

PLANNING STATEMENT

in support of an application for Full Planning Permission for the following development:

‘Erection of one 4-storey building and one 2-storey building to provide 12 affordable housing units (7 Supported Living units and 5 London Living Rent units), plus one residential support unit; removal of existing vehicular access; landscaping including communal amenity space and ecological enhancement area; erection of ancillary structures including secure cycle and refuse storage structures.’

at Meadows Hall, Church Road, Richmond, TW10 6LN

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1. INTRODUCTION

Terms of Reference

- 1.1 This Planning Statement has been prepared by Harper Planning Consultants in support of an application by RHP for full planning permission for the development of a vacant site in Church Road, Richmond to provide 12 affordable homes.

Background

- 1.2 The application site is an L-shaped site, shown edged in red on the Site Location Plan (drawing no. WP-0733-A-0001-P0) and comprises 0.1 HA in total. It is located on the north-east side of Church Road approximately 50 metres from the junction with Sheen Road and within easy walking distance of Richmond town centre and railway station (mainline and underground services).
- 1.3 The site is vacant and falls with the definition of 'previously developed land'. It was occupied previously by Meadows Hall Community Centre – a single-storey timber-framed building which was vacated in 2012 and demolished in 2018. The property was the subject of extensive marketing by Richmond Council prior to approval being granted for the former community building to be demolished under decision notice 18/2020/FUL. The foundation slab of the previous building remains at the rear of the site.
- 1.4 Meadows Hall was last used as an elderly person social day centre by Age Concern UK until the occupiers relocated to more suitable premises at Twickenham Day Centre (with the assistance of the Richmond Council).
- 1.5 The application site falls within the ownership of the London Borough of Richmond-upon-Thames. It was identified as part of the Council's Surplus Asset Disposal Programme in 2012 (see Appendix 3) and remains surplus to the Council's requirement for community infrastructure. In March 2018, Richmond-upon-Thames Cabinet considered an Asset Management Update Report (Appendix 4) and re-confirmed its previous decision to dispose of the application site for the provision of affordable housing, in accordance with the Council's Disposal Procedure.
- 1.6 This application is supported by the following drawings prepared by Wimshurst Pelleriti Architects:

| Drawing No. | Scale | Title |
|-------------------|--------|--------------------------------|
| WP-0733-A-0001-P0 | 1:1250 | Site Location Plan |
| WP-0733-A-0002-P0 | 1:500 | Existing Block Plan |
| WP-0733-A-0003-P0 | 1:100 | Existing Site Plan |
| WP-0733-A-0030-P0 | 1:100 | Existing Street Elevation |
| WP-0733-A-0050-P0 | 1:100 | Existing Sections |
| WP-0733-A-0100-P0 | 1:500 | Proposed Block Plan |
| WP-0733-A-0110-P0 | 1:100 | Proposed Site Plan |
| WP-0733-A-0111-P0 | 1:100 | Proposed Plans - Mansion Block |
| WP-0733-A-0112-P0 | 1:100 | Proposed Plans – Mews Block |

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| WP-0733-A-0119-PO | 1:100 | Proposed Roof Plan |
| WP-0733-A-0200-PO | 1:100 | Proposed Site Sections - Sheet 01 |
| WP-0733-A-0300-PO | 1:100 | Proposed Site Elevations – Sheet 01 Mansion Block East & West |
| WP-0733-A-0301-PO | 1:100 | Proposed Site Elevations – Sheet 02 North & South |
| WP-0733-A-0302-PO | 1:100 | Proposed Site Elevations - Sheet 03 Mews East & West |
| WP-0733-A-1500-PO | 1:100 | Construction Logistics Plan |

- 1.7 The application is also supported by the following technical surveys, reports and appraisals prepared by independent professional consultants in accordance with the requirements of the Local Validation Checklist adopted by Richmond Borough Council (2nd December 2019):

| Document | Prepared by | Date Issued |
|--|--------------------------------|-------------|
| Planning Statement incorporating Affordable Housing Statement, Recreation Availability Assessment and Marketing Statement | Harper Planning Consultants | 15/09/22 |
| Community Infrastructure Levy (CIL) additional information | Harper Planning Consultants | 15/09/22 |
| Design and Access Statement (including Wheelchair Housing Statement, Inclusive Access Statement and Residential Standards Statement) | Wimshurst Pelleriti | 15/08/22 |
| Transport Statement & Travel Plan | Kronen | 08/09/22 |
| Air Quality Assessment | AQ Consultants | 01/07/2022 |
| Noise Survey & Acoustic Impact Assessment | KP Acoustics Limited | 03/08/2022 |
| Flood Risk Assessment | STM Environmental Consulting | 08/09/2020 |
| Drainage Strategy and SuDS Assessment for the Management of Surface Water Runoff and Foul Water Discharge | Momentum Structural Engineers | 08/07/2022 |
| Management and Maintenance Plan for SuDs | Momentum Structural Engineers | 08/07/2022 |
| Utilities Infrastructure Statement | Quinn Ross Consultants Limited | 27/06/22 |
| Energy Strategy | Quinn Ross | 08/08/22 |
| Sustainability Statement | Quinn Ross | 08/08/22 |
| Sustainable Construction Checklist | Wimshurst Pelleriti | 15/08/22 |
| Water Efficiency Calculation | Quinn Ross Consultants Limited | 18/11/2021 |
| Fire Statement | BB7 | 19/08/22 |

| | | |
|---|-------------------------|------------|
| Building Performance Specification and SAPS – Energy Strategy Appendix F & G | Quinn Ross | 08/08/22 |
| Internal Daylight and Sunlight Report | GIA Chartered Surveyors | 29/06/2022 |
| Daylight Sunlight Impact on Neighbouring Properties Report | GIA Chartered Surveyors | 04/07/2022 |
| Desktop Health Impact Assessment | Air Quality Consultants | 18/07/22 |
| Construction Management Statement | Wimshurst Pelleriti | 21/07/22 |
| Preliminary Ecological Appraisal incorporating Biodiversity Net Gain Assessment | Ecosupport | 23/06/22 |
| Landscape Report incorporating Urban Green Factor | Outerspace | 09/08/22 |
| Landscape Plan | Outerspace | 09/08/22 |
| Arboricultural Survey, Impact Assessment and Method Statement | Challice Consulting | 07.07/22 |
| Land Contamination Phase 2 & Geotechnical Investigation | Your Environment | 24/06/2022 |
| Heritage Impact Assessment | HCUK | 30/05/2022 |

Content

1.8 This statement provides an overview of the planning context applicable to the site and is structured as follows:

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| Appendix Five | Public Consultation Leaflet |
| Appendix Six | The Avenue Centre (15/5216/FUL) Officer's Report |
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2. SITE AND SURROUNDINGS

The Site

- 2.1 This application relates to a vacant site fronting onto the north-east side of Church Road, Richmond. The L-shaped site is situated close to the junction with Sheen Road and its northern boundary extends to the rear of no. 55 Sheen Road. The rear boundary of the site backs onto nos. 1-13 Houblon Road and its southern boundary abuts no. 40 Church Road.
- 2.2 The site area comprises 0.1 Ha in total and the Existing Site Plan (WP-0733-A-0003-P0) confirm natural ground level falls by approximately 1.5 metres across the site (south to north).
- 2.3 The site was formally occupied by Meadows Hall Community Centre which was demolished with the benefit of planning permission granted on 8th August 2018 (see Appendix 2).
- 2.4 A detailed description of the site and its context is set out in the Design and Access Statement (pages 4-13) with photographs of the existing site condition - it also identifies the most relevant development constraints.
- 2.5 Ordnance Survey maps included in the Heritage Impact Assessment (Section 30) show the historic development of the site and its surroundings. The site was originally a vacant plot which remained undeveloped when the surrounding area was laid out for housing in the late 19th century. Meadows Hall Old Peoples' Centre was constructed in the early 1960s, opening in 1963.
- 2.6 An existing crossover provides vehicular access to the site which includes 10 car parking spaces on the Church Road frontages.
- 2.7 The Transport Statement submitted with the application confirms the site has a PTAL 6a score (Excellent) and is considered to be in a very sustainable location with easy access to Richmond Town Centre and a variety of public transport services. The relevance of the vehicular access arrangements and car parking provision in relation to highway safety is also considered in the Transport Statement.
- 2.8 The Tree Survey incorporated in the Tree Report submitted with the application (Tree Survey Schedule with Recommended Tree Works at Appendix 1 and tree positions are shown on the Tree Protection Plan at Appendix 2) confirms there are several category C and U trees within the development site. The survey also identifies other trees on adjacent sites including a category A copper beech in the rear garden of no. 53 Sheen Road and two category B trees in neighbouring gardens to the south (see Tree Protection Plan appended to the Tree Report). A Tree Protection Plan also confirms all trees shown to be retained will be adequately protected during construction of the proposed development.

Development Plan Designation

- 2.9 The site falls within the London Borough of Richmond-upon-Thames and the relevant development plan policy context is set in the London Plan (March 2021) and the Richmond-upon-Thames Local Plan (2018) as well as the Local Plan Policies Map. There are no site specific designations covering the application site and the site is not identified as an Allocated Site in the Development Plan.

