

Ref: BF/5537/01(17Feb22) LBRCouncil

London Borough of Richmond Upon Thames Council
Environment Directorate
PLANNING
Civic Centre
44 York Street
Twickenham
TW1 3BZ



18 March 2022

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING APPLICATION FOR DEMOLITION OF A DWELLING AND CONSTRUCTION OF A
NEW DWELLING IN A CONSERVATION AREA
25 HAM FARM ROAD, HAM, RICHMOND, TW10 5NA**

Peacock + Smith have been instructed by our client, Claire and Bartosz Tkacz, to prepare and submit a full planning application for the demolition of a single dwelling and construction of a replacement dwelling within a Conservation Area at 25 Ham Farm Road, Ham, TW10 5NA. The proposed development is formally described as:

"Demolition of dwelling house and construction of replacement dwelling in a conservation area"

This statement demonstrates that the proposed development complies with relevant areas of local, regional, and national planning policy and guidance. This application is supported by the following plans and reports:

- Design and Access Statement, prepared by Proctor & Shaw
- Heritage Impact Assessment, prepared by Heritage Collective UK
- Structural Survey, prepared by Levy Associates
- Access Audit Report, prepared by Earnscliffe
- Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan, prepared by Haydens Arboricultural Consultants
- Fire Statement, prepared by Proctor & Shaw
- Construction Management Statement, prepared by Capital Transport Planners
- Energy and Sustainability Report, prepared by Green Consult
- Landscape Statement, prepared by Nicola Kelly Garden Design
- Preliminary Ecological Appraisal and Biodiversity Net Gain Report, prepared by Practical Ecology

Site Description

The application site is a domestic dwelling at 25 Ham Farm Road, Ham, TW10 5NA. It includes a detached single-storey house, which occupies the north-eastern portion of the site with a substantial rear garden to the south-west. The site gains vehicular access from Ham Farm Road and a single storey garage sits in front of the property.

The immediate context of Ham Farm Road features 1-2 storey detached dwellings with substantial rear gardens on the south-western side of the street with dense vegetation on the opposite side to the north-east. This contributes to the area’s green and leafy character.

To the south and west of the site are a series of two-storey apartment buildings, known as the Parkleys Estate.

The site is located within the Parkleys Estate Conservation Area 67, as shown in Figure 1 below. All trees within the site are protected as is standard within all Conservation Areas.

