

## Application reference: 21/3140/FUL WHITTON WARD

Date application received	Date made valid	Target report date	8 Week date
06.09.2021	06.09.2021	01.11.2021	01.11.2021

**Site:**

38 - 42 Vincam Close, Twickenham, ,

**Proposal:**

Demolition of 3 houses and construction of 8 new houses at 38 to 42 Vincam close

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

**APPLICANT NAME**

Mr Nicholas Cooper  
78 Pall Mall  
London  
SW1Y 5ES

**AGENT NAME**

**DC Site Notice:** printed on 10.09.2021 and posted on 17.09.2021 and due to expire on 08.10.2021

**Consultations:**

**Internal/External:**

**Consultee**

LBRuT Ecology  
LBRuT Trees Preservation Officer (North)  
LBRuT Ecology  
14D POL  
14D Urban D  
LBRuT Ecology  
LBRUT Environmental Health Contaminated Land  
LBRuT Non-Commercial Environmental Health Noise Issues  
LBRUT Transport  
LBRuT Waste Services  
LBRuT Trees Preservation Officer (North)  
LBRuT Lead Local Flood Authority

**Expiry Date**

14.02.2022  
14.02.2022  
14.06.2022  
24.09.2021  
24.09.2021  
24.09.2021  
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**Neighbours:**

18 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
17 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
20 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
19 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
16 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
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8 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
7 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
35 Vincam Close, Twickenham, TW2 7AB, - 10.09.2021

33 Vincam Close, Twickenham, TW2 7AB, - 10.09.2021  
 34 Vincam Close, Twickenham, TW2 7AB, -  
 31 Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 27 Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 25 Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 19 Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 23 Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 35 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
 34 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
 33 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
 32 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
 31 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
 30 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
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 22 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
 21 Vanquish Close, Twickenham, TW2 7AN, - 10.09.2021  
 21 Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 27A Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 21A Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 23A Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 42 Vincam Close, Twickenham, TW2 7AB, - 10.09.2021  
 40 Vincam Close, Twickenham, TW2 7AB, - 10.09.2021  
 38 Vincam Close, Twickenham, TW2 7AB, - 10.09.2021  
 36 Vincam Close, Twickenham, TW2 7AB, - 10.09.2021  
 29 Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 25A Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
 19A Collingwood Close, Twickenham, TW2 7AE, - 10.09.2021  
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**History: Development Management, Appeals, Building Control, Enforcements:**

Development Management

Status: PCO Application:21/3140/FUL  
 Date: Demolition of 3 houses and construction of 8 new houses at 38 to 42 Vincam close

Development Management

Status: GTD Application:79/0168  
 Date:30/05/1980 Erection of a first floor side extension.

Development Management

Status: REF Application:80/0329  
 Date:30/05/1980 Erection of first floor extension at side and rear of dwelling house.

Development Management

Status: GTD Application:81/0516  
 Date:10/08/1981 Erection of a part first floor and part two storey extension at side of dwelling house.

Development Management

Status: GTD Application:65/1093  
 Date:23/09/1965 Erection of an additional garage.

Development Management

Status: GTD Application:70/1982  
 Date:20/11/1970 Erection of single storey addition at rear of property comprising dining room and lounge extension.

Development Management

Status: GTD Application:72/0400  
 Date:04/05/1972 Erection of single storey extension at side of property comprising lounge, bedroom and W.C.

Development Management

Status: PCO Application:21/3140/FUL  
 Date: Demolition of 3 houses and construction of 8 new houses at 38 to 42 Vincam

close

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## Site Description and Proposal

The application site is located at the end of Vincam Close, Whitton, adjacent to Vanquish Close and is made up of three existing dwellings; 38, 40 and 42 Vincam Close and their rear gardens. Numbers 38 and 40 form a pair of semi detached properties which have previously been extended over the years and No 42 is a single story bungalow set back from the street scene and public highway. Vincam Close itself is a street of mostly groups of two storey houses dating from the inter war period. The houses are a mixture of render and brickwork elevations under plain tile roofs. Most of the houses have been altered since their construction with changes generally to cladding and windows. To the South of the pre app site is Vanquish Close which hosts a three storey residential building hosting a number of flats. To the North of the site is further residential development serving Collingwood with rear gardens backing onto the pre application site.

The application site is within Flood zone 1 as designated by the Council's Strategic Flood Risk Assessment (SFRA). The site is not within a conservation area and does not include a building of Townscape Merit. The site also has an Article 4 restriction for basements.

## Policies

National Planning Policy Framework Sections (NPPF) (2021)

### *Development Plan*

#### London Plan (2021)

GG1 - Building strong and inclusive communities; GG2 - Making the best use of land; GG3 - Creating a healthy city; GG4 - Delivering the homes Londoners need; GG6 Increasing efficiency and resilience; S6 Town Centres and High Streets; D1 - London's form, character and capacity for growth; D4 - Delivering good design; D5 - Inclusive design; D6 - Housing quality and standards; D7 - Accessible housing; D8 - Public realm; D12 - Fire safety; D14 - Noise; H1 - Increasing housing supply; H2 – Small sites; H4 - Delivering affordable housing; H5 - Threshold approach to applications; H6 - Affordable housing tenure; H10 - Housing size mix; S1 - Developing London's social infrastructure; G6 - Biodiversity and access to nature; G7 - Trees and woodlands; SI2 - Minimising greenhouse gas emissions; SI3 - Energy infrastructure; SI4 - Managing heat risk; SI5 - Water infrastructure; SI7 - Reducing waste and supporting the circular economy; SI12 - Flood risk management; SI13 - Sustainable drainage; T1 - Strategic approach to transport; T4 - Assessing and mitigating transport impacts; T5 – Cycling; T6 - Car parking; T6.1 - Residential parking; T9 - Funding transport infrastructure through planning; DF1 - Delivery of the Plan and Planning Obligations.