- 2.10 The site falls within St Matthias Conservation Area which is centred on St Matthias Church situated at the southern end of Church Road at the junction of a number of roads within the conservation area. The conservation area boundary runs along the northern boundary of the site and is contiguous with Sheen Road Conservation Area.
- 2.11 There are a number of statutory listed buildings and locally designated heritage assets located in the wider townscape context of the application site including St Matthias Church (grade II) and Houblon Almshouses (grade II*) as well as the large 19th century villa properties on Church Road (Buildings of Townscape Merit). The significance of these heritage assets is identified and the potential impact of the proposed development on their special interest is considered in the Heritage Impact Assessment.
- 2.12 Church Road (B322) is designated a Local Distributor Road on the Local Plan Proposals Map. The application site is situated to the south of Sheen Road Neighbourhood Centre and approximately 150 metres to the south-east of Richmond (Major) Town Centre 'Area of Mixed Use'.

Borough Character Study

- 2.13 The application site lies within a predominantly residential area to the south east of Richmond (Major) Town Centre. The prevailing form of development in the locality is residential in character, comprising a mixture of detached and semi-detached houses to the south and west (some converted into flats) with semi-detached and terraced houses to the east.
- 2.14 In accordance with the recommendations of the National Planning Policy Framework (NPPF), Richmond Council has undertaken townscape characterisation studies of the borough to identify the different local townscape characteristics of their area. The Council has also published St Matthias Conservation Area (3) Character Appraisal.
- 2.15 The application site lies within South Richmond ward situated in the east of the borough. It falls within the boundary of the Richmond and Richmond Hill Village Planning Guidance (adopted June 2016) and within 'Character Area 11: St Matthias Conservation Area.
- 2.16 The Village Planning Guidance summarises the character of this sub-area as follows:
"The building styles are noticeably different, ranging, for example, from the three-storey grandeur of the villas to the interesting brick detailing and symmetry of terrace cottages. Dwellings are mostly set back from the road and many have retained their front gardens which form an important feature throughout the Conservation Area."
- 2.17 The site falls within the 'Church Road, Mount Ararat and Kings Road' sub-area which is described as comprising *"mainly of large semi-detached or detached three storey dwellings. The majority of properties are in excellent condition, maintaining much of their original Victorian features, although Church Road displays some variety with a number of 20th Century developments."*

Public Transport Accessibility

- 2.18 The application site is located within easy walking distance of a range of shops and services including schools, post office, supermarket, pharmacy, dentist, cafés and newsagents. The Transport Statement confirms the application site is located within easy walking and cycle distance of an extensive range of facilities and services that are accessible from the site,

including frequent bus services as well regular rail/underground services. Richmond Park also lies within an easy walking distance of the site. Hence, the Transport Statement confirms the site is situated in a *highly accessible location*.

3. RELEVANT PLANNING HISTORY

3.1 The planning history of a development site is relevant to consideration of an application for planning permission because it may establish the lawful or authorised use of buildings or land, and in the case of an extant permission, confirm the acceptability of certain issues in respect of alternative development proposals for the site.

3.2 Planning case law has confirmed that the planning history of the site may also be significant in the context of consistency in decision-making. Although each application must be assessed 'on its own merits' having regard to all material considerations, similar issues need to be decided by local planning authorities in a consistent manner.

3.3 On the basis of a review of online information available on Richmond-upon-Thames Planning Register, the previous decision granting planning permission for the demolition of Meadows Hall and clearance of the site is considered to be very relevant to determination of the current application, particularly in respect of the existing lawful use and any assessment of the proposed development against the Development Plan. This decision is considered below.

Demolition of Meadows Hall and site clearance (ref. no. 18/2020/FUL)

3.4 An application for full planning permission and conservation area consent was submitted by the London Borough of Richmond-upon-Thames on 5th June 2018 for demolition of the existing building - Meadows Hall - and clearance of the site.

3.5 The officer's report appended to this statement assesses the principle of demolition against relevant Development Plan policies, notably policies LP 28 and LP 40 and although the report states "*any future planning application will need to be assessed against policy requirements the loss of social/community infrastructure and potential for alternative social infrastructure,*" it is evident that application 18/2020/FUL has already been assessed against these policy requirements.

3.6 The application form and DAS clearly state that the purpose of the demolition was to facilitate further redevelopment of the site for an unspecified alternative use. The officer's report noted the Asset Management Update Report to Cabinet of 15th March 2018 confirmed the site was surplus to the requirements and part of the Council's Asset Sale Programme. The officer's report stated further:

"The last use of the building is stated as a social centre and it is detailed within the submission that the building has been vacant for some years and that it is possibly unsafe. In view of this there is no principle objection to the demolition of the structure."

3.7 It is important to note that demolition was not approved in conjunction with an application for redevelopment of the site or the re-provision of the existing floor space into a new community infrastructure building on-site, and no condition was attached to the planning permission requiring reinstatement of the floor space in the future.

3.8 The site has not been used for over a decade and in seeking permission for demolition, the owner (LB Richmond-upon-Thames), had no plans to reinstate a community use on the site at any point in the future. Quite the contrary, the application form and DAS confirmed the applicant's intentions to abandon the previous use in preparation for

redevelopment of the site. It is considered therefore that on the basis of permission for demolition of Meadows Hall being granted and implemented 2018, the previous use may have either been abandoned and the site therefore has a 'nil' use or the lawful use remains 'dormant'.

Redevelopment of The Avenue Centre, Teddington (ref. no. 15/5216/FUL)

3.9 The Council's approach in respect of other disposal sites is also considered to be significant in the context of consistency in decision-making. Although each application must be assessed 'on its own merits' having regard to all material considerations, redevelopment of The Avenue Centre, Teddington - granted permission in October 2016 - raised similar planning issues and the local planning authority needs to consider these similar issues in respect of the current application in a consistent manner.

3.10 Conservation Area Conservation was granted by the Secretary of State in October 2011 (reference no. TPR/HD/11/2454/CAC), for demolition of The Avenue Centre, Teddington. Subsequently, planning permission was granted by the local planning authority for redevelopment of the site to provide a care home, 4 supported living units and 15 affordable housing units (reference no. 15/5216/FUL). In respect of the proposed change of use from community use to residential use, the officer's report concluded:

"The site previously accommodated The Avenue Care Centre. This ceased operation in 2007 and the building was demolished in 2011. Prior to accepting a residential use, the prospect of achieving an alternative community use needs to be explored. Officers consider this has been justified as the site has been on the Council's Sales/Re-Investment Programme since 2010; there is no identified gap in community provision in terms of education; and there is adequate provision of other D1 uses in the locality. In addition to such, weight is also given to the enhanced care home, and provision of supported independent living and affordable housing, thereby contributing towards meeting future local needs and providing significant community benefits" (paragraph 77).

4. COMMUNITY ENGAGEMENT

Pre-application Submission to Richmond Council

- 4.1 Having regard to national planning guidance which seeks to ensure greater efficiency and certainty in the planning process, the applicant submitted sketch proposals to the Local Planning Authority (LPA) for pre-application advice in accordance with Richmond-upon-Thames pre-application procedures.
- 4.2 The LPA's pre-application responses dated 26th August 2020 and 19th February 2021 are appended to this Planning Statement (see Appendix One). The pre-application responses summarise the relevant policy context and identify site-specific planning constraints. The responses also include recommendations for amendments to the scheme and additional information required to ensure the application submission is fully policy compliant.
- 4.3 The first pre-application response confirms the following site designations:
- Article 4 Direction Basements
 - Community Infrastructure Levy Band (Higher)
 - Conservation Area (CA30 St Matthias Richmond)
 - Critical Drainage Area
 - Richmond and Richmond Hill Village - Character Area 11 'St Matthias' and & Conservation Area 30 Richmond & Richmond Hill
 - South Richmond Ward
- 4.4 The LPA's response identifies key land use planning considerations applicable to redevelopment of the site as follows:
- The loss of the former day centre (Policy LP 28)
 - Provision of affordable housing – tenure and affordability (Policy LP 36)
 - Unit mix and standards (Policy LP 35)
- 4.5 The second pre-application submission provided detailed drawings of a scheme comprising 14 residential dwellings within two blocks. The pre-application response issued 19th February 2021 identified the main issues as follows:
- Land use
 - Housing / Affordable Housing
 - Design, Siting and Heritage Assets
 - Residential Development Standards
 - Residential Amenity
 - Trees and Biodiversity
 - Transport
 - Pollution
 - Flood Risk, Drainage and Infrastructure
 - Sustainability
 - Community Infrastructure Levy

4.6 The application submission addresses fully the issues identified in the pre-application responses, as summarised below.

Social Infrastructure Use

4.7 The initial pre-application response states that notwithstanding the site having been identified by the Council as a surplus property, due to the former day centre use, Policy LP28 C and Appendix 5 of the local plan needs to be addressed prior to considering a change of use to housing. The response acknowledges that some time has passed since the day centre was closed and later demolished but also states:

“it is necessary to demonstrate that there is no longer a need for the site (facilities) or the facilities are adequately provided elsewhere in a convenient location (C 1 & 2) AND the potential for reusing/redeveloping the site for social infrastructure has been fully explored via marketing for 2 years.”