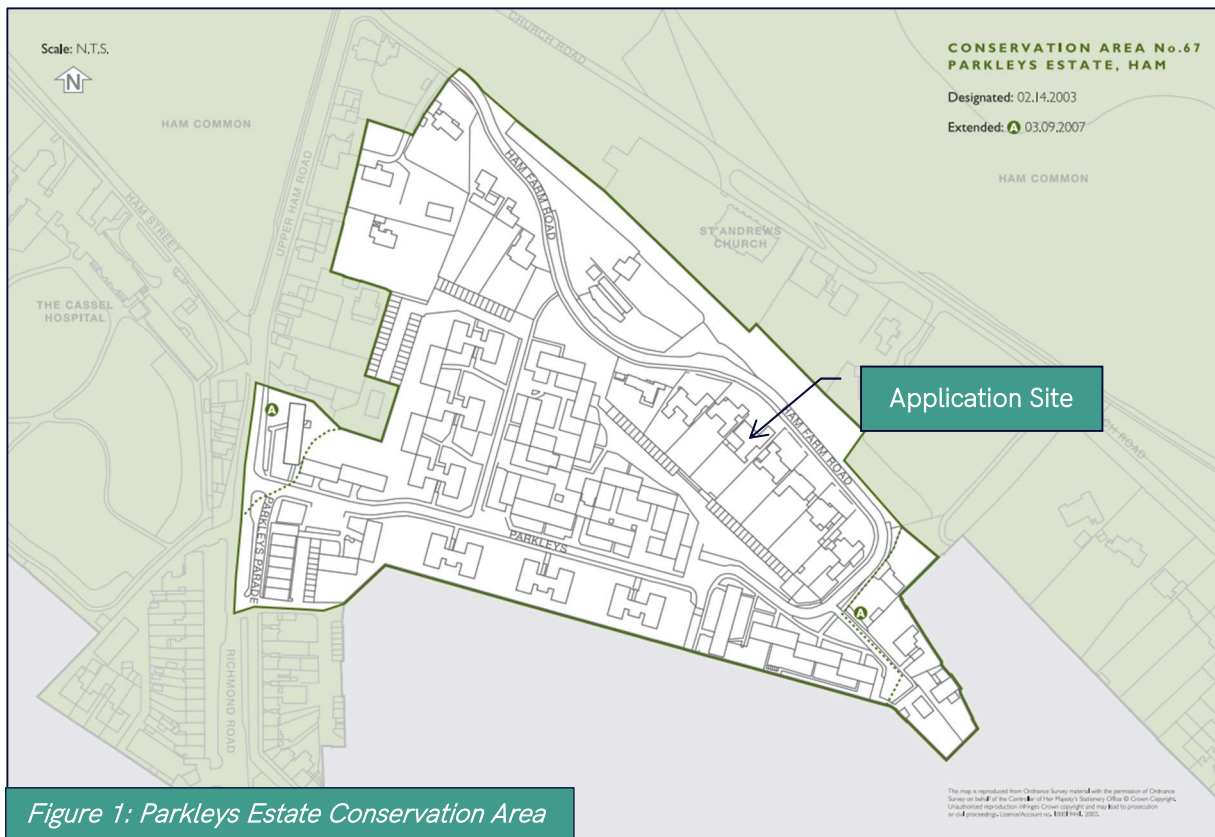


Figure 1: Parkleys Estate Conservation Area

According to Richmond Council’s adopted policies map, the application site is not subject to any further mapped policies.

Planning History

According to Richmond Council’s online planning search tool, the application site has been subject to two previous planning application as detailed below.

82/1168

An application described as follows was submitted to Richmond Council on 1 October 1982.

"Alterations to and extension of the ground floor and provision of an additional storey to the existing bungalow. (Revised plans received 8th December, 1982)."

The application was refused on 26 April 1983 and dismissed at appeal on 9 December 1983. The reason for refusal cited by Richmond Council was,

"The size and siting of the proposed extension would have an overbearing effect on the adjoining residential properties"

This was upheld by the Secretary of State for Environment. A copy of both decision notices can be viewed at **Appendix A** of this statement.

84/0097

An application described as follows was submitted to Richmond Council on 25 January 1984.

"Alterations and extensions to existing house."

The application was refused on 9 March 1984. The reason for refusal cited by Richmond Council was,

"The size and siting of the proposed extension would have an overbearing effect on the adjoining residential property"

This was upheld by the Secretary of State for Environment. A copy of the decision notice can also be viewed at **Appendix A** of this statement.

Proposed Development

This planning application seeks to demolish the existing dwelling at 25 Ham Farm Road, Richmond, TW10 5NA and construct a replacement dwelling. A scheme for the new dwelling has been prepared by Proctor & Shaw and is detailed in the attached Design and Access Statement and proposed drawings. The key objectives of the proposed scheme are to achieve a building that:

1. Meets Approved Document M Volume 1 Dwellings: M4 (3) Category 3: wheelchair user dwellings. To ensure the proposed dwelling is fit for purpose for its intended users, one of whom is a full-time wheelchair user.
2. Has a high energy performance rating.
3. Creates a high-quality architectural design that makes a positive contribution to the Parkleys Estate Conservation Area.

Pre-application Discussions

A pre-application request was submitted to Richmond Council on 8 September 2021 and a meeting with officers took place on 8th September 2021. Formal written advice was received on 28 January 2022.

Officers were overall supportive of the proposed design in terms of scale, form and layout; however, this was caveated with an in principle objection to the demolition of the existing dwelling on heritage grounds. Whilst we note the Council's objection, we respectfully disagree with their assessment of the subject dwelling's contribution to the conservation area and the resulting improvements the proposed replacement dwelling will bring. This is further discussed in the following Planning Considerations section of this statement and the attached Heritage Impact Assessment, prepared by Heritage Collective UK.

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The statutory development plan consists of the adopted Local Plan (2018), Policies Map and Ham and Petersham Neighbourhood Plan. The London Plan was adopted in March 2021 and also forms part of the Development Plan, albeit at a regional level.

The National Planning Policy Framework (2021) also represents a material consideration in the determination of this application. The Council has produced a Conservation Area Statement for the Parkleys Estate Conservation Area, which also forms a material consideration in the assessment of the proposals, along with the following supplementary planning documents:

- Affordable Housing
- Design Quality
- House Extension and External Alterations
- Transport
- Refuse and Recycling Storage Requirements
- Residential Development Standards
- Small and Medium Housing Sites
- Sustainable Construction Checklist

Local Plan (2018)

Policy LP1 seeks to achieve a high design quality and maintain local character. It states that the Council will consider the following 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 collocation of uses through the layout, design and management of the site.*

Policy LP2 requires new buildings to respect and strengthen the setting of the borough's valued townscapes and landscapes through appropriate building heights.

Policy LP3 considers designated heritage assets. It states that,

The Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough

In assessing the significance of proposals, the Council will (inter alia),

Give great weight to the conservation of the heritage asset when considering the impact of a proposed development on the significance of the asset.

