

Application reference: 23/1152/FUL
TEDDINGTON WARD

Date application received	Date made valid	Target report date	8 Week date
28.04.2023	12.05.2023	07.07.2023	07.07.2023

Site:

Unit 2, Plough Lane, Teddington,

Proposal:

Demolition of existing Use Class B8 (Storage) building. Construction of 1No. two-bedroom dwellinghouse with associated works

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

APPLICANT NAME

Mr Daniel Lawrence
21 Coningesby Drive
21 Coningesby Drive
Watford
WD17 3BD
United Kingdom

AGENT NAME

DC Site Notice: printed on and posted on and due to expire on

Consultations:

Internal/External:

Consultee

14D POL
LBRUT Transport
LBRUT Environmental Health Contaminated Land

Expiry Date

30.05.2023
30.05.2023
30.05.2023

Neighbours:

7 Plough Lane, Teddington, Middlesex -
8 Plough Lane, Teddington, TW11 9BN, -
3 Springfield Road, Teddington, TW11 9AP, - 15.05.2023
5 Springfield Road, Teddington, TW11 9AP, - 15.05.2023
Ground Floor, 1 Rowan House, Field Lane, Teddington, TW11 9BP, - 15.05.2023
Flat 8, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 7, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 6, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 5, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 4, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 3, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 2, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 1, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
70 High Street, Teddington, TW11 8JD, - 15.05.2023
Ground Floor, 7 Plough Lane, Teddington, TW11 9BN, - 15.05.2023
Flat 3, 78 High Street, Teddington, TW11 8JD - 15.05.2023
Flat 2, 78 High Street, Teddington, TW11 8JD - 15.05.2023
Flat 9, 68 High Street, Teddington, TW11 8JD, - 15.05.2023
Flat 2, 1 Plough Lane, Teddington, TW11 9BN, - 15.05.2023
Flat 1, 1 Plough Lane, Teddington, TW11 9BN, - 15.05.2023
Flat 2, 2 Plough Lane, Teddington, TW11 9BN, - 15.05.2023
Flat 1, 2 Plough Lane, Teddington, TW11 9BN, -

Flat 2,82 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 1,82 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 8,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 7,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 6,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 5,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 4,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 3,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 2,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 1,Rowan House,Field Lane,Teddington,TW11 9BP, - 15.05.2023
Flat 1,72 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 2,72 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 3,86 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 2,86 High Street,Teddington,TW11 8JD - 15.05.2023
Flat 6,82 High Street,Teddington,TW11 8JD - 15.05.2023
Flat 5,82 High Street,Teddington,TW11 8JD - 15.05.2023
Flat 4,82 High Street,Teddington,TW11 8JD - 15.05.2023
Flat 3,82 High Street,Teddington,TW11 8JD - 15.05.2023
Flat B,80 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 1,86 High Street,Teddington,TW11 8JD, - 15.05.2023
80A High Street,Teddington,TW11 8JD, - 15.05.2023
72 High Street,Teddington,TW11 8JD, - 15.05.2023
84 High Street,Teddington,TW11 8JD, - 15.05.2023
74 High Street,Teddington,TW11 8JD, - 15.05.2023
80 High Street,Teddington,TW11 8JD, - 15.05.2023
First Floor,7 Plough Lane,Teddington,TW11 9BN, - 15.05.2023
84B High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 4,74 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 3,74 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 2,74 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 1,74 High Street,Teddington,TW11 8JD, - 15.05.2023
76 High Street,Teddington,TW11 8JD, - 15.05.2023
86 High Street,Teddington,TW11 8JD, - 15.05.2023
82 High Street,Teddington,TW11 8JD, - 15.05.2023
84A High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 1,78 High Street,Teddington,TW11 8JD, - 15.05.2023
1 Field Lane,Teddington,TW11 9AW, - 15.05.2023
17 Springfield Road,Teddington,TW11 9AP, - 15.05.2023
15 Springfield Road,Teddington,TW11 9AP, - 15.05.2023
13 Springfield Road,Teddington,TW11 9AP, - 15.05.2023
11 Springfield Road,Teddington,TW11 9AP, -
9 Springfield Road,Teddington,TW11 9AP, - 15.05.2023
7 Springfield Road,Teddington,TW11 9AP, - 15.05.2023
1 Springfield Road,Teddington,TW11 9AP, - 15.05.2023
7 Field Lane,Teddington,TW11 9AW, - 15.05.2023
5 Field Lane,Teddington,TW11 9AW, - 15.05.2023
3 Field Lane,Teddington,TW11 9AW, - 15.05.2023
78 High Street,Teddington,TW11 8JD, - 15.05.2023
Workshop Rear Of 76,High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 4,76 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 3,76 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 2,76 High Street,Teddington,TW11 8JD, - 15.05.2023
Flat 1,76 High Street,Teddington,TW11 8JD, - 15.05.2023