4.8 The second pre-application response acknowledges that the previous user of the site has long since departed and that this goes some way to demonstrating that parts (1) and (2) of LP 28-C can be met but seeks additional evidence to support the proposed change of use as follows:

1. Evidence that the site is no longer needed, which should be identified on an evidential basis from the Council and its partners strategies and plans,
2. Evidence of meaningful engagement with service providers or a public disposal process to demonstrate no need.
3. Provide link to the Disposal List / particulars on the Council’s website, and detail how long the site has been on the disposal list. (no less than 2 years). Confirmation and details of any expressions of interest.
4. Where the disposal of assets is necessary as part of an agreed programme of social infrastructure re-provision this will be taken into account. Therefore provide:
 - What the infrastructure re-provision is?
 - Location?
 - Uses?
 - Timeframes?
 - Other linked sites

Response

4.9 Section 7 of this statement sets out the justification for loss of community use on the site in relation to Policy LP 28 and references supporting evidence requested by the local planning authority (appended to this statement). The supporting evidence confirms that the site was initially identified on the Council’s disposal programme after the previous occupier had vacated the premises. Consistent with the LPA’s approach in respect of The Avenue Centre, the loss of community use has been justified as the site has been on the Council’s Sales/Re-Investment Programme since 2012; there is no identified gap in community provision in terms of community infrastructure; and there is adequate provision of other D1 uses in the locality.

Affordable Housing

4.10 The initial pre-application response states:

“Further details of tenure, affordability etc. are required, and this will need to be considered by colleagues in Housing Development to confirm they are satisfied that the proposal maximises the on-site affordable housing to meet priority local needs and ensure the delivery will be appropriately secured.”

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- 4.11 The second response confirmed the overall provision of 100% affordable housing was supported. The Council's Housing Department requested an increase the proportion and mix (i.e. size) of London Affordable Rent units and provision homes as supported living for single people who are capable of living independently with minimal support. Officers considered the front mansion block would be a suitable opportunity for supported living as it is a self-contained block that can be separately managed from the other proposed homes.

Response

- 4.12 The scheme provides 100% affordable housing units comprising 1 and 2 bedroom units, including a self-contained block providing homes for supported living, as requested by the Housing Department.

Housing Mix

- 4.13 The initial pre-application response states "the scheme provides a large proportion (13) of small units (studio and 1 beds)." It is recommended that justification be provided for the proposed unit mix with reference to the character of the area and local housing needs.

Response

- 4.14 The scheme comprises a mix of 1 and 2 bedroom units to meet an identified local housing need, as confirmed by the Council's Housing Department. The locality is predominantly residential, characterised by a mix of large detached and semi-detached houses and as well as 1 and 2 bedroom flats – such as the adjacent property at no. 40 Church Road which is divided into 4 self-contained flats over 4 floors.

Housing Standards

- 4.15 The first pre-application response highlighted the need to comply with relevant internal and external amenity space standards as well as inclusive access standards and amenity standards in terms of outlook, daylight/sunlight and ventilation. The second response highlighted concerns over the standard of accommodation, particularly in relation to the size of the 1-bedroom/1-person units, levels of outlook and of privacy due to the separation distance between the mansion block and mews block. Officers sought further details in relation to daylight, sunlight and overshadowing.

Response

- 4.16 The scheme includes a detailed landscape plan to ensure adequate standards of privacy and outlook, particularly in terms of the relationship between the two blocks. The application is supported by the technical documents demonstrating the scheme's compliance with all relevant residential quality standards and residential amenity as follows:

- Residential Standards Statement (see DAS);
- Inclusive Access Statement (see DAS);
- Desktop Health Impact Assessment;
- BS 8233 Environmental Noise Assessment;
- Air Quality Report;
- Internal Daylight Report.

Design and Heritage Assets

- 4.17 The second response confirmed the mansion block broadly reflects the scale, mass, height and design of the adjacent villas on Church Road and the design of the mews building remains a subordinate backland building. Officers sought further details, particularly in relation to detailed design, landscaping and heritage impact.

Response

- 4.18 The DAS illustrates how the form and detailed design of the development has evolved following receipt of the Council's pre-application responses, Richmond Design Review Panel feedback and consideration of the Heritage Asset Appraisal. The amended scheme responds successfully to the townscape context and contributes positively to the character and appearance of the conservation area.

Transport

- 4.19 The pre-application response confirms that the principle of a 'car-free' development may be acceptable subject to appropriate levels of cycle parking provision and mitigation measures.

Response

- 4.20 The Transport Statement notes that the site is well served by a range of public transport facilities and is located close to Richmond Major Town Centre. The scheme includes cycle parking provision in accordance with the Council's minimum standards and a Travel Plan to encourage future occupiers and staff to use sustainable forms of transport.

Residential Amenity of Neighbouring Properties

- 4.21 The initial pre-application response stated that any application would need to be assessed in terms of its impact on sunlight/daylight to neighbouring properties as well as general outlook and visual intrusion. The second response considers the relationship with neighbours to be broadly acceptable. Concerns were raised about the impact of the mansion block on adjoining neighbours at no.40 Church Road.

Response

- 4.22 The proposed siting and layout has been designed to ensure no unreasonable impact on the outlook or visual amenity of neighbouring residential properties, having regard to its location and townscape context. The application is supported by a Sunlight, Daylight and Overshadowing Appraisal confirming that scheme complies with BRE guidance. The potential impact on no.40 Church Road is addressed in detail in the appraisal (page 12).

Ecology & Trees

- 4.23 The Council's pre-application response identified the need for further detailed reports, including an Ecology Report, Arboricultural Reports and a high-quality landscaping and planting scheme as well as mitigation to justify the loss of trees and the development overall to accord with LP 15 and LP16.

Response

- 4.24 The application is accompanied by an Arboricultural Report, an Ecological Appraisal and Landscape Report which address the policy objectives of LP 15 and LP16.

Summary

- 4.25 The pre-application response from the Local Planning Authority identifies the need to provide additional information in respect of energy and sustainability, ecology and tree protection, flood risk and sustainable urban drainage, highways and parking, and residential amenity to ensure the compliance with the relevant development plan policies and associated guidance. These reports are provided in support of the application.

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- 4.26 The applicant has engaged in proactive dialogue with the LPA at an early stage of the design process and has responded positively to the LPA's comments to ensure the submission scheme is policy compliant and the application (including supporting documents) addresses fully all matters raised during the pre-application process.

Richmond Design Review Panel

- 4.27 The draft scheme was presented to Richmond Design Review Panel on 19th July 2021. The panel consisted of the following members:

- Rebecca Mortimore (Chair) Director, Ramboll UK
- Dorian Crone Heritage and Design Consultant
- Katy Neaves Director, Neaves Urbanism
- Richard Woolf Director, McDaniel Woolf
- Amanda Whittington Partner, Feilden Clegg Bradley
- Holly Barker Associate, Assael Architecture

- 4.28 The Design Review Panel was also attended by members of LB Richmond Planning Team as well as Ward Councillors. A summary of advice issued by the Design Review Panel and the scheme architect's design responses are set out in the DAS.

Community Engagement

- 4.29 The applicant contacted neighbouring residents by letter drop which included details of the proposed scheme. The applicant invited residents to comment on the draft proposals and/or contact them for further information. The consultation leaflet is appended to this statement (see Appendix 5).

- 4.30 RHP received four responses from neighbouring residents. Two responses raised no objections to the scheme but sought further information. Concerns were raised by two residents about overdevelopment, height, overlooking, loss of light, lack of parking, refuse strategy and management of deliveries. All of these concerns have been addressed in the application submission documents.

5. APPLICATION SUBMISSION

- 5.1 The application seeks full planning permission for the erection of one 4-storey building and one 2-storey building comprising 12 affordable residential dwellings and a residential support unit; removal of existing vehicular access; landscaping including communal amenity space and ecological enhancement area; secure cycle and refuse storage structures.'

Tenure and Mix

- 5.2 The 4-storey mansion block comprises 8 units in total - four 1-bedroom/1person flats, two 1-bedroom/2person flats, one 1-bedroom/2person M4(3) wheelchair user flat to be occupied by people with a learning difficulty, and an additional unit to be used by the support/care providers. All residential dwellings in the mansion block will be affordable housing (social rent) accommodation.

- 5.3 The support unit has been designed to provide on-site ongoing care/support to enable future residents to live independently, incorporating office and sleeping accommodation for staff as well as communal floorspace for residents.

- 5.4 The 2-storey mews block comprises two 1-bedroom/2-person duplex houses and three 2-bedroom/4-person duplex houses with independent ground floor access onto the central communal area and private gardens to the rear. All residential dwellings in the mews block will be affordable housing (London Living Rent) accommodation.