Require the use of appropriate materials and techniques and strongly encourage any works or repairs to a designated heritage asset to be carried out in a correct, scholarly manner by appropriate specialists.

The policy also states that, substantial demolition in a Conservation Area and any changes that could harm heritage assets, unless it can be demonstrated that:

- 1. in the case of substantial harm or loss to the significance of the heritage asset, it is necessary to achieve substantial public benefits that outweigh that harm or loss;*
- 2. in the case of less than substantial harm to the significance of the heritage asset, that the public benefits, including securing the optimum viable use, outweigh that harm; or*
- 3. the building or part of the building or structure makes no positive contribution to the character or distinctiveness of the area.*

Policy LP8 seeks to protect the amenity and living conditions for occupants and neighbouring properties. It requires proposals to:

- ensure good standards of daylight and sunlight
- avoid overlooking and noise disturbance between properties
- ensure proposals will not be visually overbearing or intrusive as a result of the proposed height, siting and scale
- ensure the reasonable enjoyment of use of buildings, gardens and other spaces is not harmed through the proposals

Policy LP10 seeks to manage local environment impacts, pollution and land contamination. On Construction and demolition, the policy states,

The Council will seek to manage and limit environmental disturbances during construction and demolition as well as during excavations and construction of basements and subterranean developments. To deliver this the Council requires the submission of Construction Management Statements (CMS) for the following types of developments:

- 1. all major developments;*
- 2. any basement and subterranean developments;*
- 3. developments of sites in confined locations or near sensitive receptors; or*
- 4. if substantial demolition/excavation works are proposed.*

Policy LP15 discusses biodiversity within the borough. It states,

The Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats. Weighted priority in terms of their importance will be afforded to protected species and priority species and habitats including National Nature Reserves, Sites of Special Scientific Interest (SSSI) and Other Sites of Nature Importance as set out in the Biodiversity Strategy for England, and the London and Richmond upon Thames Biodiversity Action Plans. This will be achieved by:

- 1. protecting biodiversity in, and adjacent to, the borough's designated sites for biodiversity and nature conservation importance (including buffer zones), as well as other existing habitats and features of biodiversity value;*
- 2. supporting enhancements to biodiversity;*
- 3. incorporating and creating new habitats or biodiversity features, including trees, into development sites and into the design of buildings themselves where appropriate;*

- major developments are required to deliver net gain for biodiversity, through incorporation of ecological enhancements, wherever possible;*
- 4. ensuring new biodiversity features or habitats connect to the wider ecological and green infrastructure networks and complement surrounding habitats;*
 - 5. enhancing wildlife corridors for the movement of species, including river corridors, where opportunities arise; and*
 - 6. maximising the provision of soft landscaping, including trees, shrubs and other vegetation that support the borough-wide Biodiversity Action Plan*

Policy LP16 requires 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.

Policy LP20 discusses climate change. It states,

- A. The Council will promote and encourage development to be fully resilient to the future impacts of climate change in order to minimise vulnerability of people and property.*
- B. 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:*
 - 1. minimise internal heat generation through energy efficient design*
 - 2. reduce the amount of heat entering a building in summer through shading, reducing solar reflectance, fenestration, insulation and green roofs and walls*
 - 3. manage the heat within the building through exposed internal thermal mass and high ceilings*
 - 4. passive ventilation*
 - 5. mechanical ventilation*
 - 6. active cooling systems (ensuring they are the lowest carbon options).*

Policy LP22 seeks to promote sustainable design and construction methods. It states that developments will be required to achieve the highest design standards and mitigate likely effects of climate change. Applicants will be required to (inter alia):

- 1. Development of 1 dwelling unit or more, or 100sqm or more of non-residential floor space (including extensions) will be required to complete the Sustainable Construction Checklist SPD. A completed Checklist has to be submitted as part of the planning application.*
- 2. 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).*

All new residential buildings are to achieve a 35% reduction on carbon dioxide emissions, based on Part L of the 2013 Building Regulations.

Policy LP 35 outlines the borough's standards for housing. It details that all new housing should comply with the Nationally Described Space Standards. They should also provide adequate external amenity space that is well-designed, private, useable, easily accessible from living areas and of a sufficient size to meet the needs of occupiers. The policy also requires 90% of new build houses to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings' and 10% of all new building housing to meeting Building Regulation Requirement M4 (3) 'wheelchair user dwellings'.

