phillips*

INSPECTOR

# Appendix B

**APPENDIX B – OFFICER'S REPORT  
(14/5300/FUL)**



**14/5300/FUL**

**29a High Street, Hampton Wick,**

Site, history and proposal

The application relates to a small parcel of land located to the rear of 25 and 29 High Street, Hampton Wick. The site is currently occupied by two single storey dilapidated and unused timber sheds. The application site forms part of a wider piece of land which provides access to a commercial property located to the rear of 29 High Street, rear access to a number of commercial and residential properties fronting the High Street, a private parking area (for approximately 12 vehicles) and refuse and recycling storage. Access to the site is provided by a narrow passageway (approximately 2.5m at its narrowest point adjacent to the appeal site) between 25 and 29 High Street. The vehicle entrance point is located near a bend in the High Street which also accommodates a bus stop.

The property is located within a mixed used area, the Hampton Wick Conservation Area, an archaeological priority zone and flood zone 2. With the exception of 29 High Street, all other properties fronting the High Street are designated Buildings of Townscape Merit.

Application 12/3213/FUL proposing the demolition of the existing sheds and replacement with a single one bed house (the second bedroom was undersized at 6sqm) was appealed on grounds of non-determination. It was resolved that had the Council been in a position to determine the application, it would have refused planning permission for the following reasons:



1. Design - By reason of its size, design and siting, the proposed building would be of poor design quality, would appear overly dominant and would result in a cramped and congested form of development, which would be out of character with and harmful to, the setting of adjacent buildings, including buildings of townscape merit, the street scene and would fail to preserve or enhance the character and appearance of the conservation area. The proposal would consequently be contrary to policy, in particular policy CP7 of the Core Strategy, policies DM DC 1 and DM HD 1, DM HD 3, and DM HO3 of the Development Management Plan, and the Small and Medium Housing Sites (2006) and Residential Development Standards (2010) Supplementary Planning Guidance Documents and the Hampton Wick Conservation Area Statement/Study.
  
2. Harm to living conditions - The proposed building, by reason of its size, design and siting, would result in harm to the living conditions of adjacent residential occupiers, in particular the flats in 25 High Street. The proposal would appear visually intrusive and overbearing, and would result in a loss of privacy and loss of light to the occupiers of these adjacent properties. As such the proposal would be contrary to Core Strategy policy CP7 and policy DM DC 5 of the Development Management Plan and the Small and Medium Housing Sites Supplementary Planning Guidance (2006).
  
3. Affordable Housing - In the absence of a legal agreement to secure the provision of a financial contribution toward affordable housing; the proposal is contrary to policy CP15 of the Core Strategy (2009), policy DM HO6 of the Development Management Plan (2011), and the draft Affordable Housing Supplementary Planning Document.
  
4. Access arrangements - The appeal proposal, due to the position and design of the proposed vehicle and pedestrian entrances, would result in conflict between users of the access-way, to the detriment of vehicle and pedestrian safety. The proposal would therefore be contrary to policies DM DC1, DM TP3, and DM TP 6 of the Development Management Plan (2011).
  
- 5.
  
6. Cycle and refuse/recycling storage – The proposal fails to provide sufficient space for cycle parking or refuse and recycling storage and would therefore provide substandard residential accommodation contrary to Core Strategy policy CP5 and Development Management Plan policies DM TP 7 and DM HO1 and the Residential Development Standards SPD.
  
- 7.
  
5. Flood risk – In the absence of a suitable flood risk assessment, the proposal has failed to demonstrate that there would be no unacceptable risk from flooding to future occupants of the property. The proposal is therefore contrary to Core Strategy policy CP3 and Development Management Plan policy DM SD6.

A subsequent appeal which was assessed on the basis of a one bedroom house, was dismissed.

The current application also proposes the demolition of the dilapidated storage units and the erection of a 3 storey single dwelling-house that is shown to have 2 bedrooms and a family room/study on the 2<sup>nd</sup> floor of some 12.75sqm with an en-suite. Cycle storage provision is shown to the rear of the ground floor via garage style doors.

The new unit would be sited against the gable wall of no.29 and project forward into the access road. The entrance to the unit would be from a recessed door-way in the north elevation facing the entrance of the access road. The east elevation to the access road

would have a gable face replicating the building behind it and several door and window openings which are shown to be obscure glazed up to 1.7m high above the finished floor level. A single storey flat roofed extension with PV panels is shown to the rear. Above this would be large window opening and a large semi-circular window at roof level. PV panels are shown in the section of tiled roof at roof level also.

Materials are specified as facing bricks and natural slate to match the adjacent building and aluminium clad timber windows.

The application is accompanied by a Code for Sustainable Homes, an Energy Statement, Sustainable Construction Checklist, Sustainability/Planning Statement and Design and Access Statement.

### Public and other representations

Neighbours- 4 Letters have been received from 3 nearby occupiers raising the following concerns:-

- The existing access road is too narrow and only wide enough for one vehicle and cannot take any additional traffic.
- Deliveries of materials to no.29 High Street and access to bins which are located adjacent to the derelict buildings will cause inconvenience to the occupiers of the new dwelling.
- The residential use would mean a change of use of this area of existing commercial properties and be detrimental to existing businesses.
- The best use for these derelict units would be for light storage.
- Loss of light to the adjoining premises as the proposal will cover a window that has existed for approx. 25 years. No objection was raised by the applicant when the window was installed.
- Disruption of access to parking area for other commercial and residential users
- Increase in footprint and an additional 2 storeys are being proposed.
- The entrance to the house would be from an area currently used for refuse bins.
- There is no parking provided for the proposed occupiers or visitors
- The proposal would be prejudicial to the development of land to the rear of the access road.

Non-planning matters relating to disruption from the construction process and matters relating to access to existing drainage and other services have also been raised.

### Thames Water-Waste Comments

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and

combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

#### Additional Information

The Agent has submitted additional comments to be considered as part of the assessment of the proposal, comprising:-

- The Inspector was concerned about the silhouette of the previous scheme being too prominent and incongruous. This has been amended to match the gable of the adjacent 29a High Street so that the form of the new house is an extension of that building with the roof extending the current roof.
- 29a was previously a much longer building extending towards St Johns Road and so the form of the extended building is in no way harming the remnant of what was a longer building previously.
- The entrance to the studio has been turned 90 degrees so the form of the new unit protects it from the carriageway
- The proposals have been reduced from the original proposals and the Inspectors concerns about bulk, massing and the appropriate siting of the entrance have been addressed.

#### Amendments

Revised dwgs have been received which show a re-configuration of the internal floor area such that Bedroom 3 would be on the second floor with one of the bedrooms that was on the first floor now being shown as a study.