Housing Quality

- 5.5 The proposed plans (drawing nos. WP-0733-A-0111 & WP-0733-A-01112) and Schedule of Accommodation confirm that all new dwellings have been designed to meet or exceed the National Technical Housing Standards in terms of unit size (Gross Internal Area), room sizes and storage provision.

- 5.6 All units are dual aspect and as confirmed by the Internal Daylight and Sunlight Report, all units exceed the BRE criterion of at least one room seeing 1.5 hours of direct sunlight on the spring equinox. All habitable rooms but one within the residential dwellings will also exceed the minimum recommendation for sunlight availability. A single first-floor bedroom located in the mews block falls marginally short of the minimum recommended provision.

Inclusive Access

- 5.7 The Wheelchair Housing Statement and Inclusive Access Statement incorporated within the Design and Access Statement (pages 28 & 48) confirms that all residential units are M4 (2) compliant adaptable dwellings with level threshold access. A part M4 (3b) fully accessible unit is provided on the ground floor of the mansion block with independent access to Church Road and communal amenity space at the rear. A lift is provided within the mansion block to serve the upper floor dwellings.

Architectural Design

- 5.8 The DAS demonstrates how the applicant has adopted a design-led approach to redevelopment of the site to ensure that the layout, scale and massing of the proposal respond to the site's unique townscape context. The scheme has been designed to optimise the development potential of the site and build on the positive characteristics of the surrounding area ensuring no adverse impact on neighbouring amenity or the character and appearance of the conservation area. The proposed architectural style and materials are described in detail in the Design and Access Statement.

Parking Provision

- 5.9 The development will be 'car-free', i.e. there will be no provision of on-site car parking for either residents or visitors. The scheme proposes the removal of an existing vehicular access to the site and the creation of one new disabled parking space and one additional permit-holder space on the Church Road frontage. The scheme incorporates conveniently located secure cycle parking adjacent to the mews block – the proposed provision accords with the Council's adopted standards.

Amenity Space Provision

- 5.10 The scheme seeks to maximise the provision of private amenity space, having regard to the nature of the development in this location and the site's location within easy walking distance of Worple Way Play Area and Richmond Park. All new dwellings have access to private external amenity space in the form of gardens, patio terraces or balconies which comply with the relevant minimum space standards, and additionally have access onto inclusive amenity space between the two blocks as well as an incidental playspace and wilded area to the north of the mews block.

Landscaping

- 5.11 The proposed landscape design and maintenance plan set out in the Landscape Report and Landscape General Arrangement Plan (drawing no. L-100) prepared by Outerspace Landscape Architects is integral to the overall design of the development. The landscaping proposals complement the form, scale, siting and orientation of the proposed buildings and provide an attractive mix of soft and formal spaces that will encourage both biodiversity and human/nature interaction.
- 5.12 The Landscape Report confirms the scheme has an **Urban Greening Factor of 0.417** comprising 435.9 square metres in total. The report calculates the total occupation yield of 19.4 persons including child yield of 2.1 children, generating a total play space requirement of 21.5 square metres. The scheme provides 56 square metres of play space and as such, exceeds the minimum standard of provision.

Ecology

- 5.13 The scheme will include a range of ecology mitigation and enhancement measures proposed by the Preliminary Ecological Appraisal (pages 25-30) and incorporated in the landscape design.

Waste Management

- 5.14 Details of the proposed refuse/recycling provision and servicing facilities are illustrated in the Design and Access Statement (page 49). A managed refuse strategy is proposed whereby refuse containers are moved onto the street for collection. An off-street collection area is provided adjacent to the back edge of pavement.

Energy and Sustainability

- 5.15 The Sustainability Statement confirms key sustainability features within the development will include:
- Reduction of total carbon emissions over Building Regulations;
 - Internal water use will meet the requirements of the London Borough of Richmond-upon-Thames Local Plan for an internal water use of 105 litres/person/day;
 - The inclusion of sustainable transport options;
 - A sustainable materials procurement policy and an efficient waste strategy on site;
 - The implementation of health and wellbeing measures; and,
 - Biodiversity enhancement measures.

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- 5.16 The Energy Strategy for the scheme has been developed following the GLA Energy Hierarchy and includes passive and active design measures and Green LZC technologies to achieve at least 35% improvement over Baseline CO² emissions. The proposed energy strategy for the development is set out in the Energy and Sustainability Statements which confirms the scheme complies with the 2013 Building Regulations Part L and the minimum energy efficiency targets in 'New build (Part L1A) – 'The actual building CO₂ emissions rate (TER) is no greater than the notional building CO₂ target emissions rate.
- 5.17 In addition, the CO₂ emissions of the scheme have been calculated using the SAP 10.0 carbon emission factors and the scheme can achieve:
- An on-site CO₂ reduction beyond Building Regulations through energy efficiency measures and maximised of renewable technologies (Air Source Heat Pumps)
 - The development achieves CO₂ improvement through energy efficiency measures, 'Be Lean 'stage.
 - A further improvement of CO₂ has been achieved through renewable technologies 'Be Green 'stage (Air Source Heat Pumps).

Sustainability Urban Drainage

- 5.18 The proposed development will include a sustainable urban drainage system (SuDS). The system is proposed to restrict the surface water discharge rate and provide betterment in terms of quality in accordance with the London Plan policy standards. The proposed SuDS components will allow the development to meet surface water management requirements for water quantity, whilst also providing a range of additional benefits for water quality, biodiversity and ecological value, amenity value, and health and wellbeing of residents.
- 5.19 A number of SuDS components are proposed as part of a surface water drainage strategy have been for the site, specifically attenuating surface water in an area of tanked permeable paving throughout the site. The proposed SUDs design is supported by a Management and Maintenance Plan submitted with the application.

6. PLANNING POLICY CONTEXT

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70 (2) of the Town and Country Planning Act 1990 requires planning applications be determined in accordance with an up-to-date Development Plan unless material considerations indicate otherwise.

National Planning Policy Framework

- 6.2 The National Planning Policy Framework (NPPF) sets out the Government's current national planning policy for England and policies in the Framework constitute a material consideration. In doing so, the NPPF does not change the statutory status of the development plan as the starting point for decision-making but national policy should be taken into account in the determination of planning applications.
- 6.3 The key national policy, as set out in the NPPF, states that at the heart of the Framework is a presumption in favour of sustainable development. The presumption in favour of sustainable development set out in the NPPF does not change the statutory status of the development plan as the starting point for decision-making and local planning authorities may take decisions that depart from an up-to-date development plan by application of the 'planning balance' if material considerations in a particular case indicate the plan should not be followed.

Housing Provision

- 6.4 The NPPF requires local planning authorities to provide a sufficient amount and variety of land to come forward where it is needed and ensure that land with permission is developed without unnecessary delay, in order to support the Government's objective of significantly boosting the supply of homes including affordable housing.

Small and Medium Sized Sites

- 6.5 The NPPF highlights the important contribution that small and medium sites – such as the application site – can make to meeting local housing need. The Framework recognises that small sites are often built out relatively quickly, thereby making a significant contribution towards meeting housing delivery targets in the short-term. National planning policy also requires local planning authorities to support the development of 'windfall sites' such as the application site, through their policies and decisions – giving '**great weight**' to the benefits of using suitable sites within existing settlements for homes. Hence, the NPPF **requires great weight** to be given to the benefits of redeveloping the application site for new housing to meet an identified local need.

Achieving Appropriate Densities

- 6.6 The NPPF promotes the effective use of land to meet the need for homes by achieving appropriate densities. Paragraph 122 encourages LPAs to support development that makes efficient use of land taking into account the desirability of maintaining an area's prevailing character and setting or of promoting regeneration and change.
- 6.7 The NPPF encourages the use of minimum density standards to seek a significant uplift in the average density of residential density within cities, town centres and other locations that are well served by public transport. Density ranges should also be set in other areas that reflect the accessibility and potential of different areas – rather than one broad density range.

Achieving Well-Designed Places

- 6.8 The NPPF confirms that good design is a key aspect of sustainable development and permission should be refused for development which does not take account of any local design standards or styles guides. To provide maximum clarity about design expectations, the NPPF recommends that Local Plans or supplementary planning documents should use design guides to provide a framework for creating distinctive places, with a consistent and high quality standard of design. The level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.
- 6.9 The NPPF requires design policies that seek to protect local character to be grounded in an understanding and evaluation of each area's defining characteristics to provide maximum clarity about design expectations. The Framework encourages the publication of character studies that identify the special qualities of each area and explain how these qualities should be reflected in development. The Design and Access Statement confirms that the proposed development will not affect the townscape character of the locality as identified in the Richmond and Richmond Hill Village Planning Guidance.

Highway Safety

- 6.10 NPPF paragraph 109 states "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*" The Transport Statement confirms that the proposed car-free development would not have an unacceptable impact on highway safety or the road network.

THE DEVELOPMENT PLAN

- 6.11 For the purpose of assessing the application against relevant policies, the 'development plan' relevant to consideration of development of the site comprises the London Plan (March 2021) - the Strategic Development Strategy - and the London Borough of Richmond-upon-Thames Local Plan adopted on 3rd July 2018.
- 6.12 Under section 38(5) of the Planning and Compulsory Purchase Act 2004 if a policy contained in a development plan for an area conflicts with another policy in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. In this case, the London Plan was adopted most recently and any policy conflict with the Local Plan must be resolved in its favour.