Policy LP36 discusses the provision of affordable housing within the borough. Part B of the policy states,

A contribution towards affordable housing will be expected on all housing sites. The following requirements apply (inter alia):

- a. 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%

Policy LP38 highlights the Council's stance on loss of housing within the borough. It states that (inter alia),

Redevelopment of existing housing should normally only take place where:

- a. it has first been demonstrated that the existing housing is incapable of improvement or conversion to a satisfactory standard to provide an equivalent scheme; and, if this is the case*
- b. the proposal does not have an adverse impact on local character; and*
- c. the proposal provides a reasonable standard of accommodation, including accessible design, as set out in LP 35 Housing Mix and Standards.*

Policy LP45 details the council's parking standards and servicing. It states (inter alia),

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. It will achieve this by:

- 1. Requiring new development to provide for car, cycle, 2 wheel and, where applicable, lorry parking and electric vehicle charging points, in accordance with the standards set out in Appendix 3. Opportunities to minimise car parking through its shared use will be encouraged.*
- 2. Resisting the provision of front garden car parking unless it can be demonstrated that:*
 - a. there would be no material impact on road or pedestrian safety;*
 - b. there would be no harmful impact on the character of the area, including the streetscape or setting of the property, in line with the policies on Local Character and Design; and*
 - c. the existing on-street demand is less than available capacity*

Ham and Petersham Neighbourhood Plan

The Neighbourhood Plan is a community-produced document that sets out a vision and objectives to help shape the future of the area. A Neighbourhood Plan for Ham and Petersham was adopted in 2018.

Policy C2 of the neighbourhood plan discusses the character and context of the area. It states,

- A. *All applications for new buildings must demonstrate how the proposal addresses the key elements of the character of the designated Conservation Area or neighbourhood character area in which the site is located.*
- B. *All new development will be assessed against guidance in the relevant character and context area study (Appendix 4) or the relevant Conservation Area Appraisal for the purposes of policy LP 3 in the Richmond Local Plan.*

Policy H2 is titled 'Design Principles for Housing Development', and sets out,

- A. *The height, scale, massing and site layout of new housing development will be based on the immediate context and surrounding housing identified in the Character and Context Appraisals in Appendix 4.*
- B. *The design of all new housing development in the neighbourhood area will be guided by policy C2 Character and Context Appraisals. In particular housing schemes should incorporate the following principles:*
 1. *High quality architectural design which is well related to its context;*
 2. *Building heights generally between 1 and 3 storeys, and 4 storeys in appropriate locations. Developments over 4 storeys will be considered acceptable if the proposal demonstrates positive benefits in terms of the townscape and local aesthetic quality and relate well to their local context;*
 3. *A clear delineation between public and private spaces;*
 4. *Developments should include an integrated landscaping and planting strategy which enriches the biodiversity of the Area, and includes dedicated private planting areas for each unit as well as communal planting areas across the scheme which relate well to the wider area;*
 5. *Single aspect units will not normally be considered acceptable.*

Policy E1 encourages new buildings to achieve accreditations with the Home Quality Mark or Passivhaus standard.

Policy E3 states that all new houses should provide water butts.

London Plan (2021)

The new London Plan was adopted in 2021 and is the strategic plan for London, setting out an economical, environmental transport and social framework for development.

Policy D5 discusses inclusive design. It states (inter alia),

Development proposal should achieve the highest standards of accessible and inclusive design. They should:

- 1) *be designed taking into account London's diverse population*
- 2) *provide high quality people focused spaces that are designed to facilitate social interaction and inclusion*
- 3) *be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment*

- 4) *be able to be entered, used and exited safely, easily and with dignity for all*
- 5) *be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.*

Policy D6 outlines the quality and standards for new homes. It details that new housing developments should have access to adequate daylight and sunlight, maximise provision for dual aspect, meet minimum space standard requirements, include provision for appropriate storage and meet minimum outdoor amenity space requirements.

Policy D7 seeks to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children. It requires at least 10% of dwellings to meet Building Regulation requirement Building Regulation requirement M4(3) 'wheelchair user dwellings'.

Policy D12 discusses fire safety and requires all proposals to achieve the highest standards of fire safety and ensure that they:

- 1) *identify suitably positioned unobstructed outside space:*
 - a) *for fire appliances to be positioned on*
 - b) *appropriate for use as an evacuation assembly point*
- 2) *are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures*
- 3) *are constructed in an appropriate way to minimise the risk of fire spread*
- 4) *provide suitable and convenient means of escape, and associated evacuation strategy for all building users*
- 5) *develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in*
- 6) *provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.*

Policy HC1 discusses heritage conservation and growth within London. It states (inter alia),

Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

National Planning Policy Framework (2021)

Section 12 is entitled, 'Achieving well-designed places'. **Paragraph 126** states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. **Paragraph 130** sets out that decisions should ensure that developments, inter alia,

- a. *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- b. are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c. are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*

Section 16 is entitled, 'Conserving and enhancing the historic environment'. **Paragraph 194** sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It goes on to state that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 197 states that, in determining applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c. the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 199 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.