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

Development Management

Status: PCO

Application:23/1152/FUL

Date:

Demolition of existing Use Class B8 (Storage) building. Construction of 1No. two-bedroom dwellinghouse with associated works

Application Number	23/1152/FUL
Address	Unit 2 Plough Lane Teddington
Proposal	Demolition of existing Use Class B8 (Storage) building. Construction of 1No. two-bedroom dwellinghouse with associated works
Contact Officer	Thomas Faherty
Legal Agreement	NONE PROVIDED

1. INTRODUCTION

This application is of a nature where the Council's Constitution delegates the authority to make the decision to Officers rather than it being determined by the Planning Committee.

Before preparing this summary report the planning officer has visited the application site, considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

By indicating that the development proposal complies with relevant Local Plan Policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during the site visit, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The application site is located on Plough Lane and consists of two B8 storage units and a small section of vacant land. Plough Lane originally formed 8 storage units of varying sizes. The site can be accessed from Field Lane and is in close proximity to Teddington High Street. There are no parking spaces either within the site or allocated to it. The surrounding site context is mixed in character including large Edwardian pre-war housing and 1960s post war houses, and shops to the north along the High Street. The site is not located within a Conservation Area and does not constitute a Building of Townscape Merit (BTM). The site designations are listed below:

- Archaeological Priority Area
- Main Centre Boundary – Teddington
- Article 4 Direction restricting A1 to A2
- Article 4 Direction restricting basements
- Critical Drainage Area Land Use Past Industrial - car servicing / repairs Start: 1994 End: 2004.
- Hampton Wick & Teddington Village Planning Guidance SPD

3. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

Unit 1

- 17/3402/GPD16 - Erection of two dormer roof extensions to rear elevation to provide live/work unit in roof space – Approved 03/11/2017.
- 17/3402/DD01 – Details pursuant to condition U33314 - Potentially Contaminated Sites of permission 17/3402/GPD16 – Refused 05/03/2018.
- 17/2594/GPD16 – Change of use from B8 (storage) to C3 (residential) - 1 studio unit – Refused 22/08/2017.
- 17/1500/GPD16 – Change of use from B8 (storage) to C3 (residential) - 1 studio unit – Refused 29/06/2017.
- 17/0123/ES191 – Establish use of property as B8 (storage purpose) – Approved 0/03/2017.

Unit 2

- 13/3563/P3JPA - Change of use from B1 office to C3 residential – Refused 29/11/2013 for the following reason:

“Insufficient evidence has been submitted to demonstrate that the entire premises was in B1(a) office use immediately before 30th May 2013 or, if the building was not in use immediately before that date, when it was last in use as B1(a). The change of use therefore fails to comply with J.1 (b), Part 3, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (As Amended), and therefore prior

approval cannot be issued.”

Unit 1 & 2

• 20/1115/FUL - Demolish existing storage units (B8) and erect two houses (C3) with courtyard, shared refuse and cycle storage area – Refused for the following reasons:

“1) *The scheme would result in the loss the existing B8 industrial units, and in the absence of a full and proper marketing exercise to demonstrate a lack of demand for the continued use of the premises for office purposes, the scheme would be contrary to Policies LP40 and LP42 of the Local Plan (2018), the GLA Industrial Land Supply and Economy Study (2015), and the Mayor of London's Land for Industry and Transport Supplementary Planning Guidance (2012).*

2) *In the absence of a binding legal agreement to secure an appropriate contribution towards off-site affordable housing, the scheme fails to address this recognised housing need and will be contrary to policy LP36 of the Local Plan and Supplementary Planning Document on Affordable Housing (2014).*

3) *The application would result in 2 x 2 bedroom units which fails to reflect the correct unit mix required in a Main Centre location, and no information has been put forward to justify this. As such, the application would fail to comply with the outcomes sought in the Local Plan (2018), in particular, Policy LP35.”*

Units 2-5

• 21/2189/FUL - Residential Redevelopment to Provide 4no. Two Bedroom Dwellings With Associated Works - Withdrawn

Units 3-5

• 22/2935/FUL - Change of use from B8 storage to Class E [g] iii Light Industrial Processes with associated works - Approved

4. CONSULTATIONS CARRIED OUT

Neighbour Consultation

The list of neighbours notified of this application are listed above.

