

PLANNING REPORT

Application reference: 21/0586/FUL HAMPTON WICK WARD

Date application received	Date made valid	Target report date	8 Week date
19.02.2021	19.02.2021	16.04.2021	16.04.2021

Site:

29 To 31 High Street And Land To Rear Of, High Street, Hampton Wick,

Proposal:

Demolition of Nos. 29 and 29b High Street and associated outbuildings, and erection of 8no. dwellings and 536.5sqm of Class E floorspace with associated works including the provision of 24 cycle spaces and 5 car parking spaces.

Amended as follows on 05.11.2021:

Amended plans and additional information submitted throughout the determination period

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

APPLICANT NAME

Mr & Mrs Frost
Collendene
Somersbury Lane
Ewhurst
GU6 7SR
United Kingdom

AGENT NAME

Miss Lucy Morris
WSP
Aldermary House
10-15 Queen Street
London
EC4N 1TX
United Kingdom

DC Site Notice: printed on 02.03.2021 and posted on 12.03.2021 and due to expire on 02.04.2021

Consultations:

Internal/External:

Consultee

LBRuT Ecology
LBRuT Ecology
Environment Agency
GLAAS 1st Consultation
LBRUT Environmental Health Contaminated Land
LBRUT Non-Commercial Environmental Health
LBRuT Trees Preservation Officer (North)
LBRuT Ecology
14D Urban D
14D POL
LBRUT Transport
LBRuT Lead Local Flood Authority
LBRuT Trees Preservation Officer (North)
14D Urban D
LBRuT Lead Local Flood Authority

Expiry Date

28.05.2021
16.03.2021
23.03.2021
23.03.2021
16.03.2021
16.03.2021
14.07.2021
14.07.2021
16.03.2021
16.03.2021
16.03.2021
16.03.2021
16.03.2021
14.07.2021
14.07.2021

Neighbours:

4 St Johns Road, Hampton Wick, Kingston Upon Thames, KT1 4AN -
29 Hamble Court, 1 Broom Park, Teddington, TW11 9RW -

2 Lower Teddington Road,Hampton Wick,Kingston Upon Thames,KT1 4ER, -
 First Floor Right,16 High Street,Hampton Wick,Hampton,KT1 4DB, -
 First Floor Centre,16 High Street,Hampton Wick,Hampton,KT1 4DB, -
 Second Floor,16 High Street,Hampton Wick,Hampton,KT1 4DB, -
 First Floor Rear,16 High Street,Hampton Wick,Hampton,KT1 4DB, -
 First Floor Left,16 High Street,Hampton Wick,Hampton,KT1 4DB, -
 Ground Floor Right,16 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DB, -
 Ground Floor Left,16 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DB, -
 Ground Floor Rear,16 High Street,Hampton Wick,Hampton,KT1 4DB, -
 The Swan,22 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DB, -
 26 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DB, -
 24 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DB, -
 First Floor Flat 4,13 St Johns Road,Hampton Wick,Hampton,KT1 4AN, -
 Unit 4,13 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Unit 3,13 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Unit 2,13 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Unit 1,13 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat,1 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 1 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 9 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 15A High Street,Hampton Wick,Hampton,KT1 4DA, -
 23 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 13 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 3,5 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 2,5 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 1,5 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 5 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 9A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 21 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 4,11A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 3,11A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 2,11A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 1,11A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 1,25 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 8,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 7,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 6,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 5,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 4,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 3,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 2,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 1,27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 27 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 7C High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 7B High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 21A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 19 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 23A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 17 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 25 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 7A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 11 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 19A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 15 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 7 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Maisonette First And Second Floor,11A St Johns Road,Hampton Wick,Hampton,KT1 4AN, -
 11A St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Basement Flat,9 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Ground Floor Flat,9 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 37 - 43 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 Flat 3,9 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 2,9 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 1,9 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 7 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 5 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 5,3 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
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Flat 3,3 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 1,3 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 3,11 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 6,3 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 4,3 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 2,3 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 2,11 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 Flat 1,11 St Johns Road,Hampton Wick,Kingston Upon Thames,KT1 4AN, -
 The Studio Part First Floor,29 - 31 High Street,Hampton Wick,Hampton,KT1 4DA, -
 29 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 First Floor Rear Of,29 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 29B High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 33 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 35 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 31 High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -
 33A High Street,Hampton Wick,Kingston Upon Thames,KT1 4DA, -

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

Development Management

Status: GTD Application:47/3264
 Date:15/07/1952 The use of the premises for shop fitting including joinery manufacture and light metal work.

Development Management

Status: GTD Application:60/0608
 Date:28/09/1960 Erection of two garages.

Development Management

Status: PCO Application:21/0586/FUL
 Date: Demolition of Nos. 29 and 29b High Street and associated outbuildings, and erection of 8no. dwellings and Class E floorspace with associated works.

Site Description and Proposal

The application site includes Numbers 29 and 31 High Street, Hampton Wick, with No 29b being the light industrial workshops/storage immediately behind. The rear of the site backs onto the White Hart Hotel and its associated access/private parking area.

The site is designated as Hampton Wick Area of Mixed Use, in an Area of Archaeological Priority, is affected by previous industrial land and is partly within Flood Zones 1 and 2, as designated by the Council's Strategic Flood Risk Assessment (SFRA). The site is within the Hampton Wick Conservation Area and with the exception of Nos 27 and 29 High Street, many of the buildings fronting Hampton Wick High Street including No 31 are Buildings of Townscape Merit (BTMs) i.e. 11-25, No 22 and 31-33. There are also a number of Grade II listed buildings nearby including Nos 9 and 16 High Street, which enhance the experience of the High Street.

The area surrounding the application site is mixed use with commercial units fronting the High Street, particularly on the ground floor, with various residential units at first floor level. No 31 High Street is a laser clinic, currently Class E (formerly Planning Class D), occupying the ground floor. The rest of the first floors of No 31 are residential with a studio flat (Planning Class C3) on the second floor. The studio flat is currently unoccupied. No 29 High Street is occupied by a print shop (Class E, formerly Class A1) on the ground floor. No 29 appears as a later addition, visually unattractive, with a mono pitch lean to roof. No. 29b is divided into two light industrial workshops (Class E, formerly B1c). Workshop 01 is currently occupied by the print shop and is single storey with a corrugated metal monopitch roof. Workshop 02 is part single storey with a corrugated metal monopitch roof, and part two storey. Much of the surrounding area to the development is between 2-3 storeys. Access to the site is provided by a narrow-shared driveway (approximately 2.5m at its narrowest point adjacent to the appeal site) between 27 and 29 High Street.

The application proposes the demolition of Nos. 29 (save for the front and side walls at ground and first floors which will be refurbished) and 29b High Street and associated outbuildings, and erection of 8 dwellings and 536.5sqm of Class E floorspace with associated works. The envelope and façade of 31 will be retained and renovated internally. Residential development is located on the upper floors, with the commercial elements located at ground and basement level. At the rear of the site are two mews style, three storey dwellings with Class E at ground floor and two residential dwellings above.

Access to the site will be as existing. 24 cycle spaces and 5 car parking spaces are proposed. Of the 5 car parking spaces, 3 are reserved for the residential units and 2 for the Class E uses. 2 of the spaces reserved for the residential units will have active electric vehicle charging points installed, with passive provision for the remaining three.

16 of the cycle spaces are for the residential dwellings, located securely at ground level with a secure entrance. 8 are proposed for the commercial units, 4 are located inside the commercial unit at the rear of the site, with a further 4 provided through Sheffield stands next to the car parking spaces.

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

A completed Unilateral Undertaking has been submitted with the application securing the following: -

- Affordable Housing Contribution
- Monitoring Fee
- Legal Fee
- Parking Permit Restriction

Policies

National Planning Policy Framework (NPPF) (2021)

The key chapters applying to the site are:

2. Achieving sustainable development Paragraphs 7 to 14
3. Plan-making Paragraphs 15 to 37
4. Decision-making Paragraphs 38 to 59
5. Delivering a sufficient supply of homes Paragraphs 60 to 80
6. Building a strong, competitive economy Paragraphs 81 to 85
9. Promoting sustainable transport Paragraphs 104 to 113
11. Making effective use of land Paragraphs 119 to 125
12. Achieving well-designed places Paragraphs 126 to 136
14. Meeting the challenge of climate change, flooding and coastal change Paragraphs 152 to 173
15. Conserving and enhancing the natural environment Paragraphs 174 to 188
16. Conserving and enhancing the historic environment Paragraphs 189 to 208

These policies can be found at:

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

Development Plan

London Plan (2021)

The main policies applying to the site are:

- GG1 - Building strong and inclusive communities;
- GG2 - Making the best use of land;
- GG3 - Creating a healthy city;
- GG4 - Delivering the homes Londoners need;
- GG6 Increasing efficiency and resilience;
- S6 Town Centres and High Streets;
- D1 - London's form, character and capacity for growth;
- D4 - Delivering good design;
- D5 - Inclusive design;
- D6 - Housing quality and standards;
- D7 - Accessible housing;
- D8 - Public realm;
- D10 – Basement Development;
- D12 - Fire safety;
- D14 - Noise;
- H1 - Increasing housing supply;
- H2 – Small sites;
- H4 - Delivering affordable housing;
- H5 - Threshold approach to applications;
- H6 - Affordable housing tenure;

H10 - Housing size mix;
S1 - Developing London's social infrastructure;
G6 - Biodiversity and access to nature;
G7 - Trees and woodlands;
HC1 Heritage conservation and growth;
S12 - Minimising greenhouse gas emissions;
S13 - Energy infrastructure;
S14 - Managing heat risk;
S15 - Water infrastructure;
S17 - Reducing waste and supporting the circular economy;
S112 - Flood risk management;
S113 - Sustainable drainage;
T1 - Strategic approach to transport;
T4 - Assessing and mitigating transport impacts;
T5 – Cycling;
T6 - Car parking;
T6.1 - Residential parking;
T9 - Funding transport infrastructure through planning;
DF1 - Delivery of the Plan and Planning Obligations.