Paragraphs 201-202 state,

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

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.

Planning Considerations

This section examines the relationship between the proposals and the relevant areas of planning policy outlined above in more detail. In light of the above, the key planning matters that relate to the proposed development are as follows:

- Principle of Demolition
- Design and Residential Amenity
- Impact on the Conservation Area
- Ecology
- Trees and Landscape
- Transport
- Sustainable Design and Construction
- Affordable Housing
- Fire Safety

Principle of Demolition

We note Officers' objection to the proposed demolition during pre-application discussions. The following section titled "Impact on the Conservation Area" and the appended Heritage Impact Assessment will assess the proposals in the context of the conservation area. However, in respect of Policy LP38 of Richmond's Local Plan, it should first be demonstrated the existing house is incapable of improvement or conversion to a satisfactory standard to provide an equivalent scheme. Whilst the concept of retaining the existing dwelling with substantial improvements was initially considered, there were a number of factors that prevented this from progressing.

The first was the structural integrity of the building. A Building Survey, prepared by Simon Levy Associates is included with this application. The survey includes a structural assessment of the existing property, which concludes that the building appears to be cosmetically disheveled and unimproved and includes numerous significant construction defects that will be costly and disruptive to remedy. The associated costs to remedy these defects to a satisfactory standard would render such a project unviable.

The second factor was the energy rating of the building and the practical achievement of an improved score. As outlined in the attached Energy Statement, prepared by Green Consult, the current Energy Performance Certificate for the building is extremely poor, at a rating of 32 F SAP. The property is modelled as producing 12 tonnes of CO₂, double the national household average. The EPC notes that by making recommended changes the carbon footprint could be reduced by 6.9 tonnes/year or about 42%. The sap rating could rise at most to the lowest C rating (69), with the environmental rating potentially only reaching a D. This does not align the property with the Future Homes Standard, and if the improvements failed to reach 69 in a revised EPC it would fail to comply with upcoming legislation requiring an EPC of C for rental purposes. In this respect, it is considered that the demolition and replacement of the existing building with a highly-efficient dwelling that exceeds current standards and provides strong sustainability benefits is the preferred option.

In light of the above, it has been determined that the retention and alteration of the existing building is not feasible or viable due to the costs involved to repair the structural defects, and it is not possible to provide a scheme of an equivalent standard in terms of energy consumption. As such, part a of Policy LP38 has been satisfied.

As will be demonstrated in the following sections of this statement, the replacement scheme will not result in adverse impacts on the local character and has been designed to a high residential standard

that contributes to meeting the housing needs within the borough in accordance with parts b and c of Policy LP38 of the Local Plan.

Design and Residential Amenity

The above policies are clear that development proposals should be of a high-quality design that are sympathetic to the surrounding built form and character. The proposed scheme has been carefully designed to ensure a high-quality architectural outcome for its occupants, whilst still protecting the amenity of adjoining dwellings.

The scheme creates a more coherent and unified design that responds positively to the site, to meet a benchmark of quality worthy of the conservation area in which it sits. The proposed building will be a single-storey bungalow-style dwelling, reflective of the surrounding built form on Ham Farm Road.

Materials

The design and materials of the proposals have been carefully considered and drawn inspiration from the existing dwellings on Ham Farm Road. Proposed materials include dark stained timber, concrete cladding, metal cladding and a wildflower green roof. The proposals are of an extremely high quality and result in improvements to the overall visual appearance of the street scene. Please refer to the submitted Design and Access Statement, prepared by Proctor & Shaw, which provides a materiality study to justify the proposed material palette.

Layout and Massing

The layout and building height of the dwelling has been informed by the surrounding properties, maintaining a generous front garden and rear garden, with principle building line that matches the existing development pattern. The general width of the original dwelling will be maintained.

In the pre-application written response, Officers state,

The overall siting, footprint, scale and form as submitted is considered to reflect the general pattern of development in the locality.

Residential Amenity

The proposed internal floor areas exceed those required under nationally described space standards for a 3-bedroom, single-storey dwelling. In addition, the proposed external amenity areas (courtyard garden, deck area and rear garden) also exceed the minimum area requirements as outlined in Richmond Council's Residential Development Standards SPD.

An internal courtyard has been included in the design to create dual aspect rooms that have access to copious amounts of natural light and allow for access to external areas directly from living spaces.

In relation to residential amenity of neighbouring properties, the pre-application advice notes,

The new dwelling would abut the common boundary with No.23, sited 0.55m closer to the boundary than existing. Whilst it is noted that the height would be increased, this would be by a marginal amount and thus there would be no undue harm to these residents.