#### Professional Comments

The Inspector in considering the appeal under 12/3213/FUL considered the main issues to be:-

- The effect of the proposed development on the character and appearance of the Conservation Area and on the setting of adjacent buildings.
- The effect of the proposed development on the living conditions of neighbouring occupiers in respect of privacy and outlook.
- Whether the scheme would provide acceptable living conditions for future occupiers, particularly in respect of enabling safe pedestrian access and the standard of accommodation proposed.

## Land Use

It was acknowledged under the Councils appeal statement that, the unit was previously used for commercial storage, but has been vacant for some time. Although commercial floor space is generally protected in policy terms, given the extended period of vacancy the Council would not object to its loss in this instance.

## Character and appearance of the Conservation Area

The application site lies to the west of the High Street within the Hampton Wick Conservation Area. In terms of the character of the Conservation Area, the Inspector considered a number of distinctive areas within it are unified by their relationship to the historic village centre and the distinctive river and landscape setting. The historic village centre is characterised by the distinctive curve of the High Street, which comprises attractive, closely packed buildings of various, but traditional, styles. These buildings are primarily in commercial use at ground floor level while residential accommodation is common on the upper floors. Several of the surrounding roads are composed of housing of a traditional style. The buildings fronting the High Street are, with the exception of No 29, locally listed as Buildings of Townscape Merit.

The application site is situated within an area of land behind the High Street which is accessed via a driveway between Nos 25 and 29. No 25 forms part of a recent re-development providing a mix of commercial and residential uses and the construction associated with it has resulted in a narrower entrance to the driveway. The redeveloped building as No 27 is not listed as a Building of Townscape Merit but nevertheless, complements the traditional styling of the surrounding properties.

The area/yard to the rear of No 25/27 and No 29 is used primarily for vehicle parking for the surrounding commercial and residential properties but the application site itself is actually adjacent to the driveway. It is presently occupied by two dilapidated sheds that adjoin a brick-built barn in commercial use to the rear of No 29 High Street.

The proposed development would replace the sheds with a three-storey dwelling house which would fill the site and appear as an extension to the existing building at no.29/29a. In considering the appeal scheme, the Inspector was concerned that as the site is long and thin the appeal building would have an unusually tall and narrow appearance which would be at odds with the more traditional proportions of the surrounding properties. The current, amended proposal would appear as an extension to the existing building to which it would be attached, continuing the same eaves and ridge line over. Whilst it would be visible from the glimpsed view from the High Street, it would appear as an extension to the existing building. This is clearly a constrained site, however it is considered that the current proposal satisfactorily addresses the concerns previously raised by the Inspector and on balance, the withholding of permission would be difficult to justify. In terms of the assessment against DMP policy DM H03 (back-land sites) the amended mass, scale and design which would comprise a continuation of the existing building is considered to be acceptable. The proposal would have more acceptable proportions which are not considered to be at odds with the surrounding development and would better reflect the character and appearance of the Conservation area.

In terms of the detailed design it is proposed to construct the dwelling from high quality materials with the brick facades and natural slates that would complement the style of the building to which it would be attached and the surrounding buildings. Whilst the shape and size of the glazing panels on

the elevations and semi-circular dormers would not be consistent with the more conventional appearance of the buildings in the Conservation Area, it is considered that given the building would be a modern extension and form a punctuation to the end of the existing building, this aspect of the proposal is not in itself objectionable and the refusal of permission would be difficult to justify. The Inspector recognised that the proposal would have limited visibility from the High Street due to the degree to which it would be set back but would be visible from nearby residential/commercial properties. In the context of the varied roof form in the locality and given the more acceptable massing and form of the proposal, the large areas of glazing and semi-circular dormers (given the additional light to the future occupiers) would punctuate the end of this building and on balance, would not detract from the setting of the adjacent buildings and would continue to preserve the character and appearance of the Conservation Area in accordance with policies CP7 of the Core Strategy, DM HD 1, DM DC 1 and DM HD 3 of the Development Management Plan.

### Impact on neighbours

The proposed dwelling would be in close proximity to the back of a number of properties fronting the High Street and several of the flats in No 25/27 are single aspect with windows in the rear elevation only. The Inspector in considering the previous appeal recognised that the proposed building would be substantially taller than the sheds it would replace and that it would be more prominent in the outlook from these windows. However, because it would be no wider, the Inspector did not consider that the building would be unduly overbearing. The basement flats below street level would be affected to the greatest degree, but the outlook from these properties is already severely restricted. In this context and having regard to the Inspector's comments, the proposed mass and scale of the dwelling is not considered to have a significant additional effect. Similarly, the proposed dwelling would affect sun-lighting only in the late afternoon and would not be unduly detrimental in view of the existing residential environment. Given that the existing proposal has a lesser bulk than the appeal schemes it is considered that the proposal will not unduly impact neighbour amenity and a refusal on this aspect would be difficult to sustain.

In respect of privacy, the large windows proposed in the north and east elevations of the dwelling on both sets of plans would face the rear windows of the flats in No 25/27 and No 23 respectively. The Inspector acknowledged that the relationship would be closer than the minimum 20m distance recommended by Policy DM DC5 of the DM Plan and the occupiers of the existing buildings would potentially experience significant overlooking to the detriment of their living conditions. However, to mitigate this effect the submitted plans indicate that the majority of the glazing in the east elevation would be obscured up to 1.7m above the finished floor level. Whilst no mention is made of obscure glazing to windows on the northern elevation the Council's view which the Inspector shared, was that this would be necessary to protect the privacy of future occupiers. As such, an obscure glazing condition is recommended in respect of the first floor window on the northern elevation and the windows on the eastern elevation. A condition requiring obscure glazing to windows in the north and east elevation is therefore attached, as the Inspector recommended, to protect neighbour amenity. There are no ground floor windows in the rear, southern elevation and the upper floor window in this elevation are considered to be sufficiently separated from neighbouring properties, with intervening vegetation and sheds so as not to result in undue loss of privacy.

The Inspector considered that obscure glazing proposed would overcome the most serious effects of the scheme on the privacy of neighbouring occupiers, particularly when it is considered in the context of this closely packed urban environment. On

this basis the Inspector concluded that the proposed development, by either design, would not have a significantly detrimental effect on the living conditions of neighbouring occupiers in respect of either outlook or privacy. Thus no particular conflict with Policy CP7 of the Core Strategy insofar as it relates to amenity; or with the aims of Policy DM DC5 of the DMP.