These policies can be found at: <https://www.london.gov.uk/what-we-do/planning/london-plan>

Local Plan (2018):

The main policies applying to the site are:

- LP1 Local Character and Design Quality
- LP2 Building Heights
- LP3 Designated Heritage Assets
- LP4 Non-Designated Heritage Assets
- LP7 Archaeology
- LP8 Amenity and Living Conditions
- LP9 Floodlighting
- LP10 Local Environmental Impacts, Pollution and Land Contamination
- LP11 Subterranean developments and basements
- LP15 Biodiversity
- LP16 Trees, Woodlands and Landscape
- LP20 Climate Change Adaptation
- LP21 Flood Risk and Sustainable Drainage
- LP22 Sustainable Design and Construction
- LP34 New Housing
- LP35 Housing Mix and Standards
- LP36 Affordable Housing
- LP39 Infill, Backland and Backgarden Development
- LP40 Employment and local economy
- LP41 Offices
- LP42 Industrial Land and Business Parks
- LP44 Sustainable Travel Choices
- LP45 Parking standards and servicing

These policies can be found at

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

Other Material Considerations

Richmond Publication Local Plan (Regulation 19 version)

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.

The main policies applying to the site are:

Issue	Publication Local Plan Policy
Place-based Strategy for Teddington & Hampton Wick	7
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
Designated Heritage Assets	29
Non-designated Heritage Assets	30
Archaeology	33
Public Open Space, Play, Sport and Recreation	37
Urban Greening	38
Biodiversity and Geodiversity	39
Trees, Woodland and Landscape	42
Design process	44
Amenity and living conditions	46
Sustainable travel choices, Vehicular Parking, Cycle Parking, Servicing and Construction Logistics Management	47, 48
Health and Wellbeing	51
Local Environmental impacts	53
Basements and subterranean developments	54
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:

- 'Refuse and Recycling Storage Requirements' (2015)

- Buildings of Townscape Merit 2015
- 'Sustainable Construction Checklist' (2016)
- Conservation Area Hampton Wick
- Village Plan Hampton Wick and Teddington
- 'Residential Development Standards' (2010)
- 'Affordable Housing' (2014)

These documents can be found at:

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

Relevant Planning History

14/5300/FUL - Demolition of two storage units and erection of new single dwelling (2.5 storey) – Approved – not implemented.

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

- three storeys would detract from the setting of the adjacent buildings and fail to preserve the character and appearance of the conservation area.
- the living condition of neighbouring occupiers was acceptable
- the scheme would not provide acceptable living conditions for future occupiers.
- the removal of the existing unattractive sheds was a benefit of the scheme

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

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

The site has also been subject to previous pre application advice ref: 19/P0359/PREAPP for the "Replacement of 29 High Street with maisonette above; conversion of first and second floor of 31 High Street from ancillary space to residential (to make a maisonette); demolition and conversion of two-storey workshop to create family dwelling; demolition of workshops to the rear of the site and erection of three new mews houses."

Public Representations

Following a consultation period 11 properties objected to the scheme (some multiple times). The grounds are summarised below:

- Proposed Block 2 is significantly higher than the current single storey building.
- Having a building of three storeys at the boundary will increase the feeling of enclosure effect the daylight into windows.
- Party wall concerns will damage neighbouring properties.
- Noise, disruption and health concerns from demolition and construction.
- Loss of income from tenants due to construction. Compensation from the developer/the Council?
- Basement expansions could affect foundations.
- Minimum working hours required to restrict noise.
- Balconies/windows overlooking into garden space/car park and St Johns Road flats and also cause noise and disturbance.
- Loss of light, overshadowing and visual amenity given buildings would be taller, darker materials than existing.
- Application should go to planning committee.
- Buildings are not all dilapidated as the proposal suggests.
- Parking spaces reduced from 8-5. 2 of which will be for working units for 35 ft.
- Insufficient parking for 8 residential units, which will cause overspill into the local area.
- Other developments approved recently nearby also do not have any parking provision.
- Lack of onsite affordable housing. Site includes basement extension, which adds a disproportionate amount to build costs and reduce any viability for affordable housing.
- Cost of basement to excavate, retaining walls, appropriate ventilation, drainage is more expensive than above ground units.
- Future residents should be excluded from CPZ.
- Concerns with traffic generation and parking, issues with safety of the access from increased vehicles.
- Lack of detail on bins and refuse.

- Implications for emergency and refuse vehicles accessing the site.
- Heritage documentation does not refer to fact the building is one of the last survivals of the malting trade, which was important in Hampton Wick in the 18th and 19th centuries.
- Neighbouring parking area accessed via St Johns Road floods to a small extent most years and more so when there is flooding lower down Hampton Wick High Street and below the war memorial.
- Lack of detail how birds use the trees adjacent to the site as a nesting site and corridor.
- Removing car parking means more room for soft landscaping.

Following a further consultation period taking into account revised plans and additional information further representations were received. Some of the comments included the objections above, together with the following:

- Difficult to read revised plans.
- Overdevelopment of the site.
- Issues with overflowing drains, will waste and drainage infrastructure be able to accommodate.
- Very little has changed and therefore original objections remain.
- No further details of building materials, other than timber cladding.

Comments were received from the Hampton Wick Residents Association. These are summarised below:

- What do the developers plan to do with the boundary wall with the adjacent car park?
- What is the final finish/colour of the development?
- Requests to see a model of the proposed development.
- Concerned about the impact on our car park during the construction phase, as it will mean demolishing the wall that forms the north-eastern boundary of the car park adjacent to the site. It may also mean the demolishing of the eastern wall, but the plans do not make that clear.

Amendments

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

- Financial Viability Assessment (March 2021)
- Basement Screening report (April 2021)
- Additional Bat Survey (May 2021)
- Additional Drainage information (June 2021)
- Revised Plans (June/August 2021) – further details outlined below.
- Revised Landscaping information (June 2021)
- Further Flood Risk Information (August 2021)
 - Provision of water butts in three locations;
 - Rain garden proposed along edge of parking spaces;
 - Evergreen planting along western fence; and
 - Two green roofs, one on the top of the cycle storage and the other adjacent to the two terraces in Block 1.
- Further Justification on access arrangements (September 2021)

Further amendments to the plans were received below following the last public consultation in November 2021. The changes below are relatively minor and are mostly to provide additional information on planning or policy matters, clarify discrepancies or make minor modifications to the plans. A further consultation was not considered required however, the plans and information are publicly available to view.

- Amended plans (December 2021) – details set out below.
- Fire Statement (December 2021)
- Demolition plans (April 2022)
- Flood Evacuation Plan (June 2022)
- Sequential Test information (February 2023)
- Basement Impact Assessment and Structural Impact Assessment (July 2023).

Consultee Comments

LBRUT Transport officer – Whilst no objections to the development itself, concerns over potentially imposing a planning condition for a CMS, given the restrictive nature of the site, and how construction vehicles will operate. In addition, concerns raised over an existing BT infrastructure in front of the existing access and the implications this may have for construction vehicles.

LBRUT Urban Design – No Objection in principle, comments summarised below and within the report:

- Replacement of frontage building seems acceptable; backland structures do not contribute much to the townscape.

- Concept is somewhat organic design approach seems well suited to the meandering townscape here, and appears to be of a high standard, with interesting varied roofscape and fenestration. A generally positive extension and improvement to the townscape.
- Heights: on balance the proposed immediately behind the main frontage buildings is now acceptable, they are now somewhat lower than the frontage building
- Separate building at the end of the alley: will not have much visual impact on the High Street, but at 3 ½ storeys this seems a storey too tall for backland development. (However, amendments have now been made to address these concerns).
- High Street building: that seems fine generally in terms of scale and design, however the stallrisers look rather mean and uncharacteristic,
- Materials: general indication of materials is acceptable and appropriate for this location. Timber facing behind the main frontage building reinforces their 'backland' character.
- Landscape: there is not much scope for soft landscape with space taken up by parking. It will be important that any surfacing and hard landscape is of high quality.

LBRUT Conservation Officer - Raises concerns about the new building joining onto the old on the front elevation, impacting the BTM and Conservation Area. Comments are discussed below.

LBRUT Ecology Officer – No objections following the review of Ecological Appraisal and Bat Surveys, although disappointed regarding the lack of soft landscaping. Recommended conditions, including full compliance with the recommendations in the submitted ecology reports, a Biodiversity Enhancement Mitigation Plan, hard and soft landscaping, details of the wildflower green roof, external lighting details and information on ecological enhancements.

LBRUT Trees – No objections, subject to conditions for further information on tree protection and soft landscaping.

LBRUT Waste – No objection, comments summarised below:

- The number and type of waste and recycling containers proposed for residential use exceeds the minimum waste SPD requirement. Developments of up to 8 flats should be provided with 1 x 1100L refuse bin and 2 x 360L recycling bins. This proposal is for 1 x 1100L refuse bin and 4 x 240L recycling bins. The council plans to introduce a communal food waste collection service for blocks of flats during 2021/22 therefore provision of additional space is supported.
- If the bin store is to be locked then a standard FB1 or FB2 lock is required as our collectors carry these. Use of a key code is also acceptable, though it is the property managements responsibility to ensure that the Council is always provided with the correct code.
- It is proposed that the refuse collection vehicle reverses into the site and that bins are manually pushed from the bin store to the vehicle. To meet SPD requirements in this respect the vehicle should not have to reverse in excess of 12m and our collectors should not have to push the bins more than 20m.
- The push route should be smooth, hardstanding and free of any steps or steep slopes.
- Refuse collection vehicles are 2.5m wide and there is a pinch point which the reversing vehicle must navigate (marked on the plans as 3.376m). The Richmond Waste SPD does not set out a minimum width of roadway refuse collection vehicles.
- Any surface that the refuse collection vehicle is required to drive on must be suitable to withstand the weight of a 26 tonne vehicle or are highly likely to become damaged over time.
- Provision of space for 2 x 1100L bins for the 233.4msq 'class e' space is satisfactory.

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

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

Historic England (GLAAS) – No objection, conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

Thames Water – No comments received.

Environment Agency – No objections, refer to flood risk standing advice.

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

Determining applications in a Conservation Area

In considering whether to grant planning permission with respect to any buildings or other land in a conservation area, Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires
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that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. In this context, "preserving", means doing no harm.

To give effect to that duty, decisions of the court have confirmed that for development proposed to be carried out in a conservation area, a decision-maker should accord "considerable importance and weight" to the desirability of preserving or enhancing the character or appearance of the conservation area, when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This creates a strong presumption against granting planning permission where harm to the character or appearance of a conservation area is identified. The presumption can be rebutted by material considerations powerful enough to do so.