4 letters of objection have been received and the areas of concern can be summarised as follows:

- Appropriateness of design, appearance and materials – visual amenity
- Overlooking/loss of privacy
- Noise and disturbance
- Parking

4 letters of support have been received and the comments can be summarised as follows:

- Proposals wouldn't lead to overlooking
- Can't understand how new compliant building could meet objection
- Street would benefit from smart new properties / would like to see lane improved
- Dilapidated buildings no longer fit for purpose
- Investment will benefit the whole community
- Dangers of current problems of fly tipping and littering

A further letter was also received that noted unauthorised development at Units 3 to 5. The author of the letter would like to see improved design and problems arising from the unauthorised development not repeated in any future development of Unit 2.

The issues raised are considered in the body of the report below.

Internal Consultees

Transport – Recommends use of conditions should application be approved.

Policy (Housing) - Contribution to affordable housing required

Environmental Health (Contaminated Land) - No objection subject to condition to manage contamination

Amendments

No amendments have been received

5. MAIN POLICIES RELEVANT TO THE DECISION

NPPF (2021)

The key chapters applying to the site are:

4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

These policies can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

Richmond Local Plan (2018)

The main planning considerations applying to the site and the associated Local Plan policies are:

Issue	Local Plan Policy	Compliance	
Local Character and Design Quality	LP1	Yes	
Impact on Amenity and Living Conditions	LP8	Yes	
Sustainable Design and Construction	LP20, LP22, LP23	Yes	
Waste Management	LP24	Yes	
New Housing, Mix, Standards and Affordable Housing	LP34, LP35, LP36		No
Employment and local economy	LP40		No
Industrial Land and Business Park	LP42		No
Sustainable Travel Choices	LP44	Yes	
Parking Standards and Servicing	LP45	Yes	

These policies can be found at

https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf

Richmond Publication Local Plan (Regulation 19 version)

The Richmond Publication Version Local Plan (Regulation 19 version) and its supporting documents, including all the Regulation 18 representations received, was considered at Full Council on 27 April. Approval was given to consult on the Regulation 19 Plan and, further, to submit the Local Plan to the Secretary of State for Examination in due course. The Publication Version Local Plan, including its accompanying documents, have been published for consultation on 9 June 2023. Together with the evidence, the Plan is a material consideration for the purposes of decision-making on planning applications.

The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF. As the Council considers the emerging Local Plan to be sound and legally compliant, officers and Councillors should accord relevant policies and allocations weight in the determination of applications taking account of the extent to which there are unresolved objections to relevant policies. Note that it was agreed by Full Council that no weight will be given to Policy 4 in relation to the increased carbon offset rate, and therefore the existing rate of £95/t will continue to be applied; in addition, no weight will be given to Policy 39 in relation to the 20% biodiversity net gain requirement at this stage; all other aspects and requirements of these policies will apply.

Issue	Publication Local Plan Policy
Living Locally and the 20-minute neighbourhood	1
Spatial Strategy: Managing change in the borough	2
Tackling the climate emergency	3
Minimising Greenhouse gas emissions and promoting energy efficiency	4
Energy Infrastructure	5
Sustainable construction standards	6

Waste and the circular economy	7
Flood risk and sustainable drainage	8
Water resources and infrastructure	9
New Housing, Affordable Housing, Housing Mix and Standards	10, 11, 13
Housing Needs of Different Groups	12
Infill and Backland Development	15
Small Sites	16
Managing the impacts of development on local surroundings	19
Protecting the Local Economy	21
Promoting jobs and our local economy	22
Industrial land	24
Affordable, flexible and managed workspace	25
Local character and design quality	28
Urban Greening	38
Biodiversity and Geodiversity	39
Design process	44
Amenity and living conditions	46
Sustainable travel choices, Vehicular Parking, Cycle Parking, Servicing and Construction Logistics Management	47, 48
Local Environmental impacts	53
Delivery and Monitoring	55

These policies can be found at

https://www.richmond.gov.uk/media/fomccpcf/publication_local_plan_low_resolution.pdf

Supplementary Planning Documents

Affordable Housing
 Design Quality
 Residential Development Standards
 Small and Medium Housing Sites

These policies can be found at:

https://www.richmond.gov.uk/services/planning/planning_policy/local_plan/supplementary_planning_documents_and_guidance

6. EXPLANATION OF OFFICER RECOMMENDATION

The key issues for consideration are:

- Principle of Development
- Housing
- Design and siting
- Affordable Housing
- Sustainability and Renewable Energy Targets
- Parking and Transport Considerations
- Residential Amenity
- Contaminated Land
- Fire Safety

Principle of Development

Loss of Employment Space

Local Plan policy LP40 states that the Council will support a diverse and strong local economy by requiring land in employment use to be retained in employment use for business, industrial or storage purposes.