The proposal will obscure a window in the side gable elevation of no.29 which appears to have been formed some years ago for which there is no planning or building regulation approval. The Agent states that the applicant has successfully registered a Notional Obstruction Notice (ref.RL/245/2007 with effective date 13 March 2012) which resets any potential rights of light that might be claimed for it. However in planning terms, since the window serves a single large open office space which takes up the whole of the first floor and since this space has 2 windows facing to the rear, south facing elevation and 3 no. roof-lights on the front, north-facing elevation, a refusal of the application based on the obscuring of this window is not considered sustainable.

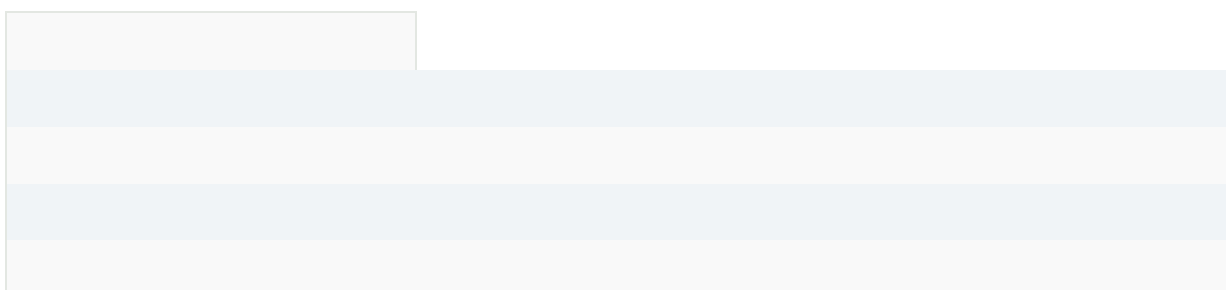
#### Residential Development Standards/Living conditions of future occupiers

The Council during consideration of the last application raised concerns that the proposed dwelling would occupy the full area of the application site and so it would not benefit from any external incidental or amenity space in which to locate any of the general paraphernalia associated with its residential use. The Inspector did not concur with this view.

Concerns were also raised that the proposal would not provide sufficient space to accommodate the full range of refuse and recycling storage to which the future occupiers would be entitled. However, the Inspector acknowledged that as the Council has stated that no on-site parking space would be required for the development, the garage could reasonably be used to accommodate additional refuse, recycling storage and cycle storage. The amended design has, therefore, provided sufficient space for this to be accommodated in the 'garage' area.

Whilst the new unit would not have outdoor amenity space, this is not uncommon where flats are above shops and therefore a refusal on this basis was not considered to be reasonable

The Inspector did however have significant concerns about the matter of providing safe pedestrian access to and from the dwelling. The proposed entrance to the dwelling, under the appeal scheme, would have been located at the narrowest point of the driveway serving the yard to the rear of the site. The Inspector acknowledged that whilst the entrance door would be recessed into a covered porch, vehicles would nonetheless pass in very close proximity to people entering or leaving the dwelling. Should any obstructions be left in the porch adjacent to the wheelie bin, it would not be possible to stand clear of the driveway. The current submission shows the entrance to the house in a similar position to the previous though rotated 90 degrees and with no wheelie bin space. In its currently proposed position, the new entrance would have the protective back-drop of the existing adjoining building fronting the High Street and the proposed new dwelling, hence it is considered that this revised arrangement satisfactorily addresses the inspectors concerns and enable safe pedestrian access.



The standard of the residential accommodation proposed is considered acceptable, the unit being of a suitable size with sufficient access to natural light and ventilation. Whilst a couple of the rooms are slightly undersized when assessed against the standards, when taken together, the building would be of sufficient floor area overall to provide a suitable standard of internal accommodation.

The proposal does not include off street parking provision, and no objection was raised to this under the appeal scheme given the location of the site within a Controlled Parking Zone, and with close proximity to Hampton Wick train station and Kingston Town Centre. However, a condition is recommended to remove eligibility for parking permits within the CPZ given this is currently oversubscribed (more permits issued than parking spaces available).

In terms of cycle parking, the proposal provides sufficient and secure cycle parking in the rear store, in accordance with the requirement of policy DM TP 7 of the DPD.

An area for bin storage/re-cycling has been shown to the rear alongside the cycle parking which is considered to be of sufficient size to accommodate the Borough's refuse and recycling requirements.

### Sustainability

The application is accompanied by an energy statement and a pre-assessment report and a sustainable construction check-list. Information submitted with application illustrates the proposal would achieve the required standards in terms of Code for Sustainable Homes as set out in Development Management Plan policy DM SD 1.

Photovoltaic panels are also proposed on the rear (southern) elevation as a source of renewable energy. The energy assessor has written providing an up-date to the originally submitted sustainability information stating that the proposal would achieve a 19% reduction in carbon emissions over Part L of the 2013 Building Regulations.

### Affordable Housing

The absence of a legal agreement to secure a financial contribution towards the provision of affordable housing in the Borough as required by development plan policy was a reason for refusal under the last application, a reason which the Inspector upheld. However, as of 28 November 2014 the NPPG was up-dated setting out that contributions for affordable housing should not be sought from small scale and self-build development. Hence in accordance with the amended NPPG, the Council will no longer require contributions from this proposed re-development of a single house and which has a floor-space less than 1,000 sqm.

### Flooding

It has been established that site falls within Flood Zone 1. In this zone, Policy DM SD6 only requires an FRA to accompany proposals on sites larger than 1Ha in area. Therefore, in the absence of any specific concerns about flood risk on this site, an FRA is not considered necessary.

### CIL

As the proposal involves the creation of a new unit the development will be liable for Mayoral CIL and the Council's Local CIL.

I therefore recommend **PERMISSION** subject to the following conditions and informatives:-

### Standard Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.  
REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable; 75.03h and 75.04e.

REASON: To accord with the terms of the application, for the avoidance of doubt and in the interests of proper planning.

3. The external surfaces of the building(s) (including fenestration) and, where applicable, all areas of hard surfacing shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

4. The dwelling(s) hereby approved shall achieve a Code Level 3; in accordance with the terms of the application & requirements of the Code for Sustainable Homes: Technical Guide (or such national measure of sustainability for house design that replaces that scheme).

REASON: In the interests of promoting sustainable forms of developments and to meet the terms of the application.

5. Before the development hereby permitted begins a scheme shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a parking permit within any controlled parking zone which may be in force in the area at any time.

REASON: To ensure that the development does not generate an increased demand for on-street car parking to the detriment of the free flow of traffic, the conditions of general safety along the neighbouring highways, the amenity of the area and to accord with the Councils car parking policy and standards.

6. The windows proposed at first and second floor level in the eastern elevation of the building hereby approved shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.75 metres (5'7") above the relevant floor level.

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

7. No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure.

REASON: To safeguard the appearance of the property and the amenities of the area.