In applications where the decision-maker is satisfied that there will be no harm to the character or appearance of a conservation area, the statutory presumption against granting planning permission described above falls away. In such cases the development should be permitted or refused in accordance with the policies of the development plan and other material considerations.

Professional Comments

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

- i. Principle of Development
- ii. Affordable Housing
- iii. Design, Local Character and Heritage Assets
- iv. Residential Development Standards
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Issue i - Principle of Development

Policy LP34 of the Local Plan 2018 states "*The Borough's target is 3,150 homes for the period 2015-2025. This target will be rolled forward until it is replaced by a revised London Plan target. The Council will exceed the minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.*" Policy H1 of the New London Plan sets the ten-year targets for net housing completions that each local planning authority should plan for. The London Borough of Richmond target is 4,110 for a ten-year period (2019/20 -2028/29). The new London Plan also stresses the importance of small sites, in delivering housing targets (paragraph 68 of the NPPF and Policy H2 of the London Plan). In Richmond, the new London Plan sets a target for over half of houses to be delivered through small sites at 234dpa.

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

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

Policy LP42 of the Local Plan states the borough has a very limited supply of industrial floorspace and demand for this type of land is high, therefore the Council will protect, and where possible enhance, the existing stock of industrial premises to meet local needs. There is a presumption against loss of industrial

land in all parts of the borough. Loss of industrial space (outside of the locally important industrial land and business parks) will only be permitted where robust and compelling evidence is provided, which clearly demonstrates that there is no longer demand for an industrial based use in this location and that there is not likely to be in the foreseeable future. This must include evidence of completion of a full and proper marketing exercise of the site at realistic prices both for the existing use or an alternative industrial use completed over a minimum period of two continuous years in accordance with the approach set out in Appendix 5 of the Local Plan.

The existing uses include retail (formerly Class A1) and workshops (formerly Class B1c) and all are now Class E. One residential unit (Class C3) is located on the upper floor. Whilst in need of some significant updating, the existing commercial floor space on site is still in a useable condition within the above lawful uses.

The site currently comprises 531sqm of useable Class E commercial floorspace and a total of 536.5sqm Class E is proposed (amended from initially 534sqm) – a small increase of 5.5sqm. Whilst at pre-application stage, officers objected to the loss of light industrial employment floorspace, since then, the application falls within Class E and this provides flexibility within commercial uses without the need for permission. The pre application scheme also sought a higher proportion of small units.

The Council should consider whether there is a fall-back use of the historic permissions outlined within the relevant planning history section coming forward. Within the High Court case, *Samuel Smith Old Brewery v Secretary of State [2009] EWHC Civ 333, 1326*, it discusses a development with a real prospect of coming forward. This does not necessarily mean it is likely, just possible to come forward rather not possible. This was confirmed in the *Mansell v Tonbridge and Malling BC (2017) EWCA Civ 1314* with regards to permitted development rights. The judgments effectively consider that should the current application be refused; it is entirely reasonable that the applicant would implement a proposal under permitted development.

Although potential external works may be required to the buildings themselves, which would require planning permission, there are no restrictive conditions preventing a change of use within Class E. Although the current application is not solely a change of use of commercial floorspace, including also residential units, the location of the residential units on the upper floors would not impact upon the ground floor commercial use. Therefore, significant weight can be given to the fall-back position and consideration needs to be given to this when assessing any conflict with policies resisting loss of employment on site. The existence of the fallback position on this site needs to be considered on its own merits and does not set a precedent for other sites within the borough.

As the former B1c light industrial use class is now within Class E officers do not object to the principle of a change in the type of commercial floorspace (as long as there is not a significant loss of commercial floorspace) since it is accepted that a change can occur within the existing Class E without planning permission. However, given the variations of commercial uses within Class E, officers do have concerns about any unrestricted use resulting from a permission. It is noted that the site is currently unrestricted within Class E, but given the current application is providing new residential units in close proximity to the new commercial floors space, i.e., directly above, this is a material change from the current circumstances.

It is noted the commercial is all at ground floor and it may be that the rear building proposed on site would be better suited to a light industrial use, that does not need a presence on the main street, whereas retaining a retail element at the frontage for viability and viability would benefit the Area of Mixed Use. Providing such an arrangement would also accord with the intention of adopted policies, which are based on assessed needs (in accordance with the NPPF) and policies LP40, LP42, LP26, etc and appropriate to the Area of Mixed-Use location. The applicant or future developer could also choose to implement one use for all of the commercial space.

In addition, it is considered there may be some sub-categories within Class E that have not been fully assessed in terms of their potential impact, including on amenity, transport etc and should be excluded from any permission, for example a nursery. Whilst officers do not consider the application should be refused on these grounds, it is considered necessary to impose a condition which restricts the change of use to certain uses within Class E without planning permission for the ground floor of the rear building (block 2 as shown on drwg 1911 TP(00)03 Rev A). This would not necessarily prevent certain Class E uses coming forward in the future, but instead allows the LPA more control and to prevent certain adverse impacts, such as on residential amenity or parking pressures and generally prevent the loss of the Class E use granted.

Using employment density guidance, it is estimated the proposed employment would generate approximately 27-35 full time employment (FTE jobs), which is an increase of approximately 10-18 FTE jobs compared to the existing provision. It is also accepted that the current units are of poor quality and as part of this application, the commercial floorspace will be re-provided through high quality units which allow for greater flexibility to suit the needs of tenants. The new units will be an undoubted improvement in terms of quality

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and energy efficiency, ensuring that the space remains attractive and jobs are retained in the local area for longer. This is considered a significant benefit of the scheme and employment generation. Therefore, taking the above into account the principle of the land use is acceptable subject to other material planning considerations below.

Issue ii - Affordable Housing

Policy LP36 states a contribution towards affordable housing will be expected on all housing sites. The following requirements apply:

- a. on all former employment sites at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.
- b. on all other sites capable of ten or more units gross 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.
- c. on sites below the threshold of 'capable of ten or more units gross', a financial contribution to the Affordable Housing Fund commensurate with the scale of development, in line with the sliding scales set out below and in the Affordable Housing SPD.

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

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

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

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

A concern raised in the representations was that the scheme was not providing enough affordable housing benefits. A Financial Viability Assessment, prepared by 'Grimshaw Consulting Ltd', was submitted with the application. This found the proposed development could support a payment in lieu of on-site affordable housing of £70,650. A full review was undertaken by the Council's viability assessors, 'Bespoke', which found a surplus of £73,895 could be made as an affordable housing contribution without impacting on the scheme's viability (taking into account a CIL contribution and carbon-offset contribution of £13,381). However as discussed in the Sustainability section of this report below, the Carbon Offset contribution is not required for this type of application, therefore the viability assessment was reconsidered and a contribution of £85,576 found to be appropriate. A contribution of £85,576 to affordable housing therefore needs to be secured via a legal agreement to accord with Policy LP36.

A Unilateral Undertaking has since been provided by the applicant in this respect and therefore the proposal is considered to be in accordance with Policy LP36 of the Local Plan.

Issue iii - Design/ Heritage Impacts

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

Paragraph 199 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Policy LP4 states the Council will seek to preserve, and where possible enhance, the significance, character and setting of non-designated heritage assets, including Buildings of Townscape Merit, memorials, particularly war memorials, and other local historic features.

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

Local Plan Policy LP1 states: new development must be of a high architectural quality based on sustainable design principles. Development must respect local character and contribute positively to its surrounding based on a thorough understanding of the site and its context.

Policy LP39 of the Local Plan 2018 also states that infill and backland development must reflect the character of the surrounding area and protect the amenity and living conditions of neighbours. In considering applications for infill and backland development the following factors should be addressed:

1. Retain plots of sufficient width for adequate separation between dwellings;
2. Retain similar spacing between new buildings to any established spacing;
3. Retain appropriate garden space for adjacent dwellings;
4. Respect the local context, in accordance with policy LP2 Building Heights;
5. Enhance the street frontage (where applicable) taking account of local character;
6. Incorporate or reflect materials and detailing on existing dwellings, in accordance with policy LP 1 Local Character and Design Quality;
7. Retain or re-provide features important to character, appearance or wildlife, in accordance with policy LP 16 Trees and Landscape;
8. Result in no unacceptable adverse impact on neighbours, including loss of privacy to existing homes or gardens, in accordance with policy LP 8 Amenity and Living Conditions;
9. Provide adequate servicing, recycling and refuse storage as well as cycle parking; Result in no unacceptable impact on neighbours in terms of visual impact, noise or light from vehicular access or car parking.

Design / Heritage Assessment

The existing site is located on and to the rear of High Street and is within the Hampton Wick Conservation Area. The northern part of the site includes No 29, which is an undesignated building. As outlined in the site description, most of the terraced buildings to the east and west of the site, including No 31 High Street, are designated as BTMs. Generally, these High Street facing buildings are 2 ½ stories in height.

The Hampton Wick Conservation Area Statement (No.18) summarises the character of the village core sub area in which the application site is located. *"The historic village centre is characterised by the distinctive curve of the High Street, enclosed by closely packed clusters of 18th, 19th and 20th century buildings, all of predominantly two storeys with some 3 storey buildings tight to the pavement. Building facades are of brick or render with mostly clay tile roofs. There is a varied eaves line, parapets and roofscape to these buildings, creating a broken skyline enlivened by some small dormer windows, gable ends and chimneystacks. This busy commercial and shopping centre retains a number of traditional shopfronts. Occasional glimpsed views between buildings and down side streets reveals the wider setting of the river and parkland, contributing to the traditional village character of the area. At the South views open up dramatically across the bridge and river, and towards the parks. Off High Street, Park Road is a quiet 19th century residential street with a mix of building styles united by a common use of materials and an intimate scale of semidetached or terraced groups set behind continuous front gardens and boundaries. St John's Road has a less cohesive character."*

Statements, proportionate to their significance and potential effects, have been provided within the comprehensive Heritage Assessment submitted with the application and used to illustrate how the application proposals would preserve the significance of the conservation area and other heritage assets. Designated in 1969 the Hampton Wick Conservation Area has been extended three times, most recently in 2014. The application site is within the original core of the area, forming part of the historic village high street running parallel with the River Thames. A sequence of high-quality 18th and 19th century buildings along the High Street are of individual architectural merit and together form a group and provide an attractive streetscape of visual interest. This architectural interest can be appreciated in views north and south along High Street, together with longer distance views from outside the area from the River Thames. The Hampton Wick Conservation Area is not defined by a specific artistic interest, but due to its riverside setting and

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proximity to important landmarks such as Kingston Bridge and the Royal Parks, is likely to have been depicted in artistic works. Individual buildings may have specific artistic interest within the area.