At para.10.3.1 the policy LP42 defines 'industrial land' as that being used for general industry, light industry,

open storage, self-storage, distribution and logistics and other similar types of development as well as any other uses which fall within B1c, B2 or B8 Use Classes or are considered to be Sui Generis.

Policy LP42 (A) requires the retention of industrial space and it states that there is a presumption against loss of industrial land in all parts of the borough. Loss of industrial space (outside of the locally important industrial land and business parks) will only be permitted where:

1. Robust and compelling evidence is provided which clearly demonstrates that there is no longer demand for an industrial based use in this location and that there is not likely to be in the foreseeable future. This must include evidence of completion of a full and proper marketing exercise of the site at realistic prices both for the existing use or an alternative industrial use completed over a minimum period of two continuous years in accordance with the approach set out in Appendix 5; and then
2. A sequential approach to redevelopment or changes of use is applied as follows: a. Redevelopment for office or alternative employment uses. b. Mixed use including other employment generating or community uses, and residential providing it does not adversely impact on the other uses and maximises the amount of affordable housing delivered as part of the mix.

Policy LP42 also mentions that the borough has a very limited supply of industrial floorspace and demand for this type of land is high. Therefore, the Council will protect, and where possible enhance, the existing stock of industrial premises to meet local needs. Research for the GLA indicates that there will be ongoing positive net demand for industrial land in London over the period 2016 to 2041 mostly driven by strong demand for logistics to service growth in London's economy and population. The Mayor of London's Land for Industry and Transport SPG (2012) states that the Council should ensure a 'restrictive' approach towards the transfer of industrial land to other uses until 2031, which means that industrial land should not be released for other uses. Further to this, the GLA's Industrial Land Supply and Economy Study (2015) demonstrates that the borough has a very limited supply of industrial land, with only 17.3 hectares of general and light industrial space (B2 and B1(c)), and 8.1 hectares of warehousing and storage (B8) facilities; this is amongst the lowest of all the London boroughs.

The site is part of a row of storage units of varying sizes, and the row originally formed 8 units. The site is located near Teddington High Street, close to town centre facilities. The proposal would result in the demolition of Unit 2. This unit is arranged over two floors providing 78m² in total B8 use. The proposal would therefore result in the loss of 78m² of B8 floorspace. It is noted that the buildings do not currently appear to be vacant.

In the context of planning application reference 20/1115/FUL, Featherstone Leigh Commercial submitted an estimation of the commercial value and advises that the inherent deficient characteristics demonstrate why they would not offer viable commercial space for business owners. In addition, a marketing demand report was submitted by Vokins and related to the potential for re-letting the buildings in their existing condition for B8 storage and/or alternative commercial uses. It was reported that the condition of the buildings is poor (semi-derelict) and occupiers would not be forthcoming. The report referred to another site at 55 High Street, Hampton Wick where marketing had been carried out for 9 months without success (marketing particulars have been provided for that property). It was stated that the refurbishment work required to upgrade 1 and 2 Plough Lane to be suitable for commercial storage/employment space could not be carried out due to the uncertainty around future demand for the space. A structural report was also submitted by GAP Ltd which confirmed that the existing buildings are degraded and have structural deficiencies, and it advised that these inherent defects are unlikely to be successfully addressed even if extensive remedial works are undertaken. Therefore, the report recommended the demolition and replacement of Units 1 and 2 as part of the redevelopment of the site.

However, the Council concluded for this application that no marketing exercise had been carried out as required by Policy LP42 and Appendix 5 to establish if there was demand for the site, or for an alternative industrial use. In addition, the applicants also need to address the criteria in LP 42 A.2. relating to the sequential test for alternative uses. As such, the application was refused due to the loss of B8 industrial land.

The current planning application submission is supported by a Planning Statement that refers to enquiries being made with agents yet does not evidence this. No details of any marketing activities, any resulting enquiries, viewings or feedback have been provided. A web search for the property also results in no evidence of the unit having been marketed.