Having regard to the south-eastern boundary, the building would be brought closer to No.27. Having regard to the single storey nature and the retention of a 1.5m gap, it is not considered that material harm would arise. Notwithstanding this, Officer notes a number of windows on

the flank elevation of this property. Any future submission should outline use of these windows in order to ascertain acceptability in full.

Accessibility

Finally, the Local Plan and London Plan are clear that new residential developments should provide suitable housing and genuine choice to meet the needs of the local community. The scheme has been designed to be wholly compliant with Building Regulation M4(3) 'wheelchair user dwellings'. The current dwelling is not fit for wheelchair users (as demonstrated in the submitted Access Audit Report, prepared by Earncliffe and therefore, the proposed dwelling will be a vast improvement on current standards. As the applicant is a wheelchair user, this is a core design objective of the scheme.

Summary

In light of the above, it is considered the proposed dwelling achieves a high quality design outcome by ensuring the compatibility with the local character in terms of scale, layout and massing; good access to daylight and sunlight; usable outdoor amenity spaces; internal spaces that exceed national standards; a design that ensures accessibility to meet the needs of the applicant; and, privacy for residents and neighbours is maintained and enhanced where possible. As such, the proposed scheme complies with Policies LP1, LP2, LP8, LP35 of the Local Plan and Policy D7 of the London Plan, in addition to the national requirements contained within the NPPF.

Impact on the Conservation Area

This application is supported by a Heritage Impact Assessment prepared by Heritage Collective UK. The assessment reviews the history of the site and makes an assessment of its heritage significance. It then reviews the proposed demolition and new dwelling in the context of the conservation area and their impact on it.

The assessment concludes that, the current dwelling at 25 Ham Farm Road is of low heritage value in a national context; however, its significance derives from its associations with Eric Lyons. The building itself brings little visual interest to the street scene and, whilst its original form remains substantially intact, the building offers little architectural value. As such, the building has a modest but positive contribution to the Parkleys Estate Conservation Area.

When considering the demolition of the building in isolation, its removal would cause harm to the setting of the Parkleys Estate Conservation Area. However, previous case law confirms that when assessing harm, the overall effect of the proposals must be considered i.e., the demolition of the dwelling as well as the replacement dwelling. This application will demolish the existing building but replace it with a new single storey bungalow of elegant Modernist design, which will integrate successfully within the street scene (refer to figures 1 and 2). In this respect, the proposals will enhance the architectural interest of the site and reinforce the special character and appearance of the conservation area.



Fig. 1: Existing Street View



Fig. 2: Proposed Street View

As a Non-designated Heritage Asset, the loss of no. 25 Ham Farm Road engages paragraph 203 of the NPPF. This requires the scale of the harm or loss to be weighed as part of a balanced judgement. The limited heritage value of the building does not weigh significantly in favour of its retention and the proposed development would preserve the special character and appearance of the conservation area and setting of the other Non-designated Heritage Assets on Ham Farm Road. No other heritage assets would be affected. Thus, the Proposed Development as a whole is acceptable in heritage terms.

Overall, the Assessment finds that the proposals do not result in harm to the conservation area and will provide a positive visual impact on the historic environment. As such, the proposals support Policy LP3 of the Local Plan, Policy C2 of the Neighbourhood Plan and Policy HC1 of the London Plan. The attached Heritage Impact Assessment demonstrates that the proposals would comply with paragraph 199 of the NPPF and, in doing so, paragraphs 201 and 202 (relating to public benefits to mitigate harm) are not engaged.

Notwithstanding this, we would highlight the following public benefits the proposed scheme will provide. Planning Practice Guidance titled 'Historic environment' includes guidance on what is meant by the term 'public benefits'. Paragraph: 020 Reference ID: 18a-020-20190723 states,

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8)

Whilst the dwelling is intended to be a private residence, the proposals will still result in a number of public benefits in line with the above guidance, which support the NPPF's objectives for achieving sustainable development.

The first being, the environmental benefits the scheme will provide. As demonstrated in the attached Energy Statement, prepared by Green Consult, the proposed dwelling will result in a highly efficient building that far exceeds London Plan and the Local Plan targets in relation to carbon emission reductions (91%) and will assist in meeting Richmond Council's target to become carbon neutral by 2030. In addition to this, the scheme includes several ecological enhancements, which results in a minimum biodiversity net gain of 84%, as demonstrated in the Biodiversity Net Gain Report, prepared by Practical Ecology.

The second benefit is the proposed dwelling's contribution to the mix of homes within the borough to meet the needs of present and future generations, specifically lifetime wheelchair users such as the applicant.

In light of the above, it is considered that the scheme provides public benefits that meet the objectives for sustainable development as outlined in paragraph 8 of the NPPF. As such, these benefits are weighted in favour of the proposals should the Council deem they would result in less than substantial harm to the conservation area, in accordance with paragraph 202 of the NPPF.