The proposal would involve the demolition of No.29, which appears to have been consciously omitted from the BTM register and it is considered to make only a neutral contribution to the Conservation Area. Therefore, its replacement with a more contextual building would be acceptable in principle. It may be that some historic fabric exists in this building as the shopfront matches the neighbours, but it does not have the architectural presence of the others. To the rear are a number of former workshops, which would also be demolished. Whereas No 31 High Street is excluded from full demolition. From a design point of view, the commercial buildings to the rear are described as being of little or no interest architecturally and there is no objection to their demolition. There are also two small very dilapidated disused buildings on site that are not in use and have not been for a considerable time. The dilapidated nature of the site means that it makes very little positive contribution to the Conservation Area. This proposal therefore offers an opportunity to enhance the character of the local area and the site's contribution to the Conservation Area.

The proposal involves the rebuilding of No 29 High Street, which would be reconstructed to mirror No. 27 and No. 33 and would assimilate into the surrounding streetscape matching the existing mass and scale. This would consist of a new two and a half storey building with a ground floor shopfront occupying No.29 and a gambrel roof behind a parapet. The width of the passage to the rear will be widened slightly and the exposed gable end will be enlivened by the shopfront turning the corner. Improving and better defining the High Street frontage with a building which responds to the historic context, but also offers a contemporary twist to the rear is considered a wholly sensitive approach to the townscape.

A series of two storey buildings with rooms in the roof, providing Class E commercial uses on the ground floor and residential units on the 1st and 2nd floors, would be proposed to the rear of the High Street frontage. The design approach comprises stepped roofs, which helps break up the form of development and assimilate the buildings into the wider context and character of the site. The proposed buildings to the rear of the frontage have been designed to reflect the light industrial heritage of the site. Form has been broken up into three sections using galvanised metal pitched roofs and setbacks to delineate individual units. The scheme also incorporates vertical timber cladding with various finishes to provide visual interest. These buildings are up to two and a half storeys in height and follow the advice from the previous pre application submission. It is therefore considered that the proposed heights of the development would be subservient to the high street frontage. This part of the development is referred to as Block 1.

The two mews houses to the rear of the site will be set above Class E floorspace and incorporate similar features to the other buildings. This element is referred to as Block 2. Whilst there would be limited views of this building from the High Street, there were concerns that the initial building at three storeys would have been too tall for a backland setting and would have dominated the frontage buildings. However, as stated above, amendments have been made to the application and the design changes are summarised below:

Block 1:

- The obscuring of glazing up to a minimum of 1.8m above first floor level for the two windows. These are labelled on the first floor plan (Dwg no. 1911 TP(10)22 Rev B) as 'OW'.
- Switching of location of residential bin store and cycle storage to ensure wheelable distance for bins.
- 5 windows on the North-West Elevation (3 at first floor and 2 at second floor) are now inset windows with a deeper reveal from the external wall face.
- Elevations have been amended to reflect balcony changes and show screens.
- Elevations have been amended to show the existing banding extended to the extension along Hampton Wick High Street (as seen on the CGI).
- Green roofs have been shown on the plans.
- An additional section has been added to SK007 showing the rear of the property facing Hampton Wick High Street.

Block 2:

- Block 2 now clearly reads as a two-storey building with roof accommodation.
- The communal stairs of Block 2 have been relocated to the centre of the building.
- Instead of 2no. 1 bed apartments, 2no. 1 bed duplexes either side of this stair core are now proposed. This has resulted in an increase in internal floorspace from 50sqm each to 58.8sqm.
- Recessed balconies are now both located at first floor level.
- The ridge height of Block 2 has been lowered from 18.72m to 18.55m. This is lower than the existing building facing the High Street.
- The eaves of Block 2 have also been lowered by over 1m.
- Retention of the dormers to create habitable space in the roof. However, these are now set back dormers rather than previously where they were flush.

- To accommodate this, the width of Block 2 at first and second floor levels has been increased by approximately 2.5m, although the depth remains the same.
- This results in a minor increase in the building footprint to the rear of the unit over that which was previously proposed (101sqm to 103.5sqm), although the footprint remains smaller than the existing building (148sqm). This also has the knock-on effect to the Class E unit on the ground floor, which has gained 2.5sqm (92.3sqm to 94.8sqm).

Block 2 has been amended to appear more as a two-storey building and more respectful to the High Street frontage and a back land development. Taking into account the surrounding character, the rear most building would be subservient to the buildings fronting the High Street. To the south and west of the site on St John's Road there are also examples of buildings which are at two storey height with accommodation in the roof space. As stated within the consultee comments section, the Urban Design officer is generally supportive of the scheme with the above amendments addressing their original concerns.

The Council's Conservation Officer has raised objection to the proposal, specifically raising concerns over the new building adjoining the old on the High Street frontage, impacting the BTM and Conservation Area.

Impact upon the Building of Townscape Merit

Paragraph 203 of the NPPF states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. As stated above, this is echoed above within Policy LP4 of the Local Plan.

As outlined above, the Conservation Officer considers the main structure of the building at 31 High Street likely dates from the 18th century and retains its overall form and scale. The submitted demolition plan shows that the side wall of the BTM would be removed, plus the entire interior and some of the back wall and chimney breasts. The front façade, part of the rear façade and the roof would remain. Whilst the interior removal is unfortunate, given the building is not statutory listed, physical internal changes in isolation do not usually require planning permission. However, the most important front street view elevation, including front façade and its roof would remain.

In terms of considering Paragraph 203 of the NPPF and the balanced judgement for the building of townscape merit, the loss of the existing extension to the BTM would remove an element that does not positively contribute to the BTM or the wider area. The replacement extension although would lack subservience, it would relate to the context of the site, this part of High Street and would not exceed the scale from the existing adjacent BTMs. Notwithstanding, the demolition of the existing lean to at No 29 being a positive for the BTM, the Conservation Officer considers the external side wall and projecting parapet should be retained and remain visible above the height of the side extension as part of any replacement building. The Conservation Officer considers the latter should remain visually subservient to the BTM so the character and appearance, including proportions, of the exterior of the BTM be retained and as little external fabric as possible be removed. Reference is also made to the Council's House Extensions SPD.

The loss of the side façade and other parts of the BTM structure is regrettable. However, BTMs often are extended to their sides or have other extensions abutting their side elevations. In addition, it is also quite usual for BTMs to undergo substantial internal alterations, with or without the need for planning permission. In terms of the impact upon the BTM and wider conservation area, planning officers consider the loss of the existing extension to the BTM would remove an element that does not positively contribute to the BTM or the wider area. Whilst the replacement extension may lack subservience, it would nevertheless smoothly relate to the setting of the site and would not exceed the scale or form of the existing adjacent BTMs. From a street view perspective, the addition onto the side of the BTM, with or without the removal of the side wall, would just appear as a similar building, albeit an extension, at the same scale to the neighbouring ones. Within this part of the High Street there is also a degree of variation of building heights, but generally they are all 2-3 storeys. Therefore, whilst there is some alteration and harm identified to the BTM, this is not considered to be so significant to the BTM and designated heritage asset, plus the most important elements would remain.

Impact upon the Conservation Area

The Conservation Officer identifies harm to the Conservation Area effectively as a consequence to the BTM as outlined above. Whilst types of harm to a designated heritage asset is limited to being described as "no harm", "less than substantial harm" or "substantial harm", officers consider in this case that the harm to the Conservation Area is extremely modest, but "less than substantial" nevertheless.

In terms of the impact of the proposed replacement front extension on the conservation area, the Council's Conservation Officer states the current extension to the building at 29 High Street is clearly distinguished by its lower height and built form is echoed on the other side of the building at no.33, which is also a BTM. This

enables the other BTMs to stand taller in the centre, reflecting its history and development, although it is acknowledged that the lean to despite its subservience does not positively contribute to the area. The Conservation Officer comments that if the loss of the contrast between original building and extension is lost, it would set an unwelcome precedent in the High Street and create a large single mass of building and roof form, which is not in keeping with the overall character of this historic high street on the approach to the Kingston Bridge. However, it is accepted the proposal would not impact other parts of the Conservation Area. The current proposed replacement side extension at the frontage in the Conservation Officer's view would result in harm to the character of the Conservation Area, and although this would not be substantial, it would still be "less than substantial harm".

Public Benefit

Paragraph 202 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

When considering Paragraph 202 of the NPPF and the public benefits of the scheme, the scheme would clearly reinvigorate the existing commercial space and make it much more attractive to future users. With the benefit of Class E, no significant further work would be required to bring it up to standard for a range of future business. As previously outlined, from an employment perspective the proposal would generate approximately 27-35 full time employment (FTE jobs). This represents an increase of approximately 10-18 FTE jobs compared with the existing provision, which is significant weight can be given to. In addition, there would also be employment opportunities created from the construction process, CIL payments, as well as Council tax payments, and future use of businesses/services within the community by new occupiers. The proposal would also slightly increase the width of the existing access, which relates to a minor improvement to the access and servicing arrangements.

In terms of residential use, whilst the Council is able to demonstrate a 5-year supply of housing, the addition of 8 new market dwellings (7 net) is welcomed and provides greater flexibility. The scheme would also make a reasonable contribution to affordable housing. Whilst this has gone through a viability process review, given the borough's significant need for affordable housing this also weighs in favour of the development.

It is for the planning officer to conclude as to whether the public benefits of the development outweigh the less than substantial harm to heritage assets identified and supported by the advice from the Conservation Officer and a balanced judgement will be required having regard to the scale of any harm to the significance of the non-designated heritage asset. However, when weighing up the scheme as a whole, taking into account the neutral, if not detracting condition of the existing buildings on the site, the fact that No 31 would still be retained, albeit altered, the proposal does provide a regenerative and enhanced presence through the redevelopment. The redevelopment of the site is noted to make efficient use of an under-utilised brownfield site, in line with the principles of the NPPF. Contribution to housing stock is cited as a social benefit. On balance, it is considered this outweighs the harm identified to No 31 and the limited harm identified to the conservation area and the balanced harm to the BTM. The scheme would therefore be sufficiently compliant with the aforementioned national and local policies and the statutory tests are met.