Based on the above, the submission fails to meet the policy requirements of Policy LP42 and appendix 5. Evidence of a marketing exercise is required to establish if there is demand for the site in its existing condition, or for an alternative industrial use. In addition, the applicants also need to address the criteria in LP 42 A.2. relating to the sequential test where redevelopment for office or alternative employment uses, and then affordable housing would be prioritised. It is not considered that the market has been properly tested for the Council to be able to confirm that there is no viable alternative use, even if the buildings do need to be redeveloped.

Based on the assessment above and in the absence of evidence to show otherwise, the loss of the existing industrial/employment floorspace is therefore contrary to Local Plan (2018) policies LP40 and LP42 and policies 21, 22 and 24 of the new Publication Local Plan. The development proposals are unacceptable in principle.

New Housing

Only if the loss of employment/industrial floor space can be justified in line with Policies LP40 and LP42, would the Council consider a residential led scheme. However, it is acknowledged the proposal would provide an additional residential unit which would help the Council reach its housing targets in accordance with Policy LP34.

Housing

Housing Mix

Local Plan Policy LP35 states that development should generally provide family sized accommodation, except within town centres where a higher proportion of small units would be appropriate. Generally, the housing mix should be appropriate to the location. The Borough SHMA supports this approach, finding that an overall mix of market housing should be delivered, including family housing and options for older households to downsize. The appropriate mix should be considered on a site-by-site basis, having regard to its location, the existing stock in the locality and the character of an area and take account of existing infrastructure capacity such as schools and transport.

Policy LP35 (A) seeks a higher proportion of small units within this Main Centre location. The proposal is for 1 x 2 bed house, which is not considered a small unit (which are 1 bedroom or studios). The policy does recognise that the housing mix should be appropriate to the site-specifics of the location. However, there is no justification submitted in the application regarding the housing mix. As set out in paragraph 9.2.10 of the Local Plan where developments are not able to meet policy requirements for housing mix and standards, the applicant should identify the shortcomings and demonstrate reasons why, including that suitable alternative layouts or provision have been considered and incorporated wherever possible.

The planning application proposes the construction of 1 no x 2-bedroom dwelling house. This is not the smaller units (1-bedroom or studios) that are prioritised in a Main Centre Location. No reasoned justification has been provided to show why a 2-bedroom mews house is appropriate in this location or that smaller units have been explored. The submitted Planning Statement suggests that “*the mix policy doesn’t apply*” and that a mews house would be “*very attractive to a wide range of residential occupants*”. No justification is provided for why the mix policy shouldn’t apply or why the proposal would be more attractive than a studio or 1 bedroom unit. As such, in the absence of information to the contrary, the unit mix is considered inappropriate to the location and as such it is not considered to comply with Policy LP35 and policy 13 of the new Publication Local Plan.

Internal Space Standards

Policy LP35 requires that all new housing complies with the Nationally Described Space Standards (NDSS). The minimum standards are outlined below:

Table 1 - Minimum gross internal floor areas and storage (m²)

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

- A double bedroom should be 11.5sqm and 2.75m wide
- Head height should be at least 2.3m for a minimum of 75% of the gross internal floor area
- Suitable storage space to be incorporated into units

- Communal gardens to be sheltered from roads and not overlooked from habitable rooms.

Policy LP 35 (B) requires new housing to comply with the nationally described space standard. The submitted floorplans indicate that up to 3 people could occupy the unit. As per the table above the NDSS sets a minimum gross internal floor area of 70m² for a for a two storey 2 bed/3 person dwelling. The proposal would provide 76.3m² in accordance with NDSS requirements. The double bedroom meets the size requirements for a double bedroom and provided that the lower headroom area in the single bedroom is used to provide storage, the requirement to provide 2 sq.m of built-in storage would be met. There is no indication that the 2.3 m head height requirement will not be met.

External Amenity Space

The requirements of Policy LP35 and the Residential Development Standards SPD continue to apply to external amenity space. For flats a minimum of 5m² of private outdoor space for 1-2 person dwellings should be provided and an extra 1m² should be provided for each additional occupant.

Policy LP35 states that amenity spaces should be:

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

No private amenity space is proposed to serve the new dwelling at Unit 2, which is not considered acceptable for a 2-bedroom scheme.

Amenity of future occupants

Notwithstanding that the minimum floor standards are met, the general amenities for future occupants appear unsatisfactory. There is no window to bedroom two outside a roof window which would result in a poor-quality form of accommodation due to lack of outlook. This would be similar for the bathroom which is of less concern but contributes to the overall poor-quality of accommodation at first floor level where the layout and window configuration does not allow the conversion to anything more than a 1-bed unit. The lack of external amenity space also contributes to these concerns, and the proposal therefore fails to meet the requirements of policy LP35.