Ecology

Practical Ecology were commissioned to undertake a Preliminary Ecological Appraisal (PEA) of the site and its surroundings. The appraisal found that the existing dwelling has features which are suitable for a low status bat roost. As such, a single emergence bat survey is required during nesting season (May - August) prior to determination to the planning application. Given the submission of the application falls outside of this season, we propose to undertake the required survey during the assessment of the application and submit this prior to its determination. A survey has been scheduled for early May.

In addition, the appraisal found the site to contain suitable trees and shrubs for the nesting of a wide range of common bird species. As such, it is recommended that any clearance of scrub areas is to be undertaken outside of bird nesting season, or under the supervision of a qualified ecologist.

Finally, the appraisal recommends several enhancements for inclusion in the proposals. These include bat boxes, bird boxes, a hedgehog house and night scented plants. The proposals also include a series of enhancements such as, a pond and green roofs, that result in an overall biodiversity net gain. The proposals result in a net gain of at least 83.64%, according to the Biodiversity Net Gain Report, prepared by Practical Ecology.

Therefore, the proposals comply with Local Plan Policy LP15 by protecting and enhancing biodiversity within the borough through the creation of new habitats and biodiversity features.

Trees and Landscape

As noted above, the site is within Parkleys Estate Conservation Area and as such, all trees are afforded protection. This application is supported by an Arboricultural Impact Assessment, prepared by Hayden's Arboricultural Consultants. It is necessary to fell five category 'C' trees and a small section of one category 'C' hedge to accommodate the proposed dwelling.

We note Officers stated the following during pre-application discussions,

The loss of 4x trees (T002, T003, T004 & T010) in the rear garden to facilitate the construction of this proposal is regrettable. However, there are no objections to their removal given their condition and classification on the BS5837 survey. Nevertheless, more detail on replacement trees and soft landscaping by way of a Tree Planting Scheme, as well as a Hard & Soft Landscape Plan is integral as part of the full application.

The Arboricultural Impact Assessment includes a preliminary method statement and tree protection plan, which details the protection measures required to retain the remaining trees on site. It is proposed to plant an additional ten trees, which will have a high ecological value to compensate for the loss of five existing trees. The proposed species are detailed in the attached Garden Design Statement, prepared by Nicola Kelly Garden Design, which also provides the design rationale and hard and soft landscaping details for the proposals.

The proposals therefore comply with Local Plan Policy LP16 by protecting existing trees and providing planting that complements and enhances the local landscape values.

Transport

The proposals include the provision of 1no. car parking space (fitted with EV charging facilities), 2no. bicycle spaces and a dedicated space for the storage and charging of an electric wheelchair. This aligns with Policy LP45 of the Local Plan and the London Plan's standards for car and cycle parking.

The proposed car parking will be accommodated within a car port located at the front of the site. It is considered this is an improvement on the existing garage located in front of the dwelling as it will result in an improvement of the street scene and a greater appreciation of the main dwelling. The proposed car port will also provide the applicant with greater accessibility.

Policy LP10 of the Local Plan also requires developments that include substantial demolition works to provide a construction management statement. A Construction Management Statement has been prepared by Capital Transport Planning and is included with this application. This may be conditioned by the Council, should they wish to do so.

Sustainable Design and Construction

National, regional, and local policies are clear in their ambitions for sustainable developments that address the current climate change crisis. As outlined in the attached Energy Statement, the proposed dwelling will achieve a reduction in regulated CO2 emissions of 91% beyond minimum building regulation standards (2013). This far exceeds the required 35% reduction found in Policy LP22 of the Local Plan.