Notwithstanding the above, with regards to materials, as discussed above, a genuine attempt has been made to reflect the historic light industrial heritage. The submitted documents also propose the use of timber facing behind the main frontage building reinforces their 'backland' character. Further details of materials, including further fenestration details, would be required by condition. Given the tight nature of the site and the limited soft landscaping opportunities, further details would also be requested by condition.

Issue iv - Residential Development Standards

In principle, additional residential in a Mixed Use Area, which is in accordance with Policy LP34, particularly to the rear/above commercial use, can bring vitality and viability, providing the introduction of residential does not have any negative impact on the commercial space (in terms of access, servicing, or any conflict such as hours of operation, noise), and provides an appropriate balance of uses, to accord with Policy LP1 (A.6). It is noted separate access cores are proposed for the residential which is now all at upper floors above commercial floorspace. London Plan Policies H1 and H2 set the general expectation for increasing housing supply and expect a positive approach to small sites (below 0.25ha). Paragraph 4.2.4 on incremental intensification expects this in existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary, and it appears the site falls within this category.

Policy LP34 (A) of the Local Plan states in Areas of Mixed Use, a higher proportion of small units (studios and 1 beds) would be appropriate. Of the eight units proposed there are 5 x 1 bed units, with the mix including 2 x 2 bed and 1 x 3 bed, which represents a higher proportion of small units. Whilst officers do question whether the site, in a mixed-use area and with the close juxtaposition with commercial use, is suited

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to larger units that may be occupied by families, London Plan Policy H10 Housing size mix at part A.9 also refers to the need for family housing. Therefore, there is no objection to this proposed mix.

Policy LP 35 (B) requires new housing to comply with the nationally described space standard, which sets a minimum gross internal floor area of 50sqm for a 1 bed 2-person one storey dwelling, 61sqm for a 2 bed 3-person one storey dwelling, 79sqm for a 2 bed 4 person two storey dwelling, or 86sqm for a 3 bed 5 person one storey dwelling. These standards are also as reflected in London Plan Policy D6 Housing quality and standards. The proposed units all meet or exceed the relevant standard.

The requirements of Policy LP35 (C and D) and the Residential Development Standards SPD apply to external amenity space, requiring a minimum of 5sqm of private outdoor space for 1-2 person dwellings and an extra 1 sqm should be provided for each additional occupant. This is also set out in London Plan Policy D6 part F.9. As part of the application submission, all residential units will have direct access to private open space. It does appear some of these are larger areas e.g. terraces of 14sqm or 22sqm and appear to exceed the minimum. Policy officers did raise some concerns about the larger duplex family homes at upper floors, although given there is private amenity space exceeding the minimum, and the fact large amounts of Open Space are south-west of the site within Bushy Park, this is not considered to be unacceptable.

Policy LP35 (E) requires all new build housing is required to meet Building Regulation Requirement M4 (2) 'accessible and adaptable dwellings'. This requirement is also reflected in London Plan Policy D7. However, M4(2) requires step free access, as all the flats above commercial uses have some stepped access this could not be applied. However, paragraph 9.2.8 in the Local Plan does recognise that the inclusion of a lift may not be viable. Given the proposed building is only 2.5 stories in height, with access to the units above ground floor being the only steppingstone, this factor is not significant enough to refuse the application. The mandatory M4(1) would be applicable, as that is the default it does not need to be secured by condition.

Issue v - Residential Amenity and Living Conditions

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

The 'Residential Development Standards' SPD states that alterations to residential buildings can make more effective use of urban land for modern living needs and well-considered alterations to dwellings which complement the appearance of a property can often increase their value. However, changes can harm the amenity of neighbouring occupiers through increased noise, disturbance and activity due to an intensification of use. The 'Small and Medium Housing Sites' SPD mentions that in defining a layout, it is important that new developments do not infringe on the privacy, daylight and sunlight of adjacent properties nor that of the intended occupiers. Privacy, daylight and sunlight standards should be used as a check to ensure that a layout is acceptable but should not necessarily dictate the layout. To ensure that the privacy of occupiers is respected, the windows of main facing habitable rooms should preferably be no less than 20m apart. Where principal windows face a wall that contains no windows or those that are occluded separation distances can be reduced to 13.5m. However, the above is guidance only and each case is assessed on site specific circumstances.

Concerns were raised within the representations regarding the impact upon residential amenity, including overlooking, overbearing and loss of light, as well as noise generated from the construction process.

Overlooking

The application site has development on all four sides. To the north of the site is Hampton Wick High Street with No 29/No 31 and the site entrance opposite No 22, which is a Public House. Residential units opposite the site to the other side of the High Street would be in excess of 20m and/or at an oblique angle from the residential units with front windows at first/second floor level and would therefore not have a significant adverse impact on overlooking.

To the north-west and south-west of the site is St John's Road. No 3 St John's Road hosts a block of flats, where habitable rooms from those flats (rear elevation) would face the side elevation of the proposed development and some residents have objected to the proposal on grounds of overlooking. It is noted that there are some trees in the car park of the above flats and that they would partially screen the development.

At second floor level, there are three-bedroom windows on the southern part of the north-west elevation, there are also a number of windows at first floor level. Two external private amenity areas are also proposed serving two of the proposed residential units. The proposed elevations/floor plans show either 1.8m high walls or metal railings enclosing the two external amenity spaces, a condition is attached to ensure retention at the specified height and details of the spacing of the railings to ensure views are not achievable and overlooking into neighbouring properties properly mitigated.

The distance from the closest western part of the proposal (not including the balcony areas at first floor level which are mitigated by primary screens) is approximately 18m to the rear elevations of the flats at No 3 St Johns Road. This is slightly under the 20m as outlined in the SPD. The red line/site boundary zig zags slightly on the north-west elevation so further north, facing the north-west, the development is set further back from the site boundary and is closer to 20m from the rear elevation of No 3 St Johns Road. Further south on the north-west elevation, the red line and elevation is closer to No 3 St Johns Road, approximately 18m. As discussed above, the scheme has been amended so 5 windows on the north-west elevation (3 at first floor and 2 at second floor) are now inset windows with a deeper reveal from the external wall face. This very slightly increases the distance of these windows on the southern part of the north-west elevation to just under 19m from the rear elevation of No 3 St John's Road.

There is a difference in height between the windows discussed above on the north-west elevation to the windows serving No 3 St Johns Road. Many of them are also not at a direct angle to each other and they would provide less prominent views than an external balcony. Although they are approx. 18-19 metres, from the rear elevation of 3 St Johns Road, and just under the 20m overlooking guidance, the flats within No 3 St Johns Road do not have rear private amenity space, just the rear car park. There are also trees that provide partial screening, although these should not be relied upon solely to prevent overlooking. The amendments to inset some of these windows do modestly mitigate the impact and demonstrates that some effort has been made to improve the relationships in this backland setting. On balance, given the SPD distance of 20m and some windows only marginally failing to meet this guidance, any actual and perceived overlooking is not considered significant enough for refusal in this regard when considering the scheme as a whole and in the context of its tight-knit, backland setting. Regard has also been given to the mutual overlooking that already exists, due the existing pattern of development in this area.

Regarding Nos 5-11 St Johns Road, the rear elevations of these properties would be in excess of 20m from the south-west corner of the proposed development, with the exception of No 5, which is at more of an oblique angle. The proposed balconies on the south-western rear elevation are inset into the structure so would provide similar views as a Juliet balcony. Whilst windows on the proposed north-west and south-west elevations may provide partial views of the rear gardens to these properties, given they are angled away from these properties, overlooking is not considered significant enough to warrant a refusal.

To the rear of No 29-31 High Street frontage buildings and between Block 1, a balcony is proposed at second floor level. However, given the lack of ground floor private amenity space nearby, the lack of access to neighbouring flat roofs at first floor level and the proposed balcony screens for future occupants, no significant overlooking would arise from this balcony. Any facing windows are also at oblique angles to each other, in an area where mutual overlooking already exists.

In terms of Nos 19-27 High Street to the east of the application site, these properties are within 20m of the south-east elevation of the proposed development and include residential properties (flats). The Applicant has agreed that windows on the proposed south-east elevation at both first and second floor levels indicated on the approved drawings shall be obscure glazed and non-opening in order to significantly reduce overlooking of Nos 19-27. This is secured by planning condition.

The ground floor elements of the above High Street properties are commercial units and significant overlooking is not considered to result in harm to these uses/occupants. At first floor level, there are a number of habitable room windows facing the application site. However, given the oblique angles between windows on the proposed development and existing windows to the east, on balance this relationship would lead to limited overlooking in an area where some mutual overlooking already exists. Such a relationship would not warrant a refusal in this area.

The rear most building on the application site does not propose any side windows. The windows on the rear elevation of this building also face the White Hart Hotel car park. Windows on the front elevation of this building are more than 20m of other habitable room windows and looks onto the parking and turning area, so would not result in any significant overlooking.

Overbearing

The planning system cannot protect private views from properties, but it can consider whether a proposed development is intrusive or overbearing to the outlook of a property. This is particularly the case for residential properties, due to the massing and proximity of a proposed development, and whether this would cause any demonstrable harm to the amenity of its neighbours. Given the proposal would be in excess of 13m distance from the properties on St John's Road, there is not considered to be a significant overbearing impact in this regard. In terms of overbearing impacts towards the east the development, it would be in excess of 13m from rear habitable room windows of No 11 – No 21 High Street. The rear element of Block 1 would be reasonably close to the rear habitable rooms of Nos 23- 27 High Street. However, the nearby habitable room windows are at first floor level and the proposed development would not exceed two and a

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half storeys, and the rear of Block 1 would not be much higher than the first floor of the rear of the High Street properties. Therefore, any overbearing impact would not be significantly greater than already experienced by existing properties within the area and not enough to warrant a refusal. Block 2 is also set some distance away from neighbouring properties and orientated in such a way to limit any impacts.