Affordable Housing

The Council will continue to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes, having regard to the strategic borough-wide target and the individual circumstances of the site, in accordance with policy LP36.

Policy LP36 expects at least 50% on-site affordable housing provision on all former employment sites. Given any proposed change of use, in accordance with employment policies, any residential use replacing employment floorspace should be in the form of affordable housing and comply with the tenure split required by Policy LP36 and relevant housing strategies. The provision of affordable housing should be discussed with the Council's Housing Development Manager and Registered Providers who are interested in exploring opportunities and maximising funding opportunities. Evidence of such consideration should be provided with an application (as required by the Local Validation Checklist). The Council does recognise this may not be suitable given the proposal is for a single unit within an existing building, which may be considered unfeasible to a registered provider, however this should be confirmed. A financial contribution to off-site affordable housing can only be considered appropriate once on-site provision has been explored.

The Policy (Affordable Housing) Team have confirmed that a contribution that would be sought. Given the type of site and number of dwellings proposed this would equate to 10% affordable housing, due to the loss of employment. The applicant did not provide a commuted sum spreadsheet with their application and instead included the following statement within the submitted planning statement: "*The applicant fully accepts the affordable housing contribution and is willing to comply with the Richmond SPD formula for calculating the amounts payable*".

The Council's Planning Viability Advisor has reviewed the proposed commuted sum using the pro-forma Annex A to the SPD and assessed recent sales close to the application site. This has resulted in an affordable housing contribution of £41,775. This amount together with legal fees and monitoring costs should be secured via a legal agreement. In the absence of such a legal agreement and one has not been invited due to the in-principle issues surrounding the acceptability of the scheme, a reason for refusal is recommended based on a lack of a contribution to meet affordable housing need. In the absence of such a legal agreement the development proposals are contrary to Local Plan (2018) policy LP36, policy 11 of the new Publication Local Plan and the

Affordable Housing SPD.

Access

Policy LP35 (E) requires all new build housing is required to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings'. There is an Inclusive Access Statement which clarifies this can be met. The requirements M4 (2) can be conditioned following any approval recommendation.

Design and Siting

Policy LP1 of the Local Plan states that the Council will require all development to be of high architectural and urban design quality.

The plans appear to show a building at Unit 2 which may accord with the design of the surrounding units, however the drawings submitted are of very poor quality and it is clear that the applicant has used the same drawings submitted for a previous submission for Units 2-5 (21/2189/FUL). The following errors have been identified on the drawing set:

- The ground floor windows on south elevation are in different positions to the floor plan.
- The south elevation shows unit 2 on the wrong side of the run of units (2-5) as the identified Unit 2 is actually Unit 5.
- The roof plan shows the roof lights in different position than the first floor.

It is also noted there is no Design Statement, or any other information submitted with the application to justify the design concept used other than a short section in the Supporting Planning Statement which indicates the design of the unit is identical to the design of Unit 2 described in 21/2189/FUL, however this was not approved. It goes on to state that the house would be attractive to future occupants, however this is not a design reason relevant to Policy LP1. Given the poor quality of the drawings, it is not possible to fully assess the application and conclude it is acceptable from a design perspective.

In light of the above, and in the absence of accurate drawings, the design of the proposed development has the potential to impact adversely on the character and appearance of the surrounding area, and therefore fails to accord with Policy LP1 of the Local Plan and associated SPD guidance.

Sustainability

Policy LP22 states that development will be required to conform to the Sustainable Construction Checklist. Development proposals of 1 dwelling unit or more will be required to reduce their total carbon dioxide emissions. A reduction in water consumption should also be demonstrated.

A completed Sustainable Construction Checklist has been submitted which indicates a total of 42 (B rating for residential new build); suggesting that the scheme helps to significantly improve the Borough's stock of sustainable buildings.

The submitted Energy Assessment demonstrates that the proposed specification achieves a reduction of 42.76% in on-site regulated emissions, meeting the target of 35% beyond Building Regulations requirements. Information on water use has been submitted as part of the energy statement. This advises that approximately 106 litres of water would be consumed per person per day, which is within the Council's maximum allowance of 105 litres per day plus 5 litres per occupant.

However, this Assessment is from 2021 and relates to Units 2 to 5 (21/2189/FUL), and therefore it is not specific to this application. Therefore, this Assessment cannot be relied upon for the purposes of this application.