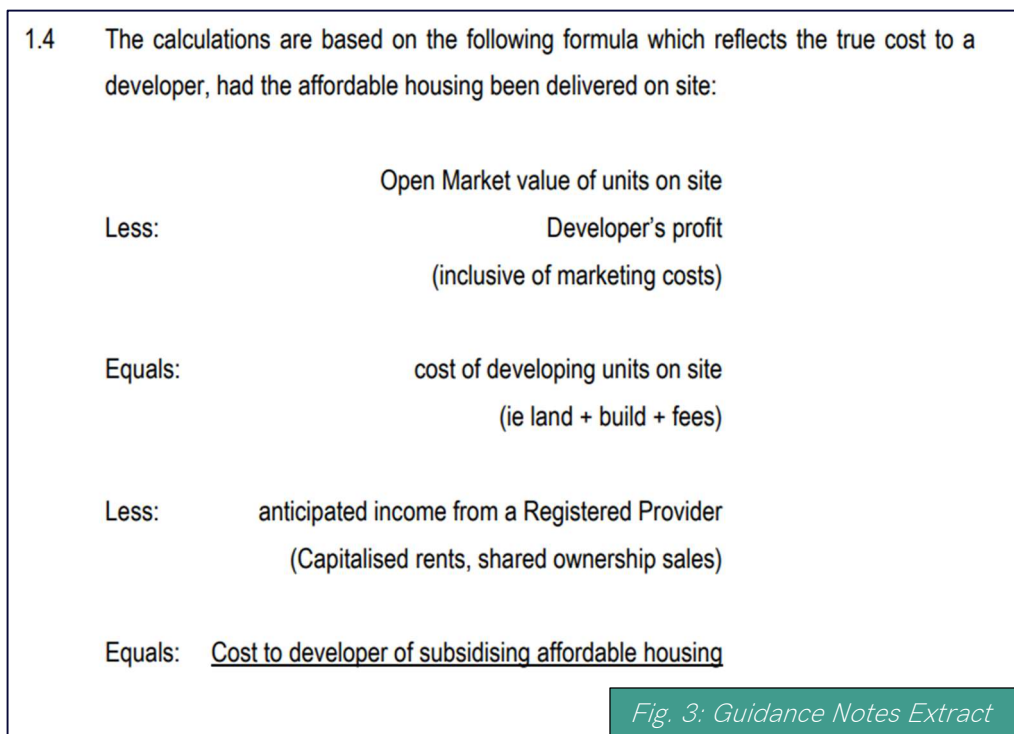
The proposals will also achieve a score of four stars on the Home Quality Mark Rating in accordance with Policy E1 of the Neighbourhood Plan and will be fitted with water butts in accordance with Policy E3 of the Neighbourhood Plan.

Affordable Housing

We note Policy LP36 requires a monetary contribution for the provision of affordable housing for sites below the threshold of 'capable of ten or more units gross'. Whilst the applicant supports this policy in principle and recognises the borough's need for affordable housing, the fundamental intents of the proposed development must also be taken into consideration. The purpose of the proposed development is to provide an adequate and usable home for the applicant and not to increase value to the site i.e., to create a profit.

The supporting text to Policy LP36 states that residential development should (our underline), "*make an adequate contribution towards affordable housing which is directly, fairly and reasonably related in scale and kind to the development proposed.*"

Paragraph 1.4 of Richmond Council's "Guidance Notes on the Calculation of a Commuted Sum for the provision of Affordable Housing off-site" outlines the formula that should be used to calculate affordable housing provisions and is shown in figure 3 below.



The above formula assumes, the Open Market Value (OMV) (minus the developer's profit) will equal the costs of developing the site. However, owing to the unique nature of the proposals there will be no profit gained by the applicant in the development. The reasons for this include the significant costs associated with the purchase of the existing property/land, the reduction in floor area the development results in, the additional costs associated with meeting accessibility requirements necessary for the user, and the applicants' investment in exemplary sustainability and landscaping measures as integral parts of the design in support of other local and national planning policies. Based on this, it is unlikely to be viable for the proposed development to provide an affordable housing contribution. The client remains open to engage with the Local Authority on the most appropriate means to most fairly and reasonably demonstrate this position to both party's satisfaction.

Fire Safety

The submitted Design and Access Statement includes a fire statement in accordance with Policy D12A of the London Plan 2021. The statement demonstrates that the highest standard of fire safety will be achieved through the proposals to ensure the safety of all building users.

Summary

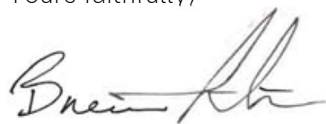
This planning application seeks permission for the demolition of the existing dwelling at 25 Ham Farm Road and construction of a new, high-quality, sustainable, and accessible replacement dwelling. It is considered that the proposed design is sympathetic to, and results in an overall enhancement of the conservation area whilst still maintaining the privacy and amenity of surrounding residences. The design and built form of the proposals are of a high architectural quality that will result in a dwelling that embraces its setting and complements the wider area.

This application has been carefully considered and is supported by several technical reports that address the key planning considerations of the site and proposals, including heritage, sustainability, landscaping, trees, fire safety, accessibility, ecology, and traffic management. This has resulted in a scheme of the highest standard that is supported by national, regional, local and neighbourhood policy.

In light of the above assessment, it is respectfully requested that planning permission for the proposed development as described above and in the completed Application Form should be granted without delay.

Should you have any questions in relation to the proposed development or it would be helpful to discuss any aspect of the application in more detail then please do not hesitate to contact me on 07341 564 834 or by email at brie.foster@peacockandsmith.co.uk.

Yours faithfully,



Brie Foster
Associate