Loss of Light

With regards to loss of light the application is supported by a Daylight and Sunlight report prepared by 'Schroeders Begg'. The submitted Daylight and Sunlight report has been prepared in accordance with the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight - a Guide to Good Practice', to which the BRE guidance refers. Daylight and sunlight amenities are considerations that can be taken into account when determining planning applications. There is no national planning policy relating to daylight and sunlight and overshadowing impacts. It should be noted that the BRE guidance states it is a technical guide only and should not be used as an instrument of planning policy therefore, any failure to achieve the recommended numerical factors does not necessarily mean that the development is unsuitable. The daylight/sunlight assessment has been carried out on the surrounding residential/commercial buildings that are most likely to be affected by the proposed development. Properties that were not assessed were determined to be sited a suitable separation distance from the proposals or aligned at suitably oblique angles to not needing to be assessed.

In terms neighbouring properties which the report has reviewed, these include properties with windows serving habitable rooms, primarily relating to Nos 25-27, 33 High Street and the upper floors of Nos. 21, 23 and 35 High Street. For Nos 21, 23 & 35 High Street ordinarily, the commercial areas at ground floor were not reviewed for daylight and sunlight. In reference to neighbouring No 3 St Johns Road and No 11 High St, the BRE Guide 25° test has not been necessary to undertake detailed daylight and sunlight review of these neighbouring properties given the distance from the host application site.

The report considered the BRE Guide's initial consideration of the '25° test', which a number of neighbouring properties readily satisfy and need not be considered further given their distance from the application site. For those neighbouring properties not satisfying the '25° test' the report carried out Vertical Sky Component test (VSC) which can be defined as: "Ratio of that part of illuminance, at a point on a given vertical plan, that is received directly from an overcast sky, to illuminance on a horizontal plane due to an unobstructed hemisphere of this sky." The BRE Guide considers that in terms of Vertical Sky Component (VSC), as a target value, if the VSC with the new development in place is both, less than 27% and less than 0.8 times its former value (i.e. the latter, if exceeding a 20% reduction), occupants of the existing building will notice the reduction in the amount of skylight. The maximum value obtainable at a flat window in a vertical wall is effectively 40%.

The VSC results showed that 26 out of 32 applicable neighbouring windows that serve habitable rooms meet BRE Guide target criteria.

For the isolated windows that have reductions not meeting target criteria, these relate to 6 windows to 25-27 High Street, albeit in real terms, the actual reduction in VSC value is limited (reductions in VSC value ranging 1.6 to 4.2). The reductions to these windows in terms of daylight VSC could be considered as typically 'minor adverse' and relating to the lower floors where there is already some inherent sensitivity due to some of these windows having existing low VSC levels / facing within a lower level courtyard arrangement.

For sunlight, only windows that face within 90° of south, that is to say, facing from 90° to 270°, are ordinarily considered in reference to sunlight BRE Guide review. The BRE Guide recommendation is that windows facing within 90° of south, should have 25% of Annual Probable Sunlight Hours (APSHs) with 5% in the winter months (from the autumn equinox to the spring equinox). Where reductions below the recommended levels are contemplated, these should be targeted so that the proposed value is 0.8 times former value or above (unless a reduction of sunlight received over the whole year is not greater than 4% of annual probable sunlight hours). Sunlight analysis to applicable neighbouring windows / rooms, confirms that for where reductions are applicable, these all meet BRE Guide default target criteria and thus such reductions should be considered readily acceptable.

For the proposed new-build habitable rooms (self-test), all rooms satisfy the target criteria in terms of provision of suitable daylight (Average Daylight Factor) so that the proposals meet the BRE Guide target criteria (ADF within BS8206) for daylight and the scheme has good provision of sunlight availability to the new habitable living rooms in consideration of a multi-unit development.

Noise and Disturbance

Other amenity concerns raised as part of the representations were noise and disturbance in terms of construction and noise generated from balconies. Given the balconies are small and each serve private amenity space for separate residential dwellings, these are not considered to generate significant amounts of

noise or be uncommon relationships between such residential units. Environmental Health officers have been consulted on the scheme and raise no objections in terms of noise. Conditions are recommended to ensure a good standard amenity for future occupants. The area is a mixture of commercial and residential and the proposed scheme would not out of context with the surrounding area. A condition for a Construction Method Statement would also be recommended with regards to impacts on adjoining properties during the construction phase.

Overall, the proposed development is considered to have adequately addressed concerns in relation to visual dominance, overbearing and a direct loss of privacy to habitable rooms when viewed from neighbouring properties in accordance with policy LP1, LP8 and LP39. Appropriate screening would mitigate any concerns about overlooking to neighbouring properties in the neighbouring residential block at No 3 St Johns Road and High Street properties. Therefore, it is considered that the scheme would not have a significant adverse impact on neighbouring amenity to warrant a refusal.

Issue vi - Transport, Highways and Parking

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

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

- a. there would be no material impact on road or pedestrian safety;
- b. there would be no harmful impact on the character of the area, including the streetscape or setting of the property, in line with the policies on Local Character and Design; and
- c. the existing on-street demand is less than available capacity.

There have been a few representations which have raised concerns with regards to highway safety in terms of the access, use of commercial vehicles, waste, increased congestion and insufficient parking both on the site and on street parking in the surrounding area.

Vehicular and Pedestrian Access to the Site

For the new development pedestrians, cyclists, and motor-vehicles would share an existing crossover and shared space/access lane from the western side of the A310 High Street, Hampton Wick. This currently has a running lane width of approximately 3m and leads to a private car park accommodating 5-8 vehicles. The existing crossover is surfaced with block paving, which is in poor condition, and there are two recessed utility covers that are cracked. The private access road is unlit. There is a bus stop cage immediately east of this on the carriageway of High Street, which is used by bus services that serve town centres between Tolworth and Hounslow and Kingston and Heathrow Airport every 10 minutes throughout the day and night. The A310 High Street is a classified A road, which carries 15,600 vehicles per 12-hour day (07.00-19.00) including 480 buses.

The applicant would alter the southern building line of the proposed development so that the private access road has a width of approx. 2.7m at its narrowest point and would be enclosed both sides by No 29 and No 31 High Street. Therefore, the access is already substandard if it is evaluated against the minimum recommended enclosure height to road width ratio of 1:1 recommended in Manual for Streets (MfS) (Department for Transport, 2007).

The presence of a bus cage on the western side of the carriageway could also make it difficult for drivers to get the required visibility of 2.4m x 25m in a northerly direction if a bus is stationary at the stop which could cause collisions between southbound vehicular traffic on the High Street and motorists turning right out of the access. However, it is accepted that the access is existing and is used by road users to park and access 5-8 cars. The applicant's trip generation analysis shows that, were the proposed development to be allowed, there would not be a significant intensification of use of the access by cars. Depending on how many vehicular parking spaces the applicant intends to provide for the proposed development, there might even be a net reduction in vehicle trips in and out of the access per day. Therefore, the Council's Transport Officer has no objection, in principle, for the access being used by cars and, given that this already happens, pedestrians and cyclists sharing the access with cars.

The proposed development would result in an intensification of use of the access by service vehicles, such as rigid vans which are 6m x 2m. Given that up to 0.2m either side should be added to this width to account for the wing mirrors, this leaves very little comfort space between the enclosing walls and the sides of the vehicle for pedestrians, particularly those who are blind and partially sighted or have other sensory disabilities. However, the number of vehicles using the access is not likely to be particularly high, therefore a

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substandard shared space access width is not a significant highway safety issue in this case and the Council's transport officer has no objections to this element. Similar arrangements also exist within the wider surrounding area.

Vehicular Parking

The application site is within PTAL 4. The applicant proposes five off-street vehicular parking spaces, three for the residents and two for the occupants of the flexible commercial units. This is six spaces below the maximum vehicle parking standards set out in Appendix 3 of the Local Plan and one space above the maximum standard set out in Table 10.3 of the London Plan (2021). Therefore, subject to the applicant being made to enter into an S106 agreement which would preclude all occupants of the development from purchasing vehicular parking permits within the Hampton Wick and any other CPZ, the Transport Officer has no objection to the number of vehicular parking spaces proposed. The Transport Officer also notes the development is within easy walking distance of two regular bus services, Hampton Wick railway station, and Kingston town centre.

Cycle Parking

The applicant appears to have provided bicycle parking for 24 bikes. The applicant needs to make sure they can provide long and short stay cycle parking in accordance with the minimum standard set out in the London Plan 2021. It is considered necessary and reasonable for details of cycle parking to be secured through a condition.

Access for Service Vehicles

When the application was originally submitted, the applicant proposed that a standard Council-contracted refuse vehicle of 10.4m x 2.5m stops on the carriageway on High Street and reverses into the private access road via the crossover access. However, no vehicle tracking analysis was provided to show that a refuse vehicle could undertake this manoeuvre safely. As stated above, the existing access is surfaced in block paving and is in poor condition, and there are the two recessed utility covers immediately south. If a HGV was to use the development access, be it for removal, servicing, or construction purposes, the crossover would need to be reinforced so that it could take the weight of a fully laden HGV without damaging the highway surface or the utility apparatus. The Council's Transport Officer advised this would need to be done by the applicant entering into an agreement under S278 of the Highways Act 1980 with the Local Highway Authority prior to the commencement of development and completing the works prior to first occupation of the development with the approval of the Borough Engineer.

The refuse store when originally submitted was approximately 35m west of the highway boundary. As such, a refuse vehicle would have had to reverse at least 15m to get within 20m of the bin store. Furthermore, LBRuT only allows vehicular crossover or dropped kerb accesses from a classified A road if the vehicle can enter and exit the site it serves in forward gear. A refuse vehicle could not have achieved this under the initial arrangements and the Transport Officer originally objected to this element of the scheme. In addition, the initial plans failed to show any vehicle tracking drawings to show that a fire tender of 10.2m x 2.3m, with a pump appliance, could get within 45m of the building furthest away from the highway boundary.

Following the initial submission, Tracking drawings were submitted to demonstrate the ability of refuse and emergency to access the site. Whilst the tracking drawings showed refuse and emergency vehicles could reverse into the site, they did not address the refuse/bin drag distance, take account of the BT recessed cover, or address movement restrictions resulting from cars or buses parked on High Street, when a refuse or HGV arrived. The Council's Waste team also confirmed 'Serco' (the Council's Household Waste collectors) do not reverse into the access, as set out within the Design and Access Statement, but collect refuse from the carriageway.