While the submitted reports indicate that the Council's standards can be met, they fail to provide a scheme specific to Unit 2, and it is therefore considered that the proposal fails to meet the requirements of the relevant sustainability policies, in particularly Policies LP20 and LP22.

Highway, Parking and Refuse

Parking

In accordance with policy LP45 developments and redevelopments have to demonstrate that the new scheme provides an appropriate level of off-street parking to avoid an unacceptable impact on on-street parking conditions and local traffic conditions. For developments in areas with a PTAL of 0-3; 1-2-bedroom dwellings

are required to provide 1no. off-street parking spaces, and 3-bedroom dwellings or more are required to provide 2no. Off-street parking spaces as set out within appendix 3 of the Local Plan.

Whilst the Council's parking standards are set to a maximum, these standards are expected to be met unless it can be shown there would be no adverse impact on the area in terms of street-scene or on-street parking. This is reiterated in the parking standards set out in the London Plan which specifies that in outer London areas with low PTAL, borough should consider higher levels of provisions, especially to address overspill parking pressures.

The site is within Controlled Parking Zone T – Teddington, and it has a PTAL rating of 3 which represents a moderate level of access to public transport. This implies that there is a need for off street parking provision for the new residential units. The requirement would be for a 1 off-street parking spaces in accordance with Policy LP45. Due to the fact that the PTAL rating belies the fact that Teddington station is just an 8-minute walk and the nearest bus stop is just two minutes' walk from the application site the car free nature of the proposal can be accepted in this instance.

In order to ensure that there is no overspill of parking from the site, the applicant will need to enter into s106 legal agreement with the Council which excludes future residents of the unit from any CPZ that might be implemented in future.

In the absence of such a legal agreement, the application has the potential to contribute undue parking stress on the surrounding roads, and as such it is not considered to comply with Policy LP45.

Construction vehicles

The applicant will need to submit a Construction Management Plan which details how construction vehicles will be managed and materials stored. It is noted that the Highways Officer has raised a number of queries about Construction Management yet it is accepted that this information can be secured via a condition under any approval given.

Cycle Parking

Local Plan Policy LP45 states that new development should provide appropriate cycle access and sufficient, secure cycle parking facilities. The minimum cycle parking requirement for a 2-bed and 3-bed unit is 2 spaces. A secure cycle store for bicycles has been indicated in the vacant area beside Unit 1. An appropriately worded condition can be included to gain further information under any approval.

Refuse

Policy LP24 and the Refuse and Recycling Storage Requirements SPD encourages any refuse to be sited to the rear of the application site to avoid any visual clutter at the front of the site. Space for refuse and recycling storage has been indicated beside the proposed cycle store. Specific details can be conditioned under any approval.

Overall, subject to meeting conditions, the proposal would adequately meet the relevant vehicle parking, cycle parking, construction vehicle and refuse requirements and therefore accords with Policies LP44 and LP45 of the Local Plan and associated SPD documents.

Residential Amenity of Neighbouring Properties

Policy LP8 state in considering proposals for development, the Council will seek to protect adjoining properties from unreasonable loss of privacy, pollution, visual intrusion, noise and disturbance. The Council will generally seek to ensure that the design and layout of buildings enables sufficient sunlight and daylight to penetrate into and between buildings and that adjoining land or properties are protected from overshadowing in accordance with established standards. The policy includes the following requirements:

The proposed development is not considered to result in significant adverse impacts on the amenity of neighbouring occupants. The proposed building follows the same height, massing and design as the existing building, and as such it is not considered to result in materially worsened impacts on the residential amenity of neighbouring occupants.

One new bike store would be constructed beside Unit 1 along the rear boundary. Full details of the bike and bin storage will be secured by condition yet in principle it would not appear to have any impact on neighbour amenity due to existing means of enclosure.

The roof lights proposed to the rear of the building are not considered to result in harm to the residential amenity of any neighbouring occupants due to their high-level nature, they will not lead to any overlooking. The ground floor windows would not be at a level which is able to overlook other properties.

Based on the assessment above the proposed development would appropriately maintain neighbour amenities in accordance with Policy LP8 of the Local Plan.

Contaminated Land

Policy LP10 states that the Council promotes the remediation of contaminated land where development comes forward. Potential contamination risks will need to be properly considered and adequately mitigated before development proceeds.

Council records indicate that the surrounding area of the site has been subject to former potentially contaminative land uses. The Council's Environmental Health Team has raised no objection to the development proposals subject to a condition to secure a preliminary risk assessment, site investigation and remediation method statement. With the use of such a condition, the development can be considered to comply with Local Plan Policy LP10.