#### Local Plan (2018):

- LP1 Local Character and Design Quality
- LP2 Building Heights
- LP8 Amenity and Living Conditions
- LP10 Local Environmental Impacts, Pollution and Land Contamination
- LP15 Biodiversity
- LP16 Trees, Woodlands and Landscape
- LP20 Climate Change Adaptation
- LP21 Flood Risk and Sustainable Drainage
- LP22 Sustainable Design and Construction
- LP34 New Housing
- LP35 Housing Mix and Standards
- LP36 Affordable Housing
- LP38 Loss of Housing
- LP39 Infill, Backland and Backgarden Development
- LP44 Sustainable Travel Choices
- LP45 Parking standards and servicing

#### Supplementary Planning Documents:

- 'Refuse and Recycling Storage Requirements' (2015)
- 'Sustainable Construction Checklist' (2016)
- Village Plan Whitton and Heathfield
- 'Residential Development Standards' (2010)
- 'Affordable Housing' (2014)
- Small and Medium Housing site (2006)
- Transport (2020)
- Planning Obligations (2020)

## Relevant Planning History

Each of No 38 – 42 Vincam Close has previous planning history however no recent planning applications have been received since 1981.

### *Relevant history adjacent the site*

07/1324/FUL - Proposed housing development consisting of 5 x 3 bed houses, 6 x 3 bed flats, 12 x 2 bed flats and 12 x 1 bed flats with associated car parking, hard and soft landscaping with ancillary structures for cycle parking and refuse. Amendment to application 05/0189/FUL to allow changes to siting, elevational design and provision of 100% affordable housing – Granted 03/09/2007

## Public Representations

Following a consultation period 3 properties objected to the scheme and there was 1 observation which are summarised below:

- Parking issues within the area creating more traffic/parking on the highway
- Noise and dust from demolition/construction, deliveries, damage to the road, contractor parking
- Overlooking from constriction and new housing
- Further issues with refuse and waste
- Further housing not required
- Loss of trees/green space
- Observational concerns about bats and other protected species

Cllr Jaeger observation, comments summarised below:

- Questioned the determination process, i.e. delegated or planning committee in the event the application is recommended for approval
- Concerns about loss of residential amenity
- There is also the matter of no contribution to affordable housing.
- Construction and demolition process

*Officer comment: These comments will be addressed in the report below.*

## Amendments

Throughout the course of the determination period there have been a number of amendments and additional information submitted as part of the application. This is outlined below:

- Further drainage information (December 2021)
- Revised landscaping masterplan and Ecology information (January 2021)
- Further drainage information (March 2022)
- Further Bat mitigation surveys (May 2022)
- Final drainage information. (June 2022)

*Officer comment: A further consultation was not carried out with the general public given the initial limited number of representations as well as the fact much of the new information was a technical nature. However the new information was publicly available on the Council's website for the public to view and the relevant consultees were reconsulted as outlined below.*

## Consultee Comments

LBRUT Transport officer – No objection subject to a S278 agreement, further comments summarised below.

LBRUT Urban Design – No overall objection, further comments summarised below.

LBRUT Ecology Officer – No objection following the submission of further landscaping information, and protected species surveys, subject to conditions, further comments summarised below.

LBRUT Trees – No objections following the submission of further landscaping information, subject to conditions for landscaping, maintenance etc and below ground rooting provision if required. Further comments summarised below.

LBRUT Waste –

- No details of the proposed waste and recycling storage at the houses.
- Each of the 8 houses should be provided with suitable and sufficient space for the storage of 240L of general waste, 2 x 55L recycling boxes and 1 x 23L food waste container.
- The storage (or a separate space where the bins are presented for collection, if the bins are stored elsewhere) should be within 20m of the public highway.

Environmental Health – No objection, recommend noise condition. Further comments summarised below.

Environmental Health (Contaminated Land) – No objection subject to a condition

Lead Local Flood Authority – No objections following amendments, suggest drainage maintenance and detailed drainage conditions. Comments summarised below.

### **Professional Comments**

As set out in the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. This position is repeated in the NPPF. The development plan is defined in Section 28(3)(b) of the 2004 Act as “the development plan documents (taken as a whole) that have been adopted or approved in that area”.

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

### ***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 H1 of the New London Plan sets the ten-year targets for net housing completions that each local planning authority should plan for. The London Borough of Richmond target is 4,110 for a ten year period (2019/20 -2028/29). The new London Plan also stresses the importance of small sites, in delivering housing targets (paragraph 68 of the NPPF and Policy H2 of the 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.

Paragraph 120 of the NPPF states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and should support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Policy LP38 of the Local Plan states: 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.

The above should be fully addressed as part of any planning application.

Supporting text paragraph. 9.5.3 adds that there is a presumption for the applicant to first assess the potential for retaining and refurbishing existing buildings. There should be a full consideration as to whether existing housing can be improved or converted to a satisfactory standard. Proposals for redevelopment will be assessed for benefits on the balance of the quality of the housing provision particularly in respect of design and amenity considerations and the impact on character and the street scene, informed by the Council's Village Planning Guidance SPDs.