8. The dwelling hereby approved shall not be constructed/adapted other than to Lifetime Homes standards as shown on the approved plans and/or as described in the Design & Access Statement & shall thereafter be maintained to those standards.

REASON: To ensure adaptable homes to meet diverse and changing needs.



9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved.

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

10. No development shall take place on the application site until the applicant or their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Following approval of the written scheme of investigation any subsequent field work and assessment report required shall be submitted by the applicant and approved in writing by the Local Planning Authority. No development shall be carried out until such a report has been approved [unless otherwise agreed in writing by the Local Planning Authority].

REASON: To safeguard any archaeological interest of the site.

11. No development shall take place, including any works of demolition, until a construction method statement has been submitted to, and approved in writing by the LPA. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) size and routing of construction vehicles and holding areas for these on site;
- ii) the parking of vehicles of site operatives and visitors;
- iii) the loading and unloading of plant and materials;
- iv) the storage of plant and materials used in constructing the development;
- v) the erection and maintenance of security hoarding;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a scheme for recycling and disposing of waste resulting from demolition and construction work;

Construction contractors must be members of the Considerate Contractors Scheme.

REASON: In the interests of highway and pedestrian safety.

Before the development hereby permitted begins a scheme shall be agreed in writing with the local planning authority and be put in place to ensure that, with the exception of disabled persons, no resident of the new flats shall obtain a resident or visitor car parking permit within any controlled parking zone which may be in force in the area at any time or any Council car park.

REASON: To ensure that the development does not generate an increased demand for on-street car parking to the detriment of the free flow of traffic, the conditions of general safety along the neighbouring highways, the amenity of the area; and to accord with the Councils car parking policy and standards.

Obscure glazing

# Appendix C

## **APPENDIX C – CONSERVATION OFFICER PRE-APPLICATION FEEDBACK**



Official

UD Comments

**19/P0359/PREAPP**

The existing site is to the rear of High Street within the Hampton Wick CA. The northern most part of the site is to the rear of no. 29 which is an unlisted building but most of the terraced buildings to the east of the site are designated as BTMs and no. 9 is a statutory listed building. Generally, these High Street facing buildings are 2 ½ stories in height.

The proposal would involve the demolition of no.29 which appears to have been consciously omitted from the BTM register and I find it makes only a neutral contribution to the CA so its replacement with a more contextual building would be acceptable in principle. It may be that some historic fabric exists in this building as the shopfront matches the neighbours, but it does not have the architectural presence of the others.

To the rear are a number of former workshops which would be demolished. They are described as being of little or no interest and whilst this may be true a more detailed assessment would be needed with the full application.

There is some relevant planning history including permission for a 2 storey structure under ref 14/5300 but of more interest is an appeal decision which dismissed under an appeal of a refusal on application ref 12/3213. This was a much smaller proposal which was of a much lower design standard but the height was similar to this proposal, and the inspector had concerns about the impact on the character of this backland site which is overlooked by many residential units on the upper floors of the High Street buildings. Whilst the design and presentation appears well considered I am concerned that some of the blocks would be 3 or 4 stories in height depending on the internal layout, which may be considered too tall for this backland location.

In conclusion I acknowledge the development potential of the site but some discussion over the building heights may be useful. The proposed timber cladding would be acceptable providing high quality materials and finishes are employed as there is precedent within the borough for its successful use. As it stands, the proposal may constitute an overdevelopment of the site through excessive height of the blocks and I would therefore welcome further dialogue with the applicant.

**Relevant Policies**

Planning (Listed Buildings and Conservation Areas) Act 1990 Section 72

LP1 Local Character and Design Quality

LP3 Designated Heritage Asset (CA and LB)

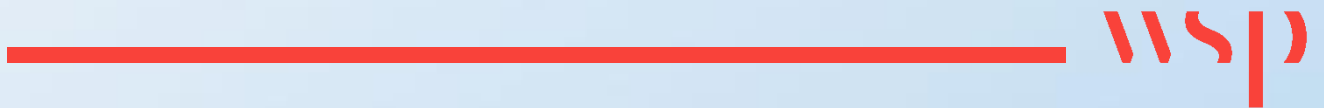
LP4 Non-Designated Heritage Asset (BTM)

Hampton Wick CA statement

Robert Buckley – 9/1/20

# Appendix D

## **APPENDIX D – PRE-APPLICATION RESPONSE**



**Environment Directorate  
Planning and Transport Division**



**PLANNING**

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Our ref: 19/P0359/PREAPP

Lucy Morris  
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Date: 20<sup>th</sup> March 2020

***By Email Only***

[lucy.morris@indigoplanning.com](mailto:lucy.morris@indigoplanning.com)

Dear Ms Morris

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**Site: 29 High Street, Hampton Wick, Kingston Upon Thames, KT1 4DA**

**Proposal: Demolition of 29 and 29a High Street and associated buildings and erection of two replacement retail units, three B1 units and nine residential units, incorporating 31 High Street.**

I write in reference to your pre-application advice request received by the Council 29<sup>th</sup> November 2019. Based on this information, I have the following comments to make:

**Site Description**

The pre application site to be considered is 29 and 31 High Street, Hampton Wick, with No 29b the light industrial workshops/storage immediately behind. The rear of the site backs onto the White Hart Hotel, and there is associated access/ private parking. The site is designated as Hampton Wick Area of Mixed Use, in an Area of Archaeological Priority, is affected by previous industrial land and is partly within Flood Zone 2 and Flood Zone 1 as designated by the Councils Strategic Flood Risk Assessment (SFRA). The site is within a conservation area and many of the buildings fronting Hampton Wick High Street are Buildings of Townscape Merit (BTMs). The area surrounding the pre application site is mixed use with commercial development fronting the High Street particularly on the ground floor with residential development at first floor level. 31 High Street is a laser clinic (Planning Class D) occupying the ground floor. The rest of the first floors of 29 High Street are residential with a studio flat (Planning Class C3) on the second floor. The studio flat is currently unoccupied. No 29 High Street is occupied by a print shop (Planning Class A1) on the ground floor. No 29 appears like a later addition, visually unattractive, with a mono pitch lean to roof. No. 29b is divided into two light industrial workshops (Class B1c). Workshop 01 - currently occupied by the print shop with a single storey with a corrugated metal monopitch

roof. Workshop 02 is part single storey with a corrugated metal monopitch roof, and part two storey. Much of the surrounding the development is between 2-3 stories. Access to the site is provided by a narrow-shared driveway (approximately 2.5m at its narrowest point adjacent to the appeal site) between 27 and 29 High Street.