Given the above, the locations of the residential bin store and cycle store were switched to ensure a wheelable distance for bins to refuse vehicles parked the carriageway. The Waste SPD seeks to ensure that the refuse vehicle doesn't have to reverse more than 12m and width and that the vehicle can wait legally and safely in a position within 20m of the bin storage. The amended refuse store would be approximately 18m from the access junction with High Street. Taking into account a 3m distance, due to the refuse vehicle needing to park slightly south of the bus cage, this would allow a wheel distance of 21m. This is just above the maximum distance of 20m within the SPD. The Council's Waste officers confirmed that this would be considered acceptable and would not amount to a reason for refusal. On this basis, the Transport Officer removed their objection on this matter and requested a refuse condition.

Construction Vehicles

The Transport Officer has raised concerns over access and egress for construction vehicles. The Transport Officer considers that since the site accesses an A-road, which is heavily trafficked at all times of the day, all construction-related loading and unloading must take place off-street. However, there is a pinch-point on the access road where it has a wall-to-wall width of approx. 2.7m. The widest construction vehicle tracked in the

submitted outline CMP has a total width of 2.5m. Therefore, any driver, some of whom would have to reverse into the site while the western-most building is being built, would have little margin for error either side.

The Transport Officer also raises concern over how vehicular access would be maintained for other residents who have rear vehicular accesses to their properties. Most of the yard is within the site boundary, so in theory the applicant could restrict access to the area for the duration of the project. However, a future developer may need to assist these residents during the temporary loss of the access and their spaces.

In relation to strengthening the existing crossover so it can accommodate the weight of a 40-tonne muck-away HGV, the applicant states this issue could be dealt with under Section 50 of the New Roads and Streetworks Act 1991. However, the Transport Officer raised concerns with this approach and highlighted the issue of the BT chamber in proximity to the access. The Transport Officer considers that BT should be approached at this stage, in connection with any strengthening works required and any diversion/impacts upon the BT chamber. Such works are likely to be costly and the Transport Officer would like these matters addressed in advance. The applicant has been advised of this and confirms they would want this matters added into the pre-commencement CMS condition.

The applicant notes that it is preferable to ensure that construction vehicles manoeuvre off the High Street and relies on the vehicular tracking drawings to demonstrate that vehicles of 2.5m width could manoeuvre in the site at certain times. The applicant has also stated that banksmen would be employed to supervise these movements. There would be numerous occasions where contractors are required to reverse vehicles within constrained areas on different sites in London. There are also a number of different construction vehicle makes and sizes. The Outline Construction Logistics Plan includes the vehicle tracking for a wide variety of vehicles with widths ranging from 2.1 – 2.5m. The applicant also states there is scope to ensure that suppliers, sub-contractors and other visitors to the site utilise vehicles at the narrower end of the range. They consider this could be specified in the tender documents that are sent to the prospective contractors.

Given that there is scope for narrower vehicles to be specified and banksman would be used, all construction vehicles have the potential to be able to access the rear of the site. Therefore, the disruption / inconvenience to residents could be reduced to an appropriate level. For such a constrained site it is good practice for a contractor/applicant to communicate with residents throughout the construction process, and this could be added into the CMS condition.

Regarding the BT chamber and strengthening works it would be highly desirable for the applicant to consult the utility company in advance and resolve all matters. However, this is a detailed design issue and this process could still be addressed as part of a pre-commencement CMS condition. The applicant has also been made aware of the complications, risks and delay this may cause for them at a later date, but despite the request the applicant wants this matter to be included into the CMS condition.

Whilst paragraphs 110 and 112 of the NPPF recognise that development should allow for the efficient delivery of goods, and access by service and emergency vehicles, there are still separate processes for the highway works, whether this be through a Section 50 or S278 application, that would still require the submission of detailed highway works and evidence that the utilities companies are satisfied with the works. As such, only once the Council's Transport team sign off any necessary works would the applicant be able to undertake the enabling works for the development. Whilst it is recognised that the Transport Officer's approach is highly desirable, it is considered that permission should not be withheld solely on this basis and it would be reasonable to address this matter through the CLP condition.

Officers appreciate the Transport Officer's understandable concerns, but do not consider that these should prevent a permission being issued, especially when the matter can be addressed through a pre-commencement condition. Ultimately, the onus would also be on the applicant to resolve this matter at a detailed design stage. It is acknowledged that if this condition could not be discharged any planning permission may be unviable. However, Officers have not seen evidence that it is impossible for this site to be constructed safely, therefore it is at the applicant's own risk.

Subject to the above condition, it is considered that the development would comply with Paragraphs 110 and 112 of the NPPF and be in accordance with Policies LP44 and LP45 of the Local Plan.

Issue vii - Trees and Ecology

Policy LP15 of the Local Plan states the Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats.

The application was accompanied with 'Wychwood Environmental Ltd' Ecological Appraisal Report and a Officer Planning Report – Application 21/0586/FUL Page 22 of 39

Daytime Bat Potential Roost Assessment (PRA), Ecological Walkover report and a BAT Emergence Survey. The Council's Ecology Officer has commented on the application and raised some concern about a lack of soft landscaping as part of the proposal. Some minor soft landscaping amendments were made throughout the application, which included evergreen planting along the western fence, two green roofs (one above the cycle store and the other adjacent to the two terraces in Block 1) which are welcomed. However, it is accepted that the site is constrained and there are not significant levels of soft landscaping on the site currently. Therefore, the Ecology Officer has not raised an objection to the scheme, but has recommended a number of conditions, including the full implementation of the recommendations from the above reports. Conditions also relate to a Biodiversity Enhancement and Mitigation Plan (BEMP), wildflower green roof, details of external lighting (as per Ecology Report recommendations) and hard and soft landscaping details. Subject to the necessary conditions, the proposal would be in accordance with Policy LP15 of the Local Plan

Policy LP16 states the Council will require the protection of existing trees and the provision of new trees, shrubs and other vegetation of landscape significance that complement existing, or create new, high quality green areas, which deliver amenity and biodiversity benefits. There are a number of small trees on and adjacent to the site boundaries with protection resulting from the conservation area designation. The Council's Tree Officer has commented on the proposal and concurs with the tree report undertaken by 'Crown Consultancy'. The report demonstrates that the majority of the trees are being retained on site are of minimal amenity given their backland location. The Tree Officer notes the proposed pruning of T1, T3, T8 and T9 with some incursion into the root protection area of T1. The tree of most significance is T1 an Ash tree in the rear of the White Hart pub.

The tree report also notes the foundations of Block 2 will extend into the potential outer RPA of T1 by approximately 10%. It is considered that the impact of this will be small, however, in order to minimise any potential impacts on the roots, a shallow raft or beam foundation will be installed and excavation will be overseen by the local authority tree officer or the consultant arborist. The foundations will be hand-dug.

The Tree Officer has no objection to the proposal. However, whilst a tree survey and tree schedule has been submitted there are limited details regarding an Arboricultural Impact Assessment. It is therefore considered reasonable and necessary that further details are requested by condition, including a more detailed arboricultural method statement and tree protection scheme. These details would need to be reviewed in conjunction with any Construction Method Statement and further landscaping details, as discussed below. As stated above, details of the green roofs have also been requested.

Subject to these conditions, the application is considered to be in accordance with LP16 of the Local Plan.

Issue viii - Flood Risk, Drainage and Basement Extension

The latest published flood zone maps show that approximately 50% of the site lies within Flood Zone 2, representing between a 1 in 100 and 1 in 1,000 annual probability of river flooding, or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. The other 50% of the site lies within Flood Zone 1, representing land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding.

Policy LP21 of the Local Plan states: All developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere. London Plan S113 requires development proposals to aim to achieve greenfield run-off rates and follow the drainage hierarchy. Policy LP11 is applicable in relation to the basement development.

The NPPF, in paragraph 159, says that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The NPPF, in paragraph 162, says the aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding.

Sequential Test

The site is partly within Flood Zone 1 and partly within Flood Zone 2, as defined within the SFRA. A detailed flood risk assessment (FRA) accompanied the application and was later updated with a Sequential Test report. The proposed development, based on its residential and commercial use, is classed as 'more vulnerable' and 'less vulnerable' respectively. Parts of the new residential development are sited within Flood Zone 2, being solely on the upper floors of the development.

Given the proposal would be for a 'More Vulnerable' use (i.e. residential dwellings) partly within Flood Zone 2, the 'Sequential Test' set out in national and local policy applies. The revised Flood Risk Assessment and Sequential Test responds to recent requirements of the NPPG, which seeks identification of any other 'reasonably available' sites within the area of search, that have not already been identified by the planning authority in site allocations or relevant housing and/or economic land availability assessments, such as sites currently available on the open market.

The Sequential Test has been undertaken by the planning agents (WSP) on a borough wide basis and independent advice has also been sought from established estate agents (Featherstone Leigh Commercial) who have checked availability of sites on the market. The search parameters include +/- 10% of the floorspace proposed and the number of residential units. In addition, in assessing any qualifying sites it sets out the justification for rejecting each site. Furthermore, it includes the list of all sites considered and the reasons why they were rejected and did not qualify. Generally, the Sequential Test has been prepared in light of the current guidance and the approach set out within the SFRA and follows the approach taken on another recent application site within the borough.

The results of the Sequential Test indicate other sites within the assessed area are unsuitable for the proposed scheme or unavailable. The search found that there were no currently available sites on the open market within the London Borough of Richmond that would be comparable development sites. On this basis, it has been demonstrated that the Sequential Test has been satisfied and the requirement of policy LP21 complied with.

The design approach has also considered flood risk within the site, with the more vulnerable uses (i.e. residential flats) directed to the upper floors of the development, with less vulnerable commercial uses at ground floor level. In relation to the ground floor uses a very similar amount of commercial floorspace would be retained at this level. In addition, the scheme offers opportunities to improve the resistance and resilience of the site against flooding compared to the existing scenario, with improvements to the built structure and the surrounding area.

The Exception Test is not required in this instance, given the type of proposed uses and the site being within Flood Zone 1 and 2.

Fluvial Flooding

The Environment Agency were consulted on the application and raised no objection in principle. They noted that they were unable to comment specifically with respect to groundwater and contaminated land where proposed development is outside of a Source Protection Zone. However, the issue of ground water and contaminated land are covered in further sections of the report. No adverse comments were received from Thames Water.