The proposed development is to replace the existing suburban residential homes with more densely populated residential homes to deliver an uplift in housing supply for the identified housing need in Richmond. The proposed development would positively contribute to the housing delivery on small sites in Richmond, making the best use of land and would be consistent with the Government's ambition to significantly boost the supply of housing across the country. The submitted planning statement outlines that

the loss of the existing housing is acceptable based on the accompanying sustainability information demonstrating the existing housing is incapable of improvement or conversion to a satisfactory standard to provide an equivalent scheme to the proposed new build houses. An assessment of the carbon emissions of the existing dwellings was undertaken in the Energy Statement. Whilst this matter is addressed in further detail in the section below, in summary the assessment found very high carbon emissions and properties with an EPC Rating ranging from D to G. Upon review of the SAP Calculations of the existing dwellings combined with the photographic evidence and our Site Survey, it indicates that even with spending a significant money on:

- Full Re-Wiring
- New Bathroom and Kitchen
- New Double Glazed Windows (as the existing are at the end of their life / beyond) and Front Door
- Full new Heating System

It would only allow the current dwellings to simply a "D" or "C" standard, far below the "B" to "A" rating expected from the new dwellings. The insulation levels of the existing dwellings are poor and while in theory the roof could be upgraded, it is not practical due to the type of roof and the reduction in carbon emissions would be minimal. Further to this, it is prohibitively expensive to fit External Wall Insulation (EWI) and Solid Floor Insulation and these measures would never provide payback for the dwellings within the accepted timeframe of 15 years.

Therefore, given there would be a net gain of five units overall and based on the above assessment in the Energy Statement and that the proposed dwellings will have both CO2 emissions of between 60-90% lower than the existing dwellings and that the proposed emissions for the new scheme are less than that of the existing dwellings, it makes no sense from an energy context to retain the existing dwellings in-lieu of a proposed low carbon scheme.

#### *Principle of infill development*

Local Plan Policy LP39 relates to infill, backland and back garden development. LP39(A) states that all infill and backland development must reflect the character of the surrounding area and protect the amenity of living conditions of neighbours. In considering applications for infill and backland development, the following factors should be addresses:

1. Retail 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 into account of local character;
6. Incorporate or reflect materials and detailing on existing dwellings, in accordance with Policy LP1 Local Character and Design Quality;
7. Retain or re-provide features important to character, appearance or wildlife, in accordance with Policy LP16 Trees and Landscape;
8. Result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens, in accordance with Policy LP8 Amenity and Living Conditions;
9. Provide adequate servicing, recycling and refuse storage as well as cycle parking;
10. Result in no adverse impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.

Policy LP39, along with the Small and Medium Housing Sites SPD, sets out criteria that need to be addressed regarding infill development, having particular regard to the impact on local character and amenity, and the guidance in the Whitton & Heathfield Village Planning SPD. There is no in principle objection to infill development in this location subject to the requirements of LP38 above. The proposal would provide 8 new houses replacing the existing three dwellings (an overall gain of 5 dwellings). However the material planning considerations will be considered in the sections below, only once these matters are satisfactorily addressed would officers be in a position to comment on the overall acceptability of the infill development.

#### **Affordable Housing**

Policy LP36 states 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.

In accordance with the policy, the Council will seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. The Council will have regard to economic viability; individual site costs; the availability of public subsidy; and the overall mix of uses and other planning benefits.

Where a reduction to an affordable housing contribution is sought on economic viability grounds, it will be necessary to provide a development appraisal to demonstrate that the scheme is maximising affordable housing. The Council will rigorously evaluate such appraisals and:

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

In simple terms, the viability assessment process comprises a comparison of the residual land value (RLV) for the proposed development against an appropriate benchmark value (BLV) for the existing site or property. Development convention and guidance on assessing the viability of schemes states that where a development proposal generates a RLV which is greater than the appropriate BLV, it is deemed financially viable and therefore likely to proceed. Conversely, if the RLV is lower than the BLV, it is deemed financially unviable. This is based on the accepted assumption that a developer would always seek to bring forward the highest value scheme.

A concern in the representations was raised about the application not providing enough affordable housing. A Financial Viability Assessment, has been submitted with the application which was reviewed by the Council's viability consultant. It was found the scheme shows a residual site value of £1,564,998 which is below the benchmark land value without any allowance for affordable housing or Section 106 contributions. This suggests that the scheme is unviable and could not support additional affordable housing. Whilst LBRUT Policy officers raised the issue that the FVA is based on present day values and these are subject to growth over time which would mean that a contribution could be viable in the future if sales values increase and cost remain stable. However there is no guarantee costs would remain stable, in recent months costs have risen and given the application is not a major development and the scheme is unviable by a considerable amount, it is not considered, a late stage review mechanism should be included. Subject to this, the proposal is considered to have met the requirements of Policy LP36 of the Local Plan.

### ***Design/ Heritage impacts***

*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 application proposes the demolition of three dwellings Nos 38-42 Vincam Close and the erection of up to eight new dwellings. As discussed above, Vincam Close itself is a street of mostly groups of two storey Officer Planning Report – Application 21/3140/FUL Page 8 of 20



terraced and semi detached houses dating from the post 2<sup>nd</sup> world war period. The houses are a mixture of render and brickwork elevations under plain tile roofs. Most of the houses have been altered since their construction with changes generally to cladding and windows however none are considered to be of outstanding architectural merit. The existing buildings proposed for demolition are not of townscape value and therefore from a design point of view, notwithstanding the policy arguments above, there is no objection with their demolition.

The proposed scale and layout of the dwellings are appropriate which would be in keeping with the existing properties on Vincam Close. The proposed dwellings would form an improved termination to the street, moving towards the heights of the two and a half to three storey buildings in Vanquish Close. The differences in heights provides some variety to an otherwise uniform street scene yet the design of the proposed dwellings would still be in keeping with the existing character. With regards to scale, the proposed dwellings do not exceed two and a half stories in height.

The Council's Urban Design officer has reviewed the proposal and has no objections with the generally traditional design approach. The applicant took pre application advice on board reducing the previous scheme from 9 dwellings to ensure suitably designed dwellings without creating a cramped form of development. This is also for the site accommodate other residential paraphernalia such as suitable parking, good quality external amenity space and other material planning requirements such as trees and ecology, which are discussed below.

It is positive that an element of soft landscape is provided for on the frontage, whilst the Urban Design officer initially raised concerns about the original landscaping submission, amended plans have been submitted and this is addressed in further detail below. Whilst significant front garden parking would not usually be supported, given front driveways are situated throughout Vincam Close subject to landscaping this would not necessarily have an adverse impact on the character of the area. It is considered reasonable and necessary to include conditions for further details regarding materials, hard and soft landscaping and maintenance.

Although as discussed above the proposal is of an appropriate design, it is considered reasonable and necessary to add a condition to restrict Permitted Development rights for further alterations and outbuildings to avoid further garden space being taken up and creating a cramped development. Whilst the Council would have no in principle objection to future extensions, this condition is considered reasonable and necessary to ensure the Council can control future development. Subject to further details, it is considered the proposed scheme would not have an adverse impact to the character of the area, and would be in accordance with Policies LP1 and LP39 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 LP 35(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>67</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

The Council seeks the provision of external amenity space in accordance with policy LP35 and, the Residential Development Standards SPD. The policy (in line with the London Plan) states that a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. This is the minimum standard; however outside space should be maximised where possible.

The proposed dwellings are considered to meet the nationally described space standard to accord with Policy LP35(B, C and D).

Policy LP35 (E) sets out that all new housing would be expected to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings'. The proposed units would have levelled access and although on two floors, it is considered that there is sufficient scope to convert the ground floor for adaptable living if necessary. Further M4(2) requirements are to be secured by condition. Given the existing mix of dwellings and the out of town location, 2 bed plus units are considered appropriate as family size unit in this location and the proposal would be in accordance with LP35 of the London Borough of Richmond Upon Thames Local Plan.

### **Trees and Ecology**

Policy LP15 of the Local Plan 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.

The application was originally accompanied by a Preliminary Ecological Appraisal and Bat Roost Assessment by Applied Ecology Ltd. The Council's Ecology officer originally commented on the application and raised no objections in principle, however noted that the above report required further protected species surveys prior to determination. A further Bat emergence survey by Microbee environmental Bat Emergence Survey dated May 2022 was provided and following this the Council's Ecology officer has no objections to the proposal. However further details are considered reasonable and necessary to be requested by condition such as ensuring the recommendations of the above reports are implemented in full, Construction Environmental Management Plan (CEMP), hard and soft landscaping, external lighting details and ecological enhancements in order to ensure a biodiversity net gain and the protection of various species. Subject to this, the proposal is considered to be in accordance with Policy LP15 of the Local Plan.

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 application which was accompanied by a BS5837:2012 survey and AIA as supplied by Roberts Arboriculture Ltd, dated 13th August 2021 reference RA 802. There are no protected trees within this site, the amenity provided by trees is mostly localised to a few private dwellings and it is noted the proposal includes the removal of 5 low quality trees within plot 42, 2 small groups and 2 hedges. The tree officer requested an amended landscape proposal to provide trees of small to moderate domestic scale for the new properties and for boundary planting of either trees/shrubs/hedges to be included to give some screening, privacy and accord with policy to mitigate for trees lost during development.

Following the submission of an amended landscaping proposals, the Council's tree officer raised no

objection to the new landscape masterplan and the provision of generous numbers of new tree planting. The tree officer requested a suspended pavement/hard surface and below ground additional rooting for new trees adjacent to the parking areas which would provide any new front garden trees with additional below ground rooting space (of which there is minimal on the landscape plan). Without this inclusion some damage to the additional hard surfaces is likely. The applicant has agreed this in principle and subject to these details requested as part of a condition as well as details regarding landscaping, maintenance, the application is considered to be in accordance with LP16 of the Local Plan.

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

Policy LP8 of the Local Plan states in considering proposals for development, the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance.

The 'Residential Development Standards' SPD states that alterations to residential buildings can make more effective use of urban land for modern living needs and well-considered alterations to dwellings which complement the appearance of a property can often increase their value. However, changes can harm the amenity of neighbouring occupiers through increased noise, disturbance and activity due to an intensification of use. 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. However the above is guidance only and each case is assessed on site specific circumstances.

Concerns were raised within the representations regarding the scheme's impact on residential amenity in terms of overlooking, overbearing and loss of light as well as noise generated from construction.

#### Overlooking

The application site has development on all four sides. With regards to the North, the site backs onto gardens serving Collingwood Close. Although rear habitable room windows would face in this direction, given the window to window distance would be in excess of 20m this is not considered to create harm significant enough for refusal. Front windows facing towards properties on Vincam Close would also be in excess of 20m so this is considered acceptable. Windows at first floor level on the side elevations would serve non habitable rooms so it is considered reasonable and necessary to obscure glaze by condition to prevent any significant overlooking.

#### Overbearing and loss of light.

The planning system cannot protect specific views from private properties but can consider whether a proposed development is intrusive or overbearing to the outlook of a property, particularly residential properties, due to the massing and proximity of a proposal, and whether this would cause demonstrable harm to the amenity of the property. Given the proposal would be in excess of 13m distance from habitable room windows serving the properties around the application site looking towards the application site, there is not considered to be a significant overbearing impact in this regard. Although the proposed plot 8 would extend past No 36 Vincam Close's rear elevation, given this property boundary, is separated by a small private track, any mild overbearing impact is not considered significant enough for a refusal. The proposal is also not considered to be close enough to any neighbouring habitable room window to have an adverse impact on loss of light.

With regards to the development's impact on 21-35 Vanquish Close, plot 1 within the proposal would have a two storey side elevation and would replace the existing bungalow. North East facing windows serving the flats at 21-35 Vanquish Close face the side elevation of Plot 1. Many of the ground and first floor windows facing the application site would be separated by more than 13.5m, so are not considered to be significantly impacted, although 4 windows on the ground and first floor facing the site would be within 13.5 of the plot 1. However given the site is separated by an access road, the application site is North East of the windows in question i.e. and not particularly effected by the orientation of the sun moving from East – West throughout the day and the fact the windows in question would either serve non habitable rooms or not be the only outlooks for habitable rooms, it is not considered the impact on 21-35 Vanquish Close would not be significant enough for refusal in terms of overbearing or loss of light.

Other amenity concerns raised as part of the representations were noise and disturbance in terms of construction. Environmental Health officers have been consulted on the scheme and raise no objections in terms of noise. Conditions are commended regarding to ensure the construction process is minimised as much as possible in the form of a construction management plan.

Overall, the proposed development is considered to have adequately addressed concerns in relation to visual dominance, overbearing and a direct loss of privacy to habitable rooms when viewed from neighbouring properties in accordance with policy LP1, LP8 and LP39.

### **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.*

In general, it is expected that in low PTAL areas (0-3) the relevant parking standards should be met. However Policy LP45 also goes on to state how the provision of front garden car parking should be resisted 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.

There have been a few representations which have raised concerns with regards to use of commercial vehicles during the construction phase, waste, increased congestion and insufficient parking both on the site and on street parking. However the Council's Transport officer has commented on the proposal and raised no objections. Their comments are incorporated into the assessment below.

#### **Vehicular Access to Off-street Parking Spaces**

The current site has three existing vehicular crossover accesses from the western and northern edges of the turning head at the western end of Vincam Close which provide access to one off-street parking space each for the existing three dwellings on the site. Because of the way the proposed perpendicular off-street vehicular parking bays are aligned for dwelling Nos. 5-8 the Council's transport officer recommends that the existing footway along the perimeter of the site is re-laid with tarmac surfacing with a granite kerb with a 25mm upstand from the carriageway. This will allow all these dwellings to access and egress their proposed parking spaces safely without having to reverse over a paved footway which would be damaged as a result.

#### **Vehicular Parking**

The site has a PTAL of 1b and is not in a controlled parking zone (CPZ). The applicant proposes two off-street parking spaces per dwelling which meets the maximum off-street vehicular parking standards set out in the Local Plan (2018). Subject to the above highway works being completed prior to the first occupation of the site, the Council's transport officer has no objection to this element of the proposal.

#### **Cycle Parking**

The applicant proposes 6 x 3-bed and 2 x 4-bed houses. Therefore, they need to provide a minimum of 2 x cycle parking spaces per dwelling to meet the minimum cycle parking standard set out in the London Plan (2021). They have scope to do this by providing each dwelling with a shed in their rear gardens which must have minimum dimensions of 2m x 2m so that it can accommodate 2 x bicycles. It is considered reasonable and necessary for further cycle parking details to be requested by condition.

#### **Refuse Collection and Servicing**

The proposed dwellings can be serviced from the existing turning head on Vincam Close or via the proposed communal front parking court within the curtilage of the site. Refuse and recycling bins can be wheeled to the back edge of the footway around the perimeter of the turning head as they are by residents of the current site. The applicant needs to provide storage space for 1 x 360l refuse bin and 2 x 55l boxes for paper and mixed recycling in accordance with the Borough's Refuse and Recycling Storage and Collection SPD. It is considered reasonable and necessary for further refuse details to be requested by condition.

#### **Construction Management Plan**

The applicant has submitted a proposed construction management plan which provides all the information the Council asks for in its proforma on the subject. The largest vehicle to be used can turn safely in the turning head so that it can enter and exit Vincam Close in forward gear. The largest vehicle that the applicant can use will be a 7m x 2.5m flatbed HGV. All deliveries will take place off-street and deliveries will peak at 12-15 per week within the construction phasing. They have provided contact details for a community liaison Officer who is also the construction site Manager. Although a number of concerns were raised as part of the representations, the Council's transport officer is satisfied sufficient detail has been provided regarding the demolition and construction. Therefore, officers do not need any more information regarding construction management.

Subject to conditions regarding cycle parking and refuse, and a Grampian condition for highway works to complete the following works on the highway on Vincam Close to provide safe and suitable access to the development for motorists:

- Reconstruction of the footway on the western and northern edges of the existing turning head at the western end of Vincam Close so that the existing block paving is replaced with tarmac surfacing and a granite kerb edge with a 25mm upstand.

It is considered the proposal would be in accordance with Policies LP44 and LP45 of the Local Plan.