### **Planning History**

14/5300/FUL - Demolition of two storage units and erection of new single dwelling - Approved

12/3213/FUL - Demolition of two derelict storage units to rear/side of no. 29 and erection of new single dwelling – Appealed for non determination, appeal dismissed

*Officer comment: This will be discussed further below.*

88/2345/FUL - Demolition of existing workshop and storage building and erection of a workshop building with ancillary storage and office accommodation. Plan amended on 2.2.89. - Approved

88/2346/LBC - Demolition of unlisted workshop and storage buildings within a conservation area. - Approved

### **Planning Policies**

*National Planning Policy Framework – NPPF (2019)  
London Plan (2016)*

#### **Local Plan (2018):**

- LP1 Local Character and Design Quality
- LP2 Building Heights
- LP3 Designated Heritage Assets
- LP4 Non-Designated Heritage Assets
- LP 7 Archaeology
- LP8 Amenity and Living Conditions
- LP15 Biodiversity
- LP16 Trees, Woodlands and Landscape
- LP20 Climate Change Adaptation
- LP 21 Flood Risk and Sustainable Drainage
- LP22 Sustainable Design and Construction
- LP34 New Housing
- LP35 Housing Mix and Standards
- LP36 Affordable Housing
- LP39 Infill, Backland and Backgarden Development
- LP40 Employment and local economy
- LP41 Offices
- LP42 Industrial Land and Business Parks
- LP44 Sustainable Travel Choices
- LP45 Parking standards and servicing

#### **Supplementary Planning Documents:**

- 'Refuse and Recycling Storage Requirements' (2015)
- Buildings of Townscape Merit 2015

- 'Sustainable Construction Checklist' (2016)
- Conservation Area Hampton Wick
- Village Plan Hampton Wick and Teddington
- 'Residential Development Standards' (2010)
- 'Affordable Housing' (2014)

### **Planning Consideration**

The main issues to consider in a formal application will include:

- i. Principle of Development
- ii. Design, local Character and heritage assets
- iii. Trees and Ecology
- iv. Residential Development Standards
- v. Residential Amenity
- vi. Affordable housing
- vii. Transport, Highways and Parking
- viii. Flood risk
- ix. Sustainability
- x. Archaeology
- xi. Contaminated land
- xii. Other Matters

### **Land Use and Principle of Development**

Policy LP34 of the London Borough of Richmond upon Thames Local Plan 2018 states:  
*The Borough's target is 3,150 homes for the period 2015-2025. This target will be rolled forward until it is replaced by a revised London Plan target. The Council will exceed the minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.*

Policy LP40 of the Local Plan (2018) states: The Council will support a diverse and strong local economy in line with the following principles:

- Land in employment use should be retained in employment use for business, industrial or storage purposes.
- The provision of small units, affordable units and flexible workspace such as co-working space is encouraged.
- In exceptional circumstances, mixed use development proposals which come forward for specific employment sites should retain, and where possible enhance, the level of existing employment floorspace. The inclusion of residential use within mixed use schemes will not be appropriate where it would adversely impact on the continued operation of other established employment uses within that site or on neighbouring sites.

Policy LP42 of the Local Plan states: 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. 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 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 of the Local Plan;

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.

The pre application site is within Hampton Wick mixed use area. There is a mix of existing uses including retail fronting the High Street predominantly at ground floor level, B1c workshops, and one residential unit at upper floor. According to the details on page 27 of the preapplication document there is 438.5sqm of existing light workshops (although the totals on page 34 seem to exclude some of these areas).

There is an extant permission (application reference 14/5300/FUL) as covered within the relevant planning history above, for employment to change to a single residential unit. However that permission has not been implemented, covers a small parcel of this wider site than the current proposal, and predates the current Local Plan (which increased protection of existing employment floorspace) - this does not therefore establish, as the agent's covering letter suggests, the principle of replacing the storage sheds. In particular the Council's advice under 17/P0128/PREAPP (which appears to cover a similar site area) advised it is important to establish whether the proposed development would result in unacceptable loss of existing uses and specifically refers to the presumption against the loss of light industrial/storage.

In terms of employment: Policies LP40 and LP42 of the Local Plan (2018) as stated above need to be fully addressed. There is a presumption against the loss of industrial land. LP42 sets out the marketing requirement and the sequential approach to redevelopment of the land. The Council's pre app advice set out the requirements with regard to marketing and the sequential test, yet it appears there is nothing in this pre application to address this issue, this would result in an in-principle policy objection and if a future planning application were to be supported, this information would need to be provided.

In terms of retail, the site is not within a designated primary or secondary shopping frontage. Policy LP26 E states the Council will consider favourably applications for change of use to any non-A1 use which is a commercial or community use compatible with the retail function of the centre, in this case Hampton Wick. The development would create two units each of 73sqm, and result in the loss of 15m<sup>2</sup>. Both units may be considered a viable size, although the new plans do not show facilities within the new units. Given the retail provision (with only a small loss of retail floorspace), there is no in principle policy objection to this element.

In terms of housing, in principle additional residential units in a Mixed Use Area can bring a net gain in residential, which is in accordance with Policy LP34, particularly additional residential to the rear/above commercial use which can bring vitality and viability, providing the introduction of residential does not have any negative impact on the commercial space (in terms of access, servicing, or any conflict such as hours of operation, noise), and provides an appropriate balance of uses, to accord with Policy LP1 (A.6). Policy LP34 states in Areas of Mixed Use, a higher proportion of small units (studios and 1 beds) would be appropriate - of the nine units proposed there are only 4 x 1 bed units, with the mix including 4 x 2 bed and 1 x 3 bed - this would not represent a high proportion of small units and would need to be addressed in an application (demonstrating alternative layouts cannot be accommodated). LP34 requires the national space standard, and provision of amenity space and inclusive access.

Overall, there is potential to support a mixed use proposal, however the loss of employment needs to be addressed first. For the residential, the lack of small units (and whether this is suitable for family housing) and affordable housing policies would need to be addressed in an



application.

### **Design, Local Character and Non Designated Heritage Assets**

Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990,- In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features. Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990, requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. There is a statutory presumption and a strong one, against granting planning permission for any development which would fail to preserve the setting of a listed building or character and appearance of a conservation area.

Paragraph 193 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 197 of the National Planning Policy Framework (NPPF) states that a balanced judgement will be required having regard to the scale of loss and the significance of the heritage asset.

Policy LP4 of the Local Plan states The Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features. There will be a presumption against the demolition of Buildings of Townscape Merit.