The London Plan 2021

- 6.13 The London Plan 2021 (also known as a Replacement Plan) is the new London Plan - it is not an alteration or update to previous London Plans. All previous iterations of the London Plan from 2004-2016 were alterations and have now been replaced by the London Plan 2021. It should be noted that the pre-application scheme was assessed by the LPA against the previous London Plan. The London Plan 2021 now provides even greater support for the proposed development.
- 6.14 **Policy S1 Developing London's Social Infrastructure** states when preparing Development Plans, boroughs should ensure the social infrastructure needs of London's diverse communities are met, informed by a needs assessment of social infrastructure. Assessments should consider the need for cross-borough collaboration where appropriate and involve relevant stakeholders, including the local community.

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- 6.15 Development proposals that would result in a loss of social infrastructure in an area of defined need as identified in the borough's social infrastructure needs assessment required under Part A should only be permitted where: 1) there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or; 2) the loss is part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.
- 6.16 It should be noted that the site has been vacant since 2013 - a considerable period of time prior to adoption of the Local Plan in 2018 and as such it was not considered as part of the borough's social infrastructure provision. The site has been included on the Council's Disposals Site List since 2012.
- 6.17 **Policy D3** seeks to optimise development site capacity through a 'design-led approach'. This policy replaces the previous approach to site optimisation which was based on a density matrix. The design-led approach requires all development to make the best use of land by ensuring that development is of the most appropriate form and land use for the site.
- 6.18 The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity. The DAS demonstrates how the application scheme follows a design-led approach to optimise the site capacity in terms of development density and residential unit mix.
- 6.19 **Policy H1** requires local authorities to increase housing supply. **Policy H2** requires boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) in order to increase significantly the contribution of small sites to meeting London's housing needs. The application site falls within the definition of a small site. As such, it is precisely the sort of site identified in Policy H1 and H2 as suitable to significantly increase housing supply.
- 6.20 **Policy H4** sets a strategic target for 50% of all new homes delivered across London to be genuinely affordable by requiring major developments which trigger affordable housing requirements to provide affordable housing through the threshold approach. Footnote 50 states "*all major development of 10 or more units triggers an affordable housing requirement. Boroughs may also require affordable housing contributions from minor housing development in accordance with Policy H2 Small sites.*" The application site falls above the threshold for 'applicable sites'.
- 6.21 This application seeks to provide 100% affordable housing comprising 58% social rent and 42% intermediate affordable housing. As such, the application exceeds the strategic target of Policy H5.
- 6.22 **Policy H10** recommends that housing schemes should generally consist of a range of unit sizes and the specific mix of unit sizes should have regard to:
- 1) *Robust local evidence of need;*
 - 2) *The requirement to deliver mixed and inclusive neighbourhoods;*
 - 3) *The need to deliver a range of unit types at different price points across London;*
 - 4) *The mix of uses in the scheme;*
 - 5) *The range of tenures in the scheme;*
 - 6) *The nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity;*
 - 7) *The aim to optimise housing potential on sites;*
 - 8) *The ability of new development to reduce pressure on conversion, subdivision and amalgamation of existing stock;*

9) *The need for additional family housing and the role of one and two bed units in freeing up existing family housing.*

- 6.23 The scheme comprises a mix of unit sizes on a constrained infill/backland site with restricted vehicular access. The DAS confirms that the design-led approach responds to the townscape and heritage context in terms of form and massing which, in conjunction with the nature of the site, has largely defined the number and size of units provided. The LPA's pre-application response confirms that one and two bedroom units would be appropriate in this location. As such, the scheme complies with policy H10.
- 6.24 **Policy T6** requires car parking to be restricted in line with levels of existing and future public transport accessibility and connectivity. Sub-section B confirms that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Policy T6 states that an absence of local on-street parking controls should not be a barrier to car-free development. Policy T6 states further that car-free development should still provide disabled persons parking in line with Part E of the policy.
- 6.25 **Policy T6** represents a significant change in the policy approach to car parking provision between the London Plan and Richmond-upon-Thames Local Plan. Since the London Plan was adopted more recently than the Local Plan, the restrictive approach to car parking provision required by the London Plan takes precedence over the Local Plan parking standards which seeks the provision of the maximum parking standard as a minimum outside areas of mixed use.
- 6.26 **Policy T6.1 G** requires development proposals delivering ten or more units to provide, as a minimum, at least one designated disabled persons parking bay per dwelling from the outset for three per cent of dwellings. The scheme seeks to ensure compliance with this policy by the provision of a disabled car parking space on the public highway, in place of the existing vehicular crossover.

Richmond-upon-Thames Adopted Local Plan

- 6.27 The site does not fall within any specific area designation defined by the Local Plan. The following generic Local Plan policies as relevant to consideration of the proposed redevelopment for new housing:

- LP 1 – Local Character and Design Quality
- LP 2 – Building Heights
- LP 3 - Designated Heritage Assets
- LP 8 – Amenity and Living Conditions
- LP 15 – Biodiversity
- LP 17 – Green Roofs and Walls
- LP 20 – Climate Change Adaptation
- LP 22 – Sustainable Design and Construction
- LP 24 – Waste Management
- LP 34 – New Housing
- LP 35 – Housing Mix and Standards
- LP 36 – Affordable Housing
- LP 39 – Infill, Backland and Backgarden Development
- LP 28 - Social and Community Infrastructure
- LP 44 – Sustainable Travel Choices
- LP 45 – Parking Standards and Servicing

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- 6.28 **Policy LP 1 – Local Character and Design Quality** requires new development to respect the local environment and character having regard to height, scale, massing, density, space between buildings, sustainable design and construction etc. The DAS confirms that the proposed development respects the local environment and character of the area.
- 6.29 **Policy LP 2 – Building Heights** requires new buildings to generally reflect the prevailing building height within the vicinity. Where new buildings are taller than the surrounding townscape they must be of high architectural design quality and standards, deliver public realm benefits and have a positive impact on the character and quality of the area. The proposed site elevations and site sections demonstrate how the proposed height, scale, massing as well as the proposed layout, orientation and separation distances all respect the prevailing character of the area.
- 6.30 **Policy LP 3 – Designated Heritage Asset** requires development to conserve and, where possible, take opportunities to make positive contribution to the historic environment of the borough. All proposals in conservation areas are required to preserve, and, where possible, enhance the character and appearance of the conservation area. The DAS and Heritage Asset Appraisal confirm that the proposed development would enhance the character and appearance of St Matthias Conservation Area.
- 6.31 **Policy LP 8 – Amenity and Living Conditions** requires all new development to protect the amenity and living conditions of occupiers of existing adjacent properties and new residential dwellings in terms of sunlight and daylight, privacy, noise and sense of enclosure, visual intrusion and overbearing impact as well as reasonable enjoyment of existing or proposed external amenity space.
- 6.32 The application is supported by a Daylight/Sunlight/Overshadowing Assessment which undertook detailed analysis of the development. It confirms the scheme complies with BRE guidance. The application drawings and DAS show that the separation distances between the proposed development and neighbouring dwellings are such that there would be no adverse impact in terms of privacy, outlook, visual intrusion or sense of enclosure having regard to the townscape context.
- 6.33 **Policy LP15 Biodiversity** encourages the creation and incorporation of new bio-diversity features and habitats into new development and where development will impact on existing habitat, to mitigate or compensate for any harm or loss. The Ecology Report confirms that the development will not significantly impact on existing habitats and the landscape scheme incorporates a range of biodiversity mitigation/enhancement features as recommended by the Ecology Report.
- 6.34 **Policy LP 16 – Trees Woodland and Landscape** seeks to resist the loss of trees unless dead, dying or dangerous, or where a tree is causing significant damage to neighbouring structures; or has little or no amenity value; or for reasons of good arboricultural practice.
- 6.35 The proposed development would not have any adverse impact on trees on the neighbouring site as identified in the arboricultural survey. The arboricultural constraints plan and planning drawings confirm the proposed mitigation measure to ensure no harm will be caused to these trees as a result of the development.
- 6.36 **Policy LP 17 Green Roofs and Walls** encourages – where feasible – the incorporation of green and/or brown roofs into all new major development. Due to the constraints imposed by the conservation area designation on the contextual design of mansion block and the provision of PV panels on the mews block, the scheme offers limited opportunities to incorporate green roofs. Nevertheless, the scheme seeks to maximise the feasible provision of green roofs which will be located on ancillary structures within the development.