### **Sustainability**

Policy LP 22 of the Local Plan also requires that developments achieve the highest standards of sustainable design and construction to mitigate the likely effects of climate change.

Developers are required to incorporate measures to improve energy conservation and efficiency as well as contributions to renewable and low carbon energy generation. Proposed developments are required to meet the following minimum reductions in carbon dioxide emissions:

- All other new residential buildings should achieve a 35% reduction.
- All non-residential buildings over 100sqm should achieve a 35% reduction. From 2019 all major non residential buildings should achieve zero carbon standards in line with London Plan policy.

Targets are expressed as a percentage improvement over the target emission rate (TER) based on Part L of the 2013 Building Regulations. This should be achieved by following the Energy Hierarchy:

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

Policy LP 22 of the Local Plan states that new residential development will be required to incorporate water conservation measures to achieve a maximum water consumption of 110 litres per person per day. A completed Sustainable Construction Checklist has also been submitted. It is considered that there would be scope for this to be achieved and a condition is recommended in order for this to be secured.

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 NRG Consulting, and a Sustainable Construction Checklist has been completed. The report demonstrates that in the context of "Be Lean" (reducing demand and consumption), the scheme will deliver a reduction in emissions of 11.11%. Under "Be Clean" (supply energy efficiently), the scheme will deliver a reduction in emissions of 41.93%.

Subject to reasonable and necessary conditions securing the above the application is in accordance with Policies LP20 and LP22 of the London Borough of Richmond Upon Thames Local Plan.

### **Contaminated Land**

The Council's Environmental Health officer has commented on the proposal and has recommended that a condition is imposed to secure site investigation for potential contamination and remediation where required. Therefore, any issue of contamination can be dealt with prior to the commencement of development. Subject to the imposition of this condition, the proposed development is acceptable and complies with the NPPF in this regard, and Policy LP10 of the Local Plan.

### **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).

The site is within Flood Zone 1 as designated by the Council's Strategic Flood Risk Assessment, therefore the sequential and exception tests are not required. A detailed flood risk assessment (FRA) has been submitted and surface water drainage strategy in order to demonstrate the proposal would not adversely increase flood risk.

Sustainable Drainage Systems (SuDS) involve the management of storm water from developments effectively in order to reduce the impact of run-off both to the site in question and properties downstream, and not to exacerbate existing problems. This is achieved by not increasing peak flows that will otherwise

result from the development. The philosophy of SuDS is to mimic as closely as possible, the natural drainage from a site before development, and to ensure that storm water runoff is treated so there is no detriment to water quality of the receiving watercourse. Using SuDS may provide water quantity and quality control, as well as increased amenity value. Appropriately designed and maintained schemes may improve the sustainable water management at the site by:

- Reducing peak flows to watercourses or sewers and potentially reducing the risk of flooding downstream.
- Reducing the volume, rate of discharge, and the frequency of water flowing directly to watercourses or sewers from the developed sites.
- Improving water quality compared with conventional surface water sewers by removing pollutants.

Policy LP21 of the Local Plan states that the Council will require the use of SuDS in all development proposals. Applicants will have to demonstrate that their proposal complies with the following:

1. A reduction in surface water discharge to greenfield run-off rates wherever feasible.
2. Where greenfield run-off rates are not feasible, this will need to be demonstrated by the applicant, and in such instances, the minimum requirement is to achieve at least a 50% attenuation of the site's surface water runoff at peak times based on the levels existing prior to the development.

The submitted FRA outlined that the level of risk from tidal, surface water, sewers and artificial sources is assessed as low. There is a low risk from groundwater flooding. The Lead Local Flood Authority were also consulted on the application and initially objected to the proposal due to a lack of information. Further information was subsequently provided, the proposed runoff rate is not the same as the greenfield runoff rate, but it is a maximum of less than 2 l/s. Existing flow from site in 1 in 30 year – 40l/s & Existing flow from site 1 in 100 years – 80l/s. A justified reason for not achieving the greenfield runoff rate has been provided. It has been demonstrated that the site will not flood as a result of the 1 in 30 year rainfall event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100 year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration will be suitably managed via the presented exceedance routes. Whilst the LLFA still requested further information following discussions, the LLFA removed their objection subject to conditions. As such the proposal would be in accordance with Policy LP21 of the Local Plan.

### **Fire Safety**

London Plan Policy D12 requires the submission of a Fire Safety Statement on all planning applications. The Fire Safety Statement should be presented as a standalone document. This application has been accompanied by a Fire Strategy Statement to meet this requirement.

The applicant is advised that alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made.

### **Other Matters**

A number of matters were raised within the public representations which have not been addressed above such as whether the application would be determined at Planning Committee. Given the application was not called in by a Borough Councillor within 21 days and is not a major development, the scheme is within the Head of Development Management's remit to determine under delegated powers.

### Housing Land Supply

Paragraphs 10 and 11 of the NPPF set out that there will be a presumption in favour of Sustainable Development. The latter paragraph states that:

*For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

At the time of writing, the Council is able to demonstrate more than 5 years of housing land supply including buffer and has a Local Plan which has been adopted within the last five years. Therefore, for the purpose of determining this planning application, the LPA is able to demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer). The ordinary planning balance having regard to the statutory test in section 38(6) of the 2004 Act is therefore engaged.

### **Local Finance Considerations**

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.

The development is liable for Mayoral CIL and Borough CIL in accordance with the relevant charging schedules.

### **Conclusion and Planning Balance**

The NPPF has at its heart the presumption in favour of sustainable development. To be sustainable, development must, as noted in paragraph 6 of the NPPF, strike a satisfactory balance between the economic, environmental and social considerations.