Fire Safety

Policy D12(A) of the London Plan requires the submission of a Fire Safety Strategy to support all planning applications. A Fire Safety Strategy has been submitted. A condition will be included as part of any approval to ensure this is adhered to on an ongoing basis. The applicant is advised that the proposal should also comply with the Building Regulations and that no planning permission should be treated as conveying a consent of fire regulation matters as required under the Building Regulations for which a separate application should be made. On this basis the scheme can be considered consistent with this Policy D12(A) of the London Plan.

Other Matters

It is noted that some of the application plans and documents refer to units 2-5 as they have been re-used from an earlier application submission. Had this application been approved conditions would have been applied to ensure that the supporting documents were adhered to insofar as they relate to unit 2. Clearer plans would have also been requested to ensure that they are consistent with the scope of the development proposals and to ensure that no issues regarding enforceability would arise.

LOCAL FINANCE CONSIDERATIONS AND OTHER MATTERS

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

On initial assessment this development is not considered to be liable for the Mayoral and Richmond CIL however this would be subject to confirmation by the CIL Administration Team if planning permission was granted.

RECOMMENDATION

This recommendation is made following careful consideration of all the issues raised through the application process.

Paragraph 11 of the Framework explains how the presumption in favour of sustainable development applies. For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

For the reasons set out above, in the main body of this report it is considered that the adverse impacts of allowing this planning application would significantly outweigh the benefits, when assessed against the policies in NPPF (2021) and Development Plan, when taken as a whole.

Refuse planning permission for the following reasons

Refusal - Loss of industrial floorspace

The scheme would result in the loss of an existing B8 industrial units, and in the absence of a full and proper

marketing exercise to demonstrate a lack of demand for the continued use of the premises for office purposes, the scheme would be contrary to Policies LP40 and LP42 of the Local Plan (2018), and Policies 21, 22 and 24 of the new Publication Local Plan.

Refusal - Affordable Housing

In the absence of a binding legal agreement to secure an appropriate contribution towards off-site affordable housing, the scheme fails to address this recognised housing need and will be contrary to policy LP36 of the Local Plan, Policy 13 of the new Publication Version Local Plan and Supplementary Planning Document: Affordable Housing (2014).

Refusal - Housing Mix and Standards

The application would result in 1 x 2-bedroom unit which fails to reflect the correct unit mix required in a Main Centre location, and no information has been put forward to justify an exception. Furthermore, by reason of an absence of windows to a habitable room and the poor configuration of the first-floor layout, along with a lack of external amenity space, the proposal is considered to result in a poor standard of accommodation harmful to the well-being of future occupants. As such, the application would fail to comply with the Local Plan Policy LP8 and 35 and Policy 13 and 46 of the Publication Version Local Plan.

Refusal - Design

In the absence of accurate drawings, the design of the proposed development has not been demonstrated to have a satisfactory impact on the character and appearance of the adjacent buildings and/or the surrounding area and therefore fails to accord with Policy LP1 and LP39 of the Local Plan (2018), Policy 15, 16 and 28 of the Publication Version Local Plan and Supplementary Planning Documents: Design Quality and Small and Medium Housing Sites.

Refusal - Sustainability

In the absence of information specific to Unit 2, the application fails to adequately demonstrate it can meet the requirements of the relevant sustainability policies, in particularly Policies LP20 and LP22 of the Local Plan (2018) and Policy 13 of the new Publication Local Plan.

Refusal - Parking Permits

In the absence of a legal agreement restricting future occupiers' eligibility for parking permits, together with inadequate details of cycle parking, the application fails to deliver a sustainable form of development, would impede the free flow of traffic to the detriment of highways safety, other road users and pedestrians, and would not align with the Council's policies promoting the use of active and sustainable travel. As such, the application fails to comply with Policies LP44 and LP45 of the Local Plan (2018) and the Council's Transport SPD (June 2020), and Policies 47 and 48 of the new Publication Local Plan.

Recommendation:

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

I therefore recommend the following:

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

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

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

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

This application has representations on file YES NO

Case Officer (Initials):TF.....

Dated:29/06/2023.....

I agree the recommendation: CTA

Team Leader/Head of Development Management/Principal Planner

Dated:05/07/2023.....

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

Head of Development Management:

Dated:

REASONS:
CONDITIONS:
INFORMATIVES:
UDP POLICIES:
OTHER POLICIES:

The following table will populate as a quick check by running the template once items have been entered into Uniform

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES