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- 6.37 **Policy LP 20 – Climate Change Adaptation** requires new development to be designed to minimise the effects of overheating and minimise energy consumption. The energy strategy set out in the Energy Report and Sustainability Statement confirm that the proposed development complies fully with Policy LP 20.
- 6.38 **Policy LP 21 – Flood Risk and Sustainable Drainage** requires the use of Sustainable Urban Drainages Systems (SuDS) in all new development achieving greenfield run-off rates wherever feasible, or where greenfield run-off rates are not feasible, at least a 50% attenuation of the site's surface water run-off at peak times based on the levels existing prior to the development. The SuDS Strategy confirms that preliminary hydraulic modelling of the proposed development site has been undertaken based on a notional surface water drainage network, and demonstrates that the proposed SuDS components would be viable for the surface water drainage strategy for the site, in order to achieve the targeted discharge rates, whilst mitigating flood risk to the site and surrounding area.
- 6.39 **Policy LP 22 – Sustainable Design and Construction** requires new major residential developments to achieve zero carbon standards in line with the London Plan, to achieve maximum water consumption of 110 litres per person per day and connect to existing DE networks where feasible. Paragraph 6.3.12 confirms A 'zero carbon home' is one where at least 35% of regulated CO2 emissions reductions are achieved on-site, with the remaining emissions (up to 100%) to be offset through a contribution into the Council's Carbon Offset Fund. The Energy and Sustainability Statements and Water Use Calculation confirm the proposed development will comply fully with Policy LP22 in terms of carbon emission reduction and water consumption, and provides detailed justification in respect of existing DE network connection.
- 6.40 **Policy LP 24 – Waste Management** requires all new development to provide adequate refuse and recycling storage space and facilities in accordance with the Council's SPD. The proposed plans and DAS confirm that the scheme complies with the Council's requirements for refuse and recycling storage provision.
- 6.41 **Policy LP 35 – Housing Mix and Standards** states that development should generally provide family-sized accommodation - except in the borough's main town centres or Areas of Mixed Use – and the housing mix of all new development should be appropriate to the site-specifics of the locality. The application site is located within Richmond South ward which includes Richmond Major Town Centre. The ward comprises a mixture of detached, semi-detached and terraced housing as well as purpose-built and conversion flatted development. The provision smaller flatted and duplex housing units would be appropriate in the wider context of this Ward.
- 6.42 In terms of the immediate locality, Richmond and Richmond Hill Village Planning Guidance describes Church Road as comprising mainly large semi-detached or detached three-storey dwellings, although displaying some variety with a number of 20th century developments. Some of these villas – such as no.40, nos. 44-46, nos.52-54 and no. 62 Church Road - have been converted into flats with garage blocks to the rear. As such, the proposed housing mix comprising one and two bedroom units would also be appropriate to the context of the immediate locality.
- 6.43 Policy LP 35 also requires that all new housing developments complies with the National Technical Housing Standards and should provide adequate external space having regard to the Council's SPD, as appropriate. Policy LP35 also requires 90% of all new dwellings to meet BRR M4 (2) and 10% are required to meet BRR (M4 (3).
- 6.44 The DAS demonstrates that the scheme complies fully with the National Technical Housing Standards as well as the minimum requirements for BRR M4 (2) and BRR (M4 (3).

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- 6.45 **Policy LP 36 – Affordable Housing** expects 50% of all new housing units in the borough to be affordable housing, comprising a tenure mix of 40% for rent and 10% intermediate housing which is inconsistent with the affordable housing tenure mix set out in the London Plan. The scheme provides 100% affordable housing comprising a tenure mix of 58% for affordable rent and 42% intermediate housing which substantially exceeds the policy target.
- 6.46 **Policy LP36** expects on-site affordable housing provision on all sites capable of providing 10 or more units and all former employment sites and off-site provision on small sites (less than 10 units).
- 6.47 Sub-section C states that in accordance with Sub-sections A and B the Council will seek the maximum reasonable amount of affordable housing on individual private residential and mixed use schemes having regard to economic viability, individual site costs, the availability of public subsidy and the overall mix of uses and other planning benefits. The scheme also complies with Policy LP36.
- 6.48 **Policy LP 28 – Social and Community Infrastructure** states that the loss of social or community facilities will be resisted unless:
1. There is no longer an identified need or the facilities no longer meet the needs of users and cannot be adapted;
 - or**
 2. Existing facilities are being adequate or re-provided or there are sufficient suitable alternative facilities in the locality; **and**
 3. The potential of re-using or redeveloping the existing site for the same or an alternative social infrastructure use for which there is a local need has been fully assessed – this should include marketing for a period of at least two consecutive years.
- 6.49 The application is supported by evidence provided by the Council’s Estates Department confirming that the site has remained on its disposal list – which is a publicly available document - since 2012 with periodic updates reported to the Council’s Cabinet (Appendix 3 and 4). In that time, no local community group or provider of local infrastructure has expressed an interest in the site or identified a need for a community facility capable of being provided the site. The Council’s position remains that it does not have an alternative community use for the site.
- 6.50 Policy LP 28 also states where the above evidence has been provided and the change of use away from social and community infrastructure use has been justified, the Local Plan requires redevelopment for other employment generating uses or affordable housing to be considered. The supporting text to Policy LP28 recognises that, if a public disposal process has taken place as part of an agreed programme of social infrastructure re-provision which confirms that the disposal of assets is necessary to ensure continued delivery of social infrastructure and related services elsewhere, this will be taken into account. The disposal of the site forms part of the Council’s overall estates strategy which includes the re-provision of social infrastructure being met elsewhere in the borough.
- 6.51 Paragraph 8.1.1 of the supporting text makes clear that policy LP28 *“covers any type of social and community infrastructure floorspace that is important to the local community.”* The local planning authority granted permission for demolition of the community hall in 2018 and consequently loss of the existing community infrastructure floorspace without securing replacement floorspace in the site or off-site.
- 6.52 The policy justification also states that where the above evidence has been provided 100% affordable housing schemes would also be supported by the Council where other policy priorities are met to demonstrate wider benefits to meet community needs. In this case, the proposed development comprises 100% affordable housing provision in accordance

with this policy requirement. The supporting evidence submitted with the application confirms the proposed development complies fully with the requirements of Policy LP28.

- 6.53 **Policy LP31 – Public Open Space, Play Space, Sports and Recreation** requires all major development proposals to provide an analysis of existing open space provision to ensure adequate provision; provide play space in accordance with a child occupancy assessment; and assess the need and feasibility for on-site provision of new playing fields and ancillary sports facilities. Paragraph 8.4.8 of the supporting text states that *“new major developments may lead to increases in usage and may therefore put an additional burden and pressure on the capacity of the existing provision.”*
- 6.54 The GLA Population Yield Calculator for the development is set out in the Landscape Report (page 14). It confirms a total yield of 19.4 persons with a tenure split of 10.1 persons in Social Rented units and 9.3 persons in Intermediate units. In accordance with the Council’s Housing Allocation Scheme, applicants for social housing are likely to be placed on the lower eligibility band if they have not been resident within the borough for a continuous minimum period of three years immediately preceding their application. These units are unlikely, therefore, to be occupied by new residents of the borough or to put any additional burden or pressure on the borough-wide provision of public open space or recreational facilities.
- 6.55 The site is not located within an ‘Area of Public Open Space’ deficiency as identified on the Policies Map and as such it is located within 400 metres of a designated public open space. The site is located less than 400 metres from Worple Way Play Area and Sports Facilities and less than 1200 metres from Richmond Green, the River Thames and Richmond Park.
- 6.56 The child yield and play space needs of the development are also included in the Landscape Report (page 14) which calculates the total child yield for the development at 2.1 children (1.2 under five, 0.7 under twelve and 0.2 between 12-17 years). The Landscape Plan shows adequate provision in excess of the requirement for on-site under 5 year-old provision is incorporated in the scheme layout.
- 6.57 Play space and sports facilities in Worple Way are located within 400 metres of the site which provide sufficient high quality provision for 5-11 year-olds. The site is located within 800 metres of Richmond Old Deer Park, the River Thames and Richmond Park which provide a wide range of play and sports facilities for 12+ age groups. Notwithstanding the scheme falls within the definition of ‘major development’, the child yield is considered to be negligible and existing facilities within the locality can accommodate additional capacity generated by the development. As such, the scheme will not put an additional burden or pressure on existing provision.
- 6.58 **Policy LP 44 – Sustainable Travel Choices** promotes safe, sustainable and accessible transport solutions which seek to ensure that new development does not have a severe impact on the operation, safety or accessibility to the local or strategic highway network. The Transport Statement confirms the site’s highly sustainable location with access to various sustainable travel mode options. The scheme is ‘car-free’ and the Transport Statement outlines a Travel Plan Statement to be prepared and implemented by RHP. It is considered that residents and support staff would travel to and from the site by sustainable modes of transport in accordance with Policy LP 44.
- 6.59 **Policy LP 45 – Parking Standards and Servicing** requires new development to provide parking in accordance with the standards set out in Appendix 3. The Transport Statement confirms that the proposed development complies fully with the Local Plan policy requirements for sustainable development in terms of sustainable travel choices, parking and servicing. It demonstrates that the proposed development will result in a net improvement in highway safety in accordance with the Local Plan transport policies.

Summary

- 6.60 The proposed development has been assessed against all relevant development plan policies, SPD and supplementary guidance. The application has been prepared in consultation with the local planning authority and Richmond Design Review Panel. The scheme is supported by technical reports and appraisals demonstrating its compliance with all relevant policies in the development plan.