In terms of the social benefits the scheme proposes a mix of dwelling sizes, which contribute to the Council's five year supply of housing. The amenities in Whitton are in relatively close proximity to the site, promoting active and healthy communities and allow future residents to use these and add to the community. The proposal would deliver market dwellings which will contribute towards ensuring there are a mix and choice of homes.

In terms of environmental impacts, the site comprises previously developed land which will reduce pressure on undeveloped 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. The brownfield nature of the site means that it is of a reasonably low ecological value. The development further soft landscaping, biodiversity net gain features 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. The site therefore contributes positively to the environmental arm of sustainability.

In terms of economic impacts, the development, through providing open market dwellings and high-quality employment space, will introduce a new economically active population to Whitton 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. The development will bring permanent economic benefits through additional household expenditure and council tax payments. In terms of temporary economic benefits, the proposed development will generate turnover and temporary employment for construction firms and related trades.

Having assessed all three dimensions of sustainable development; economic, environmental and social within this report it is concluded that the development of this site will: -

- Eight new residential dwellings and 5 units for the Council's housing supply
- Acceptable design which preserves the character of the area
- Not cause significant detrimental impact to residential amenity
- Maximise opportunities for use of public transport, walking and cycling
- Manage flood risk and drainage effectively
- Have no significant adverse impacts on features of landscape or ecological value
- Provide appropriate infrastructure to meet the needs generated by the development through wheeled bin provision

For these reasons, the proposal is considered to constitute sustainable development and accords with the Development Plan. The material considerations have been fully considered and the application is therefore recommended for approval subject to the stated planning conditions.

RECOMMENDATION – Approve subject to conditions to include those listed below.

#### **AT01 – Development begun within 3 years**

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.

#### **DV44A - Approved Documents and Drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents, where applicable.

Location and Block Plan 952/LOC Rev A  
952/2 Rev A

952/3 Rev A  
952/4 Rev A  
All received 6 September 2021

952/1 Rev B  
SLD-HG\_EX1 Rev A  
SLD-HG\_LP1 Rev A  
All received 24 Jan 2022

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

### **Highway works Grampian.**

Prior to commencement of the development hereby approved, details of highway works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the reconstruction of the footway on the western and northern edges of the existing turning head at the western end of Vincam Close so that the existing block paving is replaced with tarmac surfacing and a granite kerb edge with a 25mm upstand. The development shall not be occupied until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by the local highway authority or on behalf of the local planning authority.

Reason: to provide safe and suitable access to the development for motorists in accordance with Para. 110b of the National Planning Policy Framework.

### **DV49 – Construction Method statement**

The development shall be carried out in accordance with the details set out in the Construction Method Statement by NRG Consulting dated August 2021, received by the Local Planning Authority on 6<sup>th</sup> September 2021.

REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

### **LT09A – Hard and Soft Landscaping Required**

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

(B) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); detailing the quantity, density, size, species, position and the proposed time or programme of planting of all shrubs, hedges, grasses etc., together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree, shrub and hedge planting included within that specification shall be carried out in accordance with BS 3936:1986 (Parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).

(C) All hard and soft landscape works shall be carried out in accordance with the approved details and in any event prior to the occupation of any part of the development.

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

### **Landscape Maintenance**

Prior to the occupation of the development hereby approved, a schedule of landscape maintenance for a minimum period of 5 years from the date of completion of the landscaping scheme shall be submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation and shall be implemented as approved from the date of completion of the landscaping scheme as part of the development.

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

### **BD12 Details - Materials to be Approved**

Prior to the commencement of development, details of the materials/samples to be used in the construction of the external surfaces of the buildings (including fenestration) and all areas of hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.



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

### **Fenestration**

Prior to the construction/installation of the relevant element of the development, details of the glazing, soffits, balconies, screens, balustrading, rainwater goods, reveals, doorways, fascias shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

### **DV50A – Energy Reduction**

The dwellings hereby approved shall achieve at least a 35% reduction in Carbon dioxide emissions beyond Building Regulations requirements (2013).

REASON: In the interests of energy conservation in accordance with the Councils sustainability policies.

### **DV51A – Water Consumption**

The dwellings hereby approved shall not be occupied other than in accordance with the water consumption targets of 105 litres or less per person per day, and 5 litres or less per head per day for external water use.

REASON: In the interests of water efficiency in accordance with the Councils sustainability policies.

### **PK06A – Cycle Parking**

No building/dwelling/part of the development shall be occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof.

REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

### **Boundary Treatments**

A plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be put in place prior to any occupation of the development hereby permitted. The development shall be carried out in accordance with the approved boundary treatment.

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

### **Refuse**

Prior to any occupation of the development hereby permitted, details of the storage and disposal of refuse/waste shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved storage and disposal of refuse/waste details and shall be retained for the lifetime of the development.

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

### **Bat survey and Mitigation**

The development hereby permitted shall be carried out in accordance with all recommendations in section 7 of the Microbee environmental Bat Emergence Survey dated May 2022 to be implemented in full. Should works not start prior to June 2023 an up to date bat emergent survey will be required.

Reason: to ensure bat data is current and that good practice is implemented.