Policy LP3 of the Local Plan states: *The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.*

*Policy LP39 of the Local Plan 2018 states that 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 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 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;*
- Result in no unacceptable impact on neighbours in terms of visual impact, noise or light from*

*vehicular access or car parking.*

*Policy LP1 states new development must be of a high architectural quality based on sustainable design principles. Development must respect local character and contribute positively to its surrounding based on a thorough understanding of the site and its context. To ensure development respects, contributes to and enhances the local environment and character, the following will be considered when assessing proposals:*

- 1. compatibility with local character including the relationship to existing townscape, development patterns, views, local grain and frontages as well as scale, height, massing, density, landscaping, proportions, form, materials and detailing;*
- 2. sustainable design and construction, including adaptability, subject to aesthetic considerations;*
- 3. layout, siting and access, including making best use of land;*
- 4. space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features;*
- 5. inclusive design, connectivity, permeability (as such gated developments will not be permitted), natural surveillance and orientation; and*
- 6. suitability and compatibility of uses, taking account of any potential adverse impacts of the co-location of uses through the layout, design and management of the site.*

*At para.4.1.3, Policy LP1 requires developers and applicants to take a sensitive approach to the architectural design of new buildings, extensions and modifications to existing buildings, as well as landscape proposals. The Council does not wish to encourage a particular architectural style or approach but expects each scheme to be to a high quality, with very high quality expected within Conservation Areas. Schemes should be based on a sound understanding of the site and its context, following the locally specific guidance set out in the Village Planning Guidance SPDs.*

The existing site is to the rear of High Street within the Hampton Wick Conservation Area. The northern most part of the site is to the rear of No. 29 which is an unlisted building, but most of the terraced buildings to the east of the site are designated as BTMs and No. 9 High Street is a statutory Grade II listed building. Generally, these High Street facing buildings are 2 ½ stories in height.

The proposal would involve the demolition of No.29 which appears to have been consciously omitted from the BTM register and it is considered it makes only a neutral contribution to the CA so its replacement with a more contextual building would be acceptable in principle. It may be that some historic fabric exists in this building as the shopfront matches the neighbours, but it does not have the architectural presence of the others. To the rear are a number of former workshops which would be demolished. Notwithstanding the above policy comments, they are described as being of little or no interest and whilst this may be true in design terms a more detailed assessment would be needed with the full application.

There is some relevant planning history including permission for a 2 storey structure under application reference 14/5300/FUL but of more interest is an appeal decision which was dismissed under an appeal following application ref 12/3213/FUL. This was a much smaller proposal in terms of units proposed and was of a much lower design standard but the height and massing of the 2012 application was similar to this proposal. The Planning Inspector had concerns about the impact on the character of this back land site which is overlooked by many residential units on the upper floors of the High Street buildings. Whilst the design and presentation of the current pre application appears well considered, the Council's conservation officer is concerned that some of the blocks would be 3 or 4 stories in height depending on the internal layout, which may be considered too tall for this back land location and would adversely impact on the frontage High Street properties due to the scheme's dominance and

adversely impact the conservation area.

Following the above, amended plans were submitted showing a reduction to the initial scheme. Whilst the reduction in roof height on the amended plans was welcomed, it is considered for the proposed backload development should be no higher than two stories in height in order that the proposed development would remain subservient to the frontage such as in the approved scheme under application 14/5300/FUL. The reduction in massing and height could mean a reduction in units.

In conclusion it is acknowledged there is a development potential of the site but a further reduction in height, mass and bulk is required. The proposed materials including timber cladding would be acceptable providing high quality materials and finishes are employed as there is precedent within the borough for its successful use. However as it stands, the proposal may constitute an overdevelopment of the site through excessive height of the blocks which would fail to preserve the conservation area and the setting of the BTMs on the Highstreet. This would therefore cause less than substantial harm to the heritage assets identified above.

Paragraph 196 of the NPPF states where a development proposal 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.

Whilst it is accepted that there would be a degree of public benefit to the scheme providing additional residential units and an affordable housing, given the Borough can currently demonstrate a 5 year supply of housing, it is not considered that this would outweigh the identified less than substantial harm to the conservation area. Therefore whilst there is potential for the site to be developed, as it stands the proposal would currently be contrary to Sections 66 and 72 of the Town and County Planning Act 1990, Paragraphs 193-197 of the NPPF and Policies LP1, LP2, LP3, LP4 and LP39 of the Local Plan (2018).

### ***Trees and Ecology***

Policy LP16 states 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. The Council's tree officer has commented on the proposal. Trees on and adjacent to this site are protected by the Hampton Wick (CA18) conservation area. Most of the trees are rear garden/communal garden/car park situated specimens and this makes a difference when we consider amenity value and potential tree preservation orders (TPO's). A tree survey provides the basic information about the existing layout and details on the trees relative to it but doesn't give a clear indication of the impact the proposed buildings will have on existing trees, this is shown within a tree constraints plan (TCP).

Further tree information would need to be provided as part of a full planning application. The location does lack available soft ground for any mitigation planting and landscaping. Tree planting could be undertaken nearby though if required to mitigate for loss.

With regards to Ecology any future planning application would need to include the following to the development is able to ensure a biodiversity net gain and would not cause adverse harm to protective species.

- Current/proposed sqm figures of soft landscaping, including species & maintenance
- Further emergent surveys in addition to the existing Preliminary Ecological Appraisal (done at the correct time of year for protected species)
- Details of external lighting given the site is valuable for bat foraging
- Biodiversity net gain proposals including type, spec, proposed location and

maintenance

If the above cannot be achieved the proposal would be contrary to Policy LP15 of the Local Plan 2018.

### **Residential Development Standards**

*Policy LP35 and the Residential Development Standards SPD set the requirement for internal living standards, however, in addition to the requirements of this policy and guidance, since 1 October 2015 the Council has been applying nationally described space standards which are to be applied alongside relevant Council policy. The minimum standards are outlined below:*

- *A single bedroom should be at least 7.5sqm and 2.15m wide*
- *A double should be 11.5sqm and 2.75m wide*
- *Head height should be at least 2.3m for a minimum of 75% of the gross internal floor area*
- *Suitable storage space to be incorporated into units*
- *Communal gardens to be sheltered from roads and not overlooked from habitable rooms.*

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

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

*The nationally described space standards also require the minimum GIA as set out below (as relevant to the scheme):*

**Table 3.3 Minimum space standards for new dwellings<sup>57</sup>**

Number of bedrooms	Number of bed spaces	Minimum GIA (m2)			Built-in storage (m2)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0

All internal space must be demonstrated in a planning application through a Residential Standards Statement and/or dimensioned drawings.

Policy LP 35 (B) requires new housing to comply with the nationally described space standard - which sets a minimum gross internal floor area of 50sqm for a 1 bed 2 person one storey

dwelling, 61sqm for a 2 bed 3 person one storey dwelling, 70sqm for a 2 bed 3 person two storey dwelling, 79sqm for a 2 bed 4 person one storey dwelling, or 86sqm for a 3 bed 5 person one storey dwelling. The proposed units all appear to meet or exceed the nearest equivalent standard (there is no standard for a 2 bed 3 person unit over three storeys).

The requirements of Policy LP35 (C and D) and the Residential Development Standards SPD apply to external amenity space, requiring a minimum of 5sqm of private outdoor space for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. According to the covering statement all residential units will have direct access to private open space, with sizes of balconies and terraces to meet / exceed minimum policy requirements; and it states the two larger mews houses will have access to roof top terraces. The criteria set out in Policy LP 8 (2) would also need to be assessed for proposed terraces/balconies. The mews houses and larger 2 and 3 bed flats would have limited amenity space, considering they could be occupied by small families, but it appears they may meet the minimum standard.

Policy LP35 (E) requires all new build housing is required to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings'. However M4(2) requires step free access - as all the flats above commercial uses have some stepped access this could not be applied. It appears that the only units that could meet M4(2) would be the mews houses. This would need to be addressed in an application.

### ***Residential Amenity and Living Conditions***

*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.*

*Whilst this is a commercial development The 'Small and Medium Housing Sites' SPD mentions that in defining a layout, it is important that new developments do not infringe on the privacy, daylight and sunlight of adjacent properties nor that of the intended occupiers. Privacy, daylight and sunlight standards should be used as a check to ensure that a layout is acceptable but should not necessarily dictate the layout. To ensure 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 separation distances can be reduced to 13.5m.*

*Any views given below are made without the basis of a site visit to the host and adjacent properties which will be done as part of any formal planning application.*

Until full floor plans and elevations are submitted as part of a planning application, officers cannot fully assess the impact of residential amenity on existing and future occupiers. Adequate separations from other nearby dwellings should be demonstrated as part of a full planning applications, if this cannot be achieved, a reduction in units may be required. To mitigate any harmful impact windows providing potential overlooking opportunities could be obscured glued and fixed shut (via condition if necessary) if they do not serve habitable rooms.

Given this is a mixed used development and there is also surrounding commercial development as part of a full planning application justification should be given about how future occupiers of the proposed residential units would not be adversely affected from constraints such as noise and odour.

### ***Affordable Housing***

*Policy LP36 states that for schemes under 10 units, the Council expects*

*A contribution towards affordable housing will be expected on all housing sites. The following requirements apply:*

- a. on 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 all other sites capable of ten or more units gross 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.*
- c. 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 below and in the Affordable Housing SPD*

No. of units proposed (gross)	% Affordable Housing		
	For conversions and reversions (where there is no loss of former employment floorspace.	For new build development or redevelopment (where there is no loss of former employment floorspace)	For any units replacing employment floorspace
9 units	36%	45%	90%
8 units	32%	40%	80%
7 units	28%	35%	70%
6 units	24%	30%	60%
5 units	20%	25%	50%
4 units	16%	20%	40%
3 units	12%	15%	30%
2 units	8%	10%	20%
1 unit	4%	5%	10%

Affordable housing contribution should be provided and reflect the priorities set out in Policy LP36. Any financial appraisal information submitted with a planning application will need to be independently verified (at the cost of applicants). Further guidance is set out in the Affordable Housing SPD and a commuted sum calculation guidance notes can be obtained here: [http://www.richmond.gov.uk/annex\\_a\\_part\\_1\\_commuted\\_sum\\_guidance\\_notes.pdf](http://www.richmond.gov.uk/annex_a_part_1_commuted_sum_guidance_notes.pdf)

Although it is noted the agent's statement states the applicant is willing to make a financial contribution, Policy LP36 requires the provision of on-site affordable housing on former employment sites. The provision of affordable housing must be explored with the Council's housing officers and local Registered Providers.

**Transport, Highways and Parking**

*Policy LP45 states that the Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car-based travel including on the operation of the road network and local environment and ensuring making the best use of land.*

The Council's transport officer has commented on the pre application. Hampton Wick High Street is a classified road, the A310. There is a bus stop and bus cage carriageway markings outside the site and across the access way. Pedestrian visibility at this point of the access outside No.29 is extremely poor for those travelling on the southbound footway. This is of particular concern in regards to those users of the footway with disabilities. However, given the proposals are for the demolition of the buildings themselves, an improvement to this is something that could be addressed at the design stage. In addition, the applicant might give some thought to improving the width of the access along its length.

The site has a PTAL score of 4. According to the Design & Access Statement (DAS) (page 17) there are currently 18 car parking spaces that access to and from the High Street; 8 of which relate to the subject site. The DAS states that this number will be reduced but does not explicitly state to what extent. It is queried whether the parking arrangement shown on the drawings makes the most efficient use of the space available. At the application stage drawings will be required that demonstrate how the parking proposals interface with those opposite and swept path analysis drawings will be required to demonstrate that vehicles can

enter the site in forward gear, turn and park safely and then exit the site in forward gear. Minimum scale of 1:200. The applicant should also consider the provision of an on-site car club bay as given the nature of the area, the applicant would be expected to enter into a S106 unilateral undertaking to prevent the issue of residents parking permits for the scheme.

\* Retail units

Cycle parking should be in accordance with the Draft London Plan requirements and will be dependent on the type of retail.

\* B1 units

Cycle parking 1 space per 150m<sup>2</sup>

Visitor cycle parking should be at a minimum of 1 space per 500m<sup>2</sup>

\* Residential units

Cycle parking should be in accordance with the Draft London Plan requirements at a minimum of 2 per unit

\* Refuse and recycling

The applicant should maintain or improve the current access in order that refuse vehicles can continue to reverse into the new "mews" area. A transport report would be expected to be included with the full application in relation to the above items

In order to demonstrate the development may be carried out in a safe manner, the applicant must submit a detailed Construction Logistics Plan for the project, demonstrating how the works are to be carried out, including but not limited to: The number and type of vehicles that will be required, routing, methods of spoil removal and concrete supply, protection for other highway users and vulnerable pedestrians, the position of vehicles, skips, etc. Site setup drawings at a minimum scale of 1:200 are required showing the site in context of the surroundings. Given the nature of the area, the applicant should ensure that vehicle movements are contained within the hours of 09:30 and 16:30 Mon to Fri in order to avoid peak times. The applicant should be aware that construction traffic has a disproportionate impact and must demonstrate they have carried out meaningful consultation with neighbours on the CLP proposals.

The following will be required at the initial application stage:

- o All drawings to a minimum scale of 1:200
- o Current parking layout and numbers
- o Proposed parking layout and numbers, including the position & number of disabled parking bays
- o Details of the turning circle for refuse vehicles
- o Greater detail for the newly proposed circular drop off area at the front of the site - swept path analysis drawings may be required
- o Details of the cycle parking/storage
- o Highways layout drawings showing the proposals in context with the surroundings of the public highway
- o Construction traffic management plan will be required. This should also detail how users of the centre are to be safely segregated whilst the works are being undertaken
- o An updated servicing plan for the building

Subject to the above the proposal is capable of being in accordance with Policies LP44 and LP45 of the Local Plan (2018).

### ***Flood Risk***

The National Planning Policy Framework seeks to direct inappropriate development away

from areas at the highest risk of flooding (whether existing or future). Policy LP21 of the Local Plan 2018 states: 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. Development will be guided to areas of lower risk by applying the 'Sequential Test' as set out in national policy guidance, and where necessary, the 'Exception Test' will be applied. Unacceptable developments and land uses will be refused in line with national policy and guidance, the Council's Strategic Flood Risk Assessment (SFRA) and as outlined in the table below.

A proportion of the site appears to be within Flood Zones 2 as designated by the Council's Strategic Flood Risk Assessment, the remainder of the site is within flood zone 1. A detailed flood risk assessment (FRA) and sustainable drainage strategy should be submitted as part of any future application outlining appropriate flood mitigation measures and the safeguarding of existing flood defences. Whether the sequential test needs to be applied is outlined in Paragraph 6.2.2 of LP21 of the Local Plan (2018).

### **Sustainability**

*Policy LP20 states that new development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption in accordance with the following cooling hierarchy; the proposed scheme shows strong elements which complies with this overall.*

*All new developments should include measures capable of mitigating and adapting to climate change to meet future needs and reduce carbon dioxide emission.*

*Policy LP22 requires development of 1 dwelling unit or more, or 100sqm or more of non-residential floor space (including extensions) to comply with the Sustainable Construction Checklist SPD. Development that results in a new residential dwelling, including conversions, change of use, and extensions that result in a new dwelling unit, will be required to incorporate water conservation 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).*

*It also requires developments to achieve the highest standards of sustainable design and construction in order to mitigate against climate change. Further, all new residential buildings should achieve a 35% reduction in carbon dioxide emissions. Targets are expressed as a percentage improvement over the target emission rate (TER) based on Part L of the 2013 Building Regulations. C. 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*

*Additionally, all new developments should include measures capable of mitigating and adapting to climate change to meet future needs.*

The following will be required as a minimum in any formal application:

- A completed Sustainable Construction Checklist ([http://www.richmond.gov.uk/sustainable\\_construction\\_checklist](http://www.richmond.gov.uk/sustainable_construction_checklist))
- Energy Report demonstrating how the above targets will be met
- 35% reduction in CO2 emissions and 20% of energy from renewable sources are also expected and where these are not achievable, justification must be provided within the Energy Report. More information can be found at the link below:

[http://www.richmond.gov.uk/sustainable\\_construction\\_checklist](http://www.richmond.gov.uk/sustainable_construction_checklist)



### ***Archaeology***

The site has been identified within an area of Archaeological Priority, Bushy Park - Royal deer park with late 15th Century origins enlarged by Cardinal Wolsey subsequent monarchs. As part of any future planning application a Written Scheme of Investigation would need to be submitted to ensure there would not be any adverse impact on Archaeological heritage assets.

### ***Contamination***

Part of the site has been identified to have been impacted by contamination given the previous industrial use. As part of any future planning application, a contaminated land assessment should be submitted where the Council's Environmental Health officer would be consulted.

### ***Other Issues***

#### *Community Infrastructure Levy (CIL)*

The following development types will be liable to pay CIL:

- Development comprising 100 square metres or more of gross new build internal floor space;
- Development of less than 100 square metres of gross new build internal floor space that results in the creation of one or more dwellings.

Based on the above, the proposed scheme will be CIL liable and more information on CIL can be found here [www.richmond.gov.uk/community\\_infrastructure\\_levy](http://www.richmond.gov.uk/community_infrastructure_levy)

#### *Community Engagement*

Given the relationship of the site with surrounding properties, it is strongly recommended that the developer undertake pre-application consultation with affected neighbours. It would be beneficial if a planning application is accompanied by a Community Engagement Report which summarises the results of this engagement and describes how the scheme has evolved to mitigate any concerns raised (if any).

#### *Validation Requirements*

The LPA will only validate applications that meet its Local Validation Checklist (December 2019), for further information please see [https://www.richmond.gov.uk/media/18348/local\\_validation\\_checklist\\_for\\_all\\_applications.pdf](https://www.richmond.gov.uk/media/18348/local_validation_checklist_for_all_applications.pdf)

Apart from the application and CIL forms, existing and proposed drawings/plans and site location/block plan (with the site identified by red lines and site location plan showing at least two other streets). The following would be required for validation:

- Design & Access Statement
- Planning Statement
- Transport Statement
- Heritage Statement
- Parking Stress Survey (if on-street parking is being proposed)
- Sustainable Construction Checklist (SCC)
- Energy Report
- National Water Standards Statement
- Residential space standards
- Flood Risk Assessment

- Affordable Housing information
- Marketing Information – loss of employment
- Noise report
- Preliminary Ecological Appraisal with additional surveys
- Construction Management Statement (CMS - in draft with full document to be requested by condition on the basis of an approval)
- Tree Surveys and Arboricultural Method Statement (AMS) where trees would be affected on site or at adjoining sites.
- Archaeological written scheme of investigation
- Contamination report
- Inclusive Access Statement to address Building Regulations Requirement M4 (2) 'accessible and adaptable dwellings'

As part of a formal application, all drawings must be accurate and to-scale (with scale bars and paper size specified) to pass the validation stage.

### **Conclusion**

It is considered the principle of the redevelopment of the site is possible. However further justification is required with regards to the loss of industrial employment land, housing mix, flood risk as well as other material planning considerations.

### **Without prejudice**

Any given advice by Council Officers from pre-application enquiries does not constitute a formal response or decision of the Council with regard to future planning consents. Any views or opinions expressed are given in good faith and to the best of ability without prejudice to formal consideration of any planning application, which was subject to public consultation and ultimately decided by the Council. You should therefore be aware that officers cannot give guarantees about the final form or decision that will be made on your planning or related applications. Although the advice note will be brought to the attention of the Planning Committee or an officer acting under delegated powers, it cannot be guaranteed that it will be followed in the determination of future related planning applications and in any event circumstance may change or come to light that could alter the position. It should be noted that if there has been a material change in circumstances or new information has come to light after the date of the advice being issued then less weight may be given to the content of the Council's pre-application advice of schemes. You are also advised to refer to local and national validation checklist on the Council's website.

Yours sincerely,

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