7. KEY PLANNING CONSIDERATIONS

Background

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70 (2) of the Town and Country Planning Act 1990 requires planning applications be determined in accordance with an up-to-date Development Plan unless material considerations indicate otherwise.

7.2 The main principles in determining whether a proposal is "in accordance with the plan" have been established by planning case law, the most relevant being cited below:

- The section 38(6) duty can only be properly performed if the decision-maker establishes whether or not the proposal accords with the development plan as a whole: *BDW Trading Ltd. v Secretary of State for Communities and Local Government* [2016] EWCA Civ 493.
- Development Plan policies can "pull in different directions", i.e. some may support a proposal others may weigh against it: *R v Rochdale Metropolitan Borough Council, ex parte Milne* [2000] EWHC 650.
- A decision maker is required to assess the proposal against the potentially competing policies and then "decide whether in the light of the whole plan the proposal does or does not accord with it": *City of Edinburgh Council v Secretary of State for Scotland* [1997] 1 W.L.R. 1447
- It is not a mathematical or mechanical exercise. It is not a question of counting: *Dignity Funerals Limited v Breckland District Council* [2017] EWHC 1492 (Admin)5.
- The balancing exercise calls for a series of judgments to be made, which may include determining the relative importance of the policy, the extent of any breach and how firmly the policy favours or set its face against such a proposal: *R v Rochdale Metropolitan Borough Council, ex parte Milne* [2000] EWHC 650.
- A development that accords with the policies in the Local Plan cannot be said to depart from the plan because it failed to satisfy additional criteria referred to only in the supporting text: *R (Cherkley Campaign Ltd) v Mole Valley District Council* [2014].

Even if an application is deemed to have breached one or more Development Plan policies the proposal must still be assessed in respect of the statutory 'planning balance' within s.38(6) of the Planning and Compulsory Purchase Act 2004.

Introduction

7.3 The application seeks full planning permission for the redevelopment of a vacant site formally in community use. Redevelopment will enhance the character and appearance of the conservation area and make a positive contribution to meeting the borough's affordable housing need.

7.4 The site falls within the definition of 'previously developed land' and is currently vacant. It falls within a predominantly residential area – a mixture of houses and flats – and is located close to Richmond Major Town Centre. It also falls within St Matthias Conservation Area.

7.5 The application is supported by technical surveys, appraisals and reports which confirm the proposed development complies with all relevant environmental policies in the development plan. The scheme has also been assessed positively

against all relevant design standards in terms of sustainable design and construction, housing quality and architectural quality.

- 7.6 The key land use planning considerations relating to the proposed redevelopment of the site and the creation of new residential accommodation are addressed in this section.

The Planning Balance

- 7.7 In considering the ‘planning balance’ the importance and relevance of planning benefits – particularly the regeneration, environmental and community benefits of the proposals – should not be overlooked. The benefits arising from this development are summarised below:

- Redevelopment of an under-utilised vacant site;
- Re-provision of a highly accessible site located close in a major town centre with uses appropriate to the locality;
- Benefits resulting from redevelopment of a key ‘gap’ site in the townscape enhancing the character and appearance of the conservation area;
- Construction of highly sustainable, energy efficient buildings;
- The provision of affordable housing to meet an identified local need;

- 7.8 Uppermost in this list of benefits must be the community benefits - the provision of new affordable homes to help meet the urgent housing need in the borough, particularly for assisted living accommodation for social rent which must be balanced against the loss of a ‘dormant’ community use.

Loss of Community Use

- 7.9 Policy LP 28 (Social and Community Infrastructure) identifies the need to ensure adequate provision of community services and facilities and to resist the loss of social and community infrastructure unless the Council is satisfied that change of use has been justified, in which case employment generating uses or affordable housing should be considered.

- 7.10 Paragraph 8.1.2 of the Local Plan supporting text confirms that Policy LP 28 covers any type of ‘social and community infrastructure floor space’ that is important to the local community. The LPA’s Local Plan Examination In Public Written Statement (Hearing 2: Community Facilities) confirms:

“The approach to Community Facilities in the Plan covers a myriad of essential and highly valued social and community infrastructure uses that form an important part of sustainable development and healthy communities. These are important to protect, and to consider future infrastructure needs to accompany housing and economic growth. This is particularly important in the borough context of limited land supply, high values and development pressures, in which lower value uses may find it hard to compete for.”

- 7.11 The Written Statement confirms that the policy approach set out in LP 28 is intended to be applied ‘flexibly’ and can also be effective in securing opportunities for alternative uses such as affordable housing. In particular, it notes that social infrastructure monitoring indicators show over the five years between 2010/11 & 2015/16 the general trend in completions with an overall gain in social or community infrastructure floorspace.

- 7.12 Policy LP 28 Section C set out three criteria which would justify the loss of a social or community use on a site and where provision of employment generating use or affordable housing would be considered. Section C sub-section (1) requires the applicant to demonstrate clearly that there is no longer an identified community need for the facilities or they no

longer meet the needs of users and cannot be adapted. The policy refers to the 'adaption' of existing facilities in relation to the building structures and/or floorspace which is not relevant to this case because the community hall has been demolished with permission.

7.13 LP 28 states that subsection (1) or (2) and (3) must be met for the loss of social and community facilities to be justified in accordance with the policy and therefore it should not be necessary to address sub-sections (2) and (3) in respect of the proposed development.

7.14 The site was confirmed as a surplus property by Richmond-upon-Thames Cabinet in January 2012 and has been on the Council's Property Sales and Investment Programme for over a decade. The Sales/Re-investment Programme 2010-2013 (26 January 2012 update) refers to Meadows Hall as follows:

"Age UK are due to relocate to Twickenham Day Centre, Aragon Road. Subject to planning, the Meadows Hall site could now be sold for wholly residential redevelopment or developed for another Council purpose. Option for use as Voluntary Sector Hub to be explored."

7.15 The Sales /Reinvestment Programme (July 2013 Update) confirms the following:

"Site is now vacant as Age UK have relocated to Day Centre, Aragon Road, Twickenham. Potential for development with a voluntary sector hub explored and rejected on cost."

7.16 At a meeting of the Cabinet on the 19 September 2013, it was resolved to sell Meadows Hall on the proviso that it would be sold as a scheme for a 100% affordable housing. The Asset Management Update Report recommending disposal of Meadows Hall for affordable housing was approved by Richmond Cabinet on 15th March 2018. These Asset Management Reports relating to Meadows Hall are appended to this statement.

7.17 The 2018 update report recommends the following:

"(a) The site is formally declared as being surplus to the Council's operational requirements.

(b) A planning brief is prepared that will cover the proposed use and design of any future development.

(c) The site is openly marketed using the two-stage process outlined in paragraph 2.4 of the Disposals Procedure and Paragon be invited to bid.

(d) That the Joint Deputy Leader – Environment, Business and Community, in consultation with the Assistant Director, Property Services, is given delegated approval to agree terms and conclude the sale of the land provided that the terms proposed represent market value (reflecting the restriction on the sites use to affordable housing)."

7.18 Demolition of the community hall was granted planning permission in 2018. The building was subsequently demolished with the benefit of this permission and without any condition or obligation for re-provision of community facilities on the site or elsewhere. The planning officer's report states:

"The last use of the building is stated as a social centre it is detailed within the submission that the building has been vacant for some years and that it is possibly unsafe. In view of this, there is no principle objection to the demolition of the structure. However, it is necessary to assess whether demolition is absolutely necessary and if the possibility of reparation has been explored."