### **Construction works**

No development shall commence until details of a Biodiversity Enhancement and Mitigation Plan (BEMP) in accordance with the Microbee environmental Bat Emergence Survey (dated May 2022) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details. These should include the following:

- o 3 integrated bat bricks within the roof
- o 1no bird bricks (either sparrow terraces or swift bricks) integrated for each dwelling
- o 2no Invertebrate habitat to be included within the landscaping within each unit
- o All walls/fences to have mammal holes to allow continued movement of wildlife
- o Hedgehog gaps to be included within all walls and fences
- o \*All plant species to be native or wildlife friendly

Details should include specific location (including proposed aspect and height), specific product/dimensions and proposed maintenance.

Reason: To prevent harm to wildlife mammals and protect existing biodiversity.

### **External lighting**

Prior to installation, details of all external lighting - including locations, technical specifications, horizontal lux plan shall be submitted to and agreed in writing by the Local Planning Authority and thereafter constructed in accordance with these details. The details should accord with CIBSE guide LG6 and ILP/BCT Bat guidance note 8; there should be no upward lighting or lighting onto the open sky, buildings, trees and vegetation, or potential roost features.

Reason: To safeguard the ecology of the site and neighbour amenity.

### **Drainage**

Prior to commencement of groundworks (excluding site investigations and demolition), a final detailed drainage design including drawings and supporting calculations approval in accordance with the revised Drainage Strategy, calculations and maintenance schedule (received 1<sup>st</sup> June 2022) shall be submitted to. Details shall demonstrate that sustainable drainage systems have been utilised wherever possible and make reference to the hierarchy of drainage destination set out in London Plan Policy 5.13 and the hierarchy of drainage in Richmond's Local Plan Policy 21 Sustainable Drainage. The works shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy SI 13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Richmond's Local Plan Policy LP 21.

### **Drainage Maintenance**

Prior to commencement of groundworks (excluding site investigations and demolition), a detailed management plan confirming routine maintenance tasks for all drainage components demonstrating how the drainage system is to be maintained for the lifetime of the development including a maintenance owner shall be submitted to and approved in writing with the Local Planning Authority. Evidence of consent for new drainage connections and confirmation of capacity within the sewer system should be provided by the sewerage undertaker. The works shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy SI 13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Richmond's Local Plan Policy LP 21.

### **Parking**

The development hereby permitted shall not be occupied until the car parking spaces shown on Drawing no 952/LOC Rev A have been constructed and laid out. The parking spaces shall thereafter be retained for users in connection with the development hereby permitted over the lifetime of the development.

REASON: To ensure a satisfactory car parking provision.

### **Obscure Glazing**

The proposed first floor side windows of the buildings 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.

### **Contamination**

1. No development shall take place until:

- a) a desk study detailing the history of the site, hazardous materials, substances used together with details of a site investigation strategy based on the information revealed in the desk study has been submitted to and approved in writing by the local planning authority
- b) an intrusive site investigation has been carried out comprising: sampling of soil, soil vapour, ground gas, surface water and groundwater to the satisfaction of the local planning authority. Such work to be carried out by suitably qualified and accredited geo-environmental consultants in accordance with the current U.K. requirements for sampling and testing.
- c) written reports of i) the findings of the above site investigation and ii) a risk assessment for sensitive receptors together with a detailed remediation strategy designed to mitigate the risk posed by the identified contamination to sensitive receptors have been submitted to and approved in writing by the local planning authority

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

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

- a) the remediation works approved as part of the remediation strategy have been carried out in full and in compliance with the approved strategy. If during the remediation or development work new cpz areas of contamination are encountered, which have not been previously identified, then the additional contamination should be fully assessed in accordance with condition [1(b, c)] above and an adequate remediation scheme shall be submitted to and approved in writing by the local planning authority and fully implemented thereafter.
- b) a verification report, produced on completion of the remediation work, has been submitted to and approved in writing by the local planning authority. Such report to include i) details of the remediation works carried out and ii) results of verification sampling, testing and monitoring and iii) all waste management documentation showing the classification of waste, its treatment, movement and disposal in order to

demonstrate compliance with the approved remediation strategy.  
REASON: To protect future users of the site and the environment.

### **Tree Protection**

The development shall be carried out in accordance with the details set out in the Arboricultural Impact Assessment report by Philippa Roberts dated 13<sup>th</sup> August 2021, received by the Local Planning Authority on 6<sup>th</sup> September 2021.

REASON: To ensure that the tree (s) are not damaged or otherwise adversely affected by building operations and soil compaction.

### **Building regulations M4(2)**

The development hereby approved shall not be constructed other than in accordance with Building Regulation M4(2).

Reason: In the interest of inclusive access in accordance with Council's policy to ensure homes meet diverse and changing needs.

### **PD restrictions**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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.

### **Outbuilding restrictions**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no building, enclosure or swimming pool falling within Part 1, Class E, shall be erected on any part of the land.

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

### **Fire Safety**

The development must be carried out in accordance with the provisions of the Fire Strategy Statement by Green Hat Consulting Fire received on 6 September 2021; unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

### **NRMM**

During onsite construction of any phase of development, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel').

"Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the local planning authority in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been issued by the local planning authority.

No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority.

Reason: To protect the amenity of future occupants and/or neighbours

## **13. INFORMATIVES RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

IL25D NPPF APPROVAL - Para. 38-42

COMH08 Composite Informative

IL24 CIL liable

IM13 Street numbering

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**Recommendation:**

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

**I therefore recommend the following:**

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

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

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

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

This application has representations on file  YES  NO

Case Officer (Initials): .....WT..... Dated: .....10/08/2022.....

**I agree the recommendation:**

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

South Area Team Manager: .....  .....

Dated: .....11.08.2022.....