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- 7.19 The officer's report concludes *"the demolition is acceptable as it has been evidenced that there are major health and safety concerns in the building."* Since the social infrastructure facilities no longer exist on the site and the former use remains dormant (or has been abandoned) the criterion set out in Policy 28 sub-section C (1) has already been demonstrated to the satisfaction of the LPA in 2018.
- 7.20 The Meadows Hall site has remained vacant since it was vacated in 2012 and prior to the building being demolished in 2018, no alternative community use had been identified. The site has been declared surplus by the Council following an assessment of potential redevelopment as a community hub was rejected. As part of the disposal process and prior to the site being declared surplus, the Council approached other service providers/partners who form part of the Richmond-upon-Thames Partnership which includes the public, private, voluntary and community sectors.
- 7.21 It is important to note that when permission was granted for demolition of Meadow Hall there was no identified need for the building or site for D1 uses i.e. the former occupier (Age UK) had been relocated and no other community use has been identified for the vacant site.
- 7.22 Policy LP 28 states that sub-section (1) or (2) and (3) must be met for the loss of social and community facilities to be justified in accordance with the policy and therefore it should not be necessary to address sub-sections (2) and (3) in respect of the proposed development. Notwithstanding the fact that sub-section C(1) has been met and the facilities no longer exist, the LPA's pre-application response states that the proposed change of use also requires sub-section (2) and (3) to be addressed.
- 7.23 Sub-section C (2) requires proposals for the loss of social or community infrastructure to demonstrate that the existing facilities are being adequately re-provided in a different way or elsewhere in a convenient alternative location accessible to the current community it supports or that there are sufficient suitable alternative facilities in the locality. Sub-section C (2) relates specifically to the existing facilities and not any alternative social or community uses (as referred to in sub-section C (3)).
- 7.24 Meadows Hall was previously occupied by Age UK as a day care centre. With the assistance of the Council, Age UK moved to a newer facility at the Twickenham Day Centre in 2012. Meadows Hall has remained vacant since Age UK's departure. The Council's Property Management Team undertook a survey of the existing provision of D1 uses within a 1 mile radius of the site (appended to this statement – Appendix Seven). The survey confirms that, due to its proximity to Richmond Major Town Centre, the site's locality is very well provided for community uses and services including day nurseries and day centres, primary and secondary schools, sports and leisure facilities, museums, theatres and galleries, libraries, public halls, places of worship and medical services.
- 7.25 Since the site was identified as a disposal site on the basis of it being surplus to local community need for a day care centre (which has been re-provided elsewhere in the borough), and has subsequently been vacant for many years prior to its demolition, and it has been demonstrated that there are sufficient suitable alternative social and community facilities in the locality, sub-section C(2) has been addressed fully.
- 7.26 Policy 28 sub-section C (3) requires that the potential for re-use or development of the existing site for the same or an alternative social infrastructure use for which there is a local need has been fully assessed, including evidence of completion of a 'full and proper marketing exercise' of the site for a period at least two consecutive years in line with requirements set out in the Adopted Local Plan (Appendix 5). Paragraph 8.0.2 confirms that the LPA's assessment will consider the overall length, type and quality of the marketing and if the applicant has put forward a justification for any

shortcomings in the marketing. In respect of Meadows Hall, the criteria set out in the adopted Local Plan (Appendix 5) are considered below.

1. *Evidence that the facility is no longer needed. Evidence of meaningful engagement with service providers or a public disposal process would be required to demonstrate this.*
- 7.27 Meadows Hall was considered surplus to requirements by the Council's Cabinet in January 2012. The property was subsequently included on the Council's Property Sales and Reinvestment Programme. The availability of the site has been published on the Council's website for a number of years and there has therefore been marketing undertaken. On the basis of responses from Achieving for Children and Adults and Social Services no identified need had been identified by these departments. Publication on the Council's Sales and Reinvestment Programme did not result in any positive response. Given the dilapidated state of Meadows Hall prior to demolition it is unlikely that any voluntary organisations would have had the funding to renovate/rebuild to bring it to an acceptable standard for a community function.
2. *Evidence that the loss of the facility would not have a detrimental impact on social and community service provision. For example, a marketing report could provide details of alternative facilities in close proximity and provide evidence that existing users have all been successfully relocated and this has not resulted in any shortfall in provision.*
- 7.28 A survey included at Appendix 7 identifies the existing provision in this area. The previous community services [existing provision] have already been relocated elsewhere in the borough. Since Age UK vacated the site no alternative community organisation or service has been identified.
3. *Consideration should be given to the potential for adapting the site/ premises to meet community needs either now or in the future.*
- 7.29 The previous building has been demolished with permission – adaptation is not relevant to consideration of the current application. Nevertheless, given the dilapidated condition of the property prior to demolition, there was likely to be a significant cost implication to any occupiers looking to restore the hall for new community use. Any redevelopment would incur significant expenditure and community organisations are unlikely to have the capital available.
4. *Evidence should be provided to show that the premises have been offered at a reasonable charge to appropriate user groups, e.g. at a discounted rate to community groups of voluntary organisations.*
- 7.30 Achieving for Children and Adults and Social Services have not identified any occupational requirement for the site since Age UK vacated the premises. At the time Age UK was relocated from Meadows Hall, Adults and Social Services carried out extensive consultations with stakeholders but no occupational requirement was identified.
- 7.31 Paragraph 8.1.3 of the Local Plan confirms that the borough's infrastructure provision and needs have been identified with the relevant partner organisations and are set out in the Council's Infrastructure Delivery Plan (IDP). Paragraph 13.2.8 of the Local Plan sets out the scope of facilities that have been investigated as part of the IDP including Social and community infrastructure, education, health care, adult social care, sport and leisure facilities, affordable housing, arts and culture; emergency service, green infrastructure, utilities and physical infrastructure, transport infrastructure and heritage assets.
- 7.32 Paragraph 13.2.9 of the Local Plan confirms the IDP ensures therefore that **all** infrastructure matters necessary for the achievement of Local Plan Vision and Spatial Strategy as well as the policies and site-specific proposals are embraced.

Paragraph 13.2.10 states further that the Local Plan and IDP are supported by the Council's Infrastructure Delivery Schedule (IDS) "*which sets out the where, what, why, who, and when key infrastructure is required in the borough.*"

7.33 Richmond Council's Cabinet has determined that the site is surplus to the Council's operational requirements. Appendix A of the Cabinet report outlines the Council's Asset Disposal Procedure for sale of surplus property. The procedure includes consultation with all service departments [and partners] about whether the property could meet their current or future service needs, prior to any decision confirming a property as surplus to operational requirements. Richmond-upon-Thames Partnership brings together the public, private and voluntary and community sectors of the borough including the police and fire services, NHS Trust and voluntary sectors. As such, the Council's disposal procedure ensures all relevant organisations are aware of the site and confirms the site does not meet the current or future needs of any Council services or partner organisations.

7.34 In the context of considering the proposals in relation to the additional requirements set out in Appendix 5 of the Local Plan, the Council corporately has not identified any local need which is not being met or for which this site could realistically be used. Marketing would not change that fact.

7.35 Hence, the potential for re-using or developing the site for the previous or an alternative social infrastructure use for which there is a local need has been fully explored with public, private and voluntary and community sectors, as well as consultation with Council departments and the proposed change of use meets the requirements of LP 29 C (3).

Provision of Affordable Housing

7.36 The Local Plan identifies affordable housing provision as a "key priority of the Plan" with the Council's Strategic Objective setting out a requirement to "pursue all opportunities to maximise affordable housing across the Borough through a range of measures including providing more choice in the different types of affordable housing and different levels of availability".

7.37 Furthermore, **Policy LP 36** sets out the affordable housing policy and paragraph 9.3.1 identifies that the Borough Strategic Market Housing Assessment dated December 2016 identified a net deficit of 964 affordable homes per annum between 2014 to 2033, thus identifying that the need for affordable homes in the borough remains "substantial".

7.38 **Policy LP 28 D** states that where the Council is satisfied that evidence has been provided to justify change of use away from social and community infrastructure use, redevelopment for other employment generating uses or affordable housing should be considered.

7.39 The LPA's pre-application response confirms the acceptability of residential use subject to other policy considerations. As such, consideration of the strategic objective and the affordable housing policy need to be given significant weight in the application process. The benefits of providing much needed affordable housing in this location substantially outweigh the loss of a 'dormant' community use for which there is no identified local need.

8. CONCLUSIONS

- 8.1 The site comprises 'previously developed land' in an established settlement that has been vacant for a decade. It is located within easy walking distance of a range of sustainable modes of public transport, public services and local community facilities.
- 8.2 Meadows Hall was demolished in 2018 with the benefit of planning permission and it has been clearly demonstrated with reference to LP 28 that there is no longer an identified community need for the site.
- 8.3 This scheme offers a clear opportunity to make more efficient use of under-utilised land in a highly sustainable location to deliver high quality housing and help meet the borough's identified local affordable housing need.
- 8.4 Having regard to the prevailing character and the policy requirement for residential schemes to optimise the development potential of sites in areas such as this, it has been demonstrated that the site can accommodate the proposed scale and form of development which are considered to be appropriate to the context.
- 8.5 The development provides an inclusive, design-led scheme that is attractive to look at and will enhance the visual quality of the locality as well as the character and appearance of the St Matthias Conservation Area. It responds innovatively to the site constraints whilst seeking to optimise an appropriate and sustainable form of development.
- 8.6 The scheme has been subjected to a comprehensive community engagement including pre-application consultation with the local planning authority, Richmond Design Review Panel and local residents.
- 8.7 This statement demonstrates that the application has been prepared in the context of and informed by pre-application discussions with the LPA.
- 8.8 The application is supported by a large number of technical surveys, appraisals, reports addressing planning matters including Design & Access, Transport, Sunlight and Daylight, Sustainability, Urban Drainage, Ecology and Energy/Sustainability. The supporting documents demonstrate the scheme complies fully with all relevant environmental policies in the development plan.
- 8.9 The supporting documents also demonstrate that the proposed development would not cause any unacceptable impact on the residential amenity of existing neighbouring properties and would not put an additional burden and pressure on the capacity of the existing provision of local services, community facilities, open space or recreation facilities.
- 8.10 Planning legislation requires planning applications to be determined in accordance with an up-to-date development plan unless material considerations indicate otherwise. The development plan is up-to-date and a review of relevant policies confirms the scheme complies fully within all applicable Strategic and Local Plan policies. In accordance with NPPF paragraph 11 the development should be approved without delay.