Basement Policy and Groundwater Flood Risk

Policy LP11 of the Local Plan states: The Council will resist subterranean and basement development of more than one storey below the existing ground level to residential properties or those which were previously in residential use. Proposals for subterranean and basement developments will be required to comply with the following:

1. extend to no more than a maximum of 50% of the existing garden land or more than half of any other undeveloped garden area (this excludes the footprint of the original building);
2. demonstrate the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure, including related to the highway and transport; a Structural Impact Assessment will be required where a subterranean development or basement is added to, or adjacent to, a listed building.
3. use natural ventilation and lighting where habitable accommodation is provided.
4. include a minimum of 1 metre naturally draining permeable soil above any part of the basement beneath the garden area, together with a minimum 200mm drainage layer, and provide a satisfactory landscaping scheme.
5. demonstrate that the scheme will not increase or otherwise exacerbate flood risk on the site or beyond, in line with policy LP 21 Flood Risk and Sustainable Drainage.
6. demonstrate as part of a Construction Management Statement that the development will be designed and constructed so as to minimise the impact during construction and occupation stages (in line with the Local Environmental Impacts, Pollution and Land Contamination policy of this Plan).

The proposed basement would increase the existing basement from 36m² to 135.3m² and would contribute towards the Class E commercial floor space. Policy LP11 and the SFRA advise within Flood Zone 1 there

are no restrictions on the use of the basement. For basement extensions within Flood Zone 2 there are also no restrictions, providing in the case for residential use the floorspace is not self-contained or used as bedrooms. In this instance, given the proposed basement is proposed solely for commercial use and not for any residential proposes it is considered acceptable.

In addition, the proposed basement would not occupy more than 50% of the site and would not be located under any of the proposed outdoor garden areas. Whilst the site is in close proximity to nearby BTMs the proposed basement is not being added to or adjacent to any Listed Building. It is also noted that Building Control plays a part in enforcing minimum standards for structural stability. Conditions relating to a Construction Management Statement and contamination would be imposed to minimise any impacts during construction and occupation stages.

The proposal incorporates a single storey basement extension, which would extend towards the rear of the existing basement on High Street. This would be relatively modest at 135.3sqm in comparison with the overall site. Although the application was accompanied by a comprehensive FRA, a basement screening was not initially received. However, later RSK Environment Limited (RSK) have undertaken a screening assessment and a survey has been provided as part of the application to demonstrate that the proposed buildings on the site could have limited impacts. As outlined within Section 2 of the Basement User Guide; whether it is a screening assessment or a basement impact assessment, the Council will rely on the professional integrity of the person signing off the assessment to ensure that the construction of the basement can be undertaken safely. It is clear from the submitted screening assessment that this has been completed by an appropriate chartered professional. Therefore, this is a self-certification process. Given the application site is partly within Flood Zones 1 and 2, and there are limited flood constraints identified, this is considered appropriate in this instance. However, the conclusion of the report was a basement impact assessment is required.

Owing to the outcome of the screening assessment, a Basement Impact Assessment report and a Structural Impact Assessment report have also been produced by a suitably qualified persons ('Engineeria Structural and Civil Engineers' and 'Geotechnical and Environmental Associates Limited' (GEA)).

The reports confirm ground investigation work was undertaken by GEA and three boreholes were advanced to a depth varying between 5.45m and 7.10m depth. Ground water was encountered at depths between 3.55m and 3.7m, which is noted as being below the proposed basement formation level. In addition, it is anticipated that ground water would not be encountered during the excavation stage. Notwithstanding this, the basement would need to be designed in accordance with British Standards for protection of below ground structures against water ingress and waterproofed to grade 3 plus benefit from a cavity drainage system. The basement is an enlargement of commercial floorspace with space around it, so it would not necessarily form a large barrier and should the water table rise groundwater would be able to continue to flow around it.

In connection with ground movement and potential damage assessment, GEA's and Engineeria's opinions are that any damage to the neighbouring building resulting from the construction would not exceed levels set within the recognised 'Burland and Burrige' classification and in the Council's basement guidance. Policy LP11 does require the application to demonstrate the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure. Details on the proposed substructure, superstructure and stability have also been provided, together with the proposed construction sequence. The conclusion arrived at by Engineeria is that following an assessment of ground conditions on site, including ground water levels and geotechnical parameters, a proposed structural design has been provided to demonstrate an appropriate construction method for the enlarged basement. The proposed sequence of works would also allow the basement construction in a safe way, subject to works being undertaken by an experienced contractor and the usual checks. While certain details are required by a planning policy, it is also noted that Building Control plays a part in enforcing minimum standards for structural stability, as does the Party Wall Act. This is set out in the Good Practice Guide on Basement Development (2015).

The basement impact and structural information has been provided by a suitably qualified engineer. It is also noted the basement would be adjacent to the curtilage of an adjacent building. The reports conclude the basement would not impact surrounding boundaries or properties and would not impact land stability. The combined information provided in the Flood Risk Assessment, Basement Impact Assessment and Structural Impact Assessment, supported by on-site investigations, is considered sufficient to demonstrate policy compliance in respect of the Local Plan policies LP11 and LP21. Therefore, no objection is raised to the proposal in regard to flood risk as the submitted information demonstrates that the proposal can be carried out within increasing flood risk associated with this or neighbouring sites and the information fulfils the requirements set out by the Basement Assessment User Guide.

In accordance with paragraph 167 (part e) of the NPPF, the applicant has submitted a Flood Evacuation strategy and a condition is considered reasonable to ensure the scheme is carried out in accordance with these details.

Sustainable Drainage

Policy SI13 of the London Plan (Sustainable Drainage) states that developments should utilise sustainable drainage systems (SuDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to source as possible in line with the drainage hierarchy.

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

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

The submitted FRA outlined that the level of risk from fluvial flooding is moderate, the risk from tidal, surface water, sewers and artificial sources is assessed as low. There is a low to moderate risk from groundwater flooding, but the proposals include structural waterproofing at basement level and there will be internal access to ground floor levels. Due to the constraints of the site, the proposals would not change the amount of impermeable areas on the site, but surface water would be managed by attenuation prior to being discharged to the main sewers. The proposals incorporate permeable paving, modular storage tanks and a green roof.

The Lead Local Flood Authority were consulted on the application and initially objected to the proposal, due to a lack of information being submitted. Additional information was subsequently provided clarifying that the proposed development intends to use water butts and green roofs, permeable paving, rain garden along the edges of parking spaces and underground storage tanks. The proposed runoff rate is not the same as the greenfield runoff rate, but it is a maximum of less than 2 l/s. A justified reason for not achieving the greenfield runoff rate has been provided. The attenuation volume proposed (57m³) is equal to or greater than the attenuation volume required (54m³). It has been demonstrated that the site will not flood as a result of the 1 in 30 year rainfall event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100 year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration will be suitably managed via the presented exceedance routes. Whilst the LLFA still requested further information, such as drainage maintenance details, as well as updating their FRA and SUDs proforma, the LLFA removed their objection subject to conditions for drainage details and maintenance.

Issue ix - Sustainability

The New London Plan (2021) Policy SI 2 Minimising Greenhouse gas emissions states Major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

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

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

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

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

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

3. Be green: use renewable energy

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

In accordance with Policy LP 22, the development is required to achieve a minimum of a 35% reduction in carbon dioxide emissions. An energy report, prepared by Blue Sky Unlimited, and a Sustainable Construction Checklist has been completed. The report demonstrates that in the context of “Be Lean” (reducing demand and consumption), the scheme will deliver a reduction in emissions of 11.80%. Under “Be Clean” (supply energy efficiently), the scheme will deliver a reduction in emissions of 40.17%.

The report also went on to add that the residual emissions are 7.434 tonnes, therefore a carbon offset payment of £13,381 based on £1800 per tonne of carbon will be made as part of the proposals. Although this was incorrectly calculated at £60 per tonne over 30 years equalling £1800 per tonne, when it should be £95 per tonne over 30 years equalling £2850 per tonne, therefore a contribution of £21,186.90, Policy LP22 of the Local Plan only requires major developments over 10 units to achieve zero carbon standards, therefore as stated within the affordable housing section, this contribution is no longer required.

The proposals include passive design measures including passive solar gain, natural daylighting and efficient building fabric including reducing air leakage and thermal bridging. Active design measures will include efficient lighting and controls,

The Energy report considered a number of renewable energy sources for the development including ground source heat pumps (GSHPs) and solar power. These options were not considered viable due to the constrained nature of the site, including its location within a Conservation Area. As such, the scheme proposed Air Source Heat Pumps (ASHPs) in lieu of a gas system which will reduce the amount of energy from non-renewable sources. Details of ASHPs are required by condition.

Issue x - Archaeology

Policy LP7 of the Local Plan states the Council will seek to protect, enhance and promote its archaeological heritage (both above and below ground), and will encourage its interpretation and presentation to the public. Desk based assessments and, where necessary, archaeological field evaluation will be required before development proposals are determined, where development is proposed on sites of archaeological significance or potential significance.

NPPF Section 16 and the London Plan (2021 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 states applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.

The planning application lies in an area of archaeological interest. The Greater London Archaeological Advisory Service (GLAAS) has been consulted on the proposal. The desk-based assessment which was supplied with the application (Cotswold Archaeology, December 2020) provides a good baseline of archaeological information for the site. Archaeological trenches have previously been excavated on sites adjacent to the development site, and information from these trench reports can be used to assess potential survival of archaeological remains within the site. There is therefore no requirement for additional archaeological trenches within the site.

The site is located within an area of Hampton Wick which is shown as developed from the mid-18th century, and archaeological works at 25-27 High Street revealed remains of this period. GLAAS advise that the development could cause harm to archaeological remains. However, the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition. It is therefore recommended that development works on the site be accompanied by an archaeological watching brief. Subject to the above condition, the proposal is considered to be in accordance with Policy LP7 of the Local Plan.

Issue xi - Contaminated Land

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

The site is noted to have a history of light industrial use and therefore comprises potentially contaminated land. As such, a contamination report s required as part of any approval, along with potential remediation as part of the results. A Desk Study prepared by TCS Ltd has been submitted as part of the application.

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

Issue xii - Fire Safety

Under Policy D12 of the new London Plan (2021), there is requirement that all developments must be designed to achieve the highest standards of fire safety to reduce the risk to life or serious injury in the event of a fire. This includes providing appropriate alarm systems, a suitable means of escape for all building users, and access to equipment for firefighting which is appropriate to the size and use of the development.

The applicant has submitted a Fire Safety Statement in response to the requirements of Policy D12 (A). This covers the relevant information for this policy, and this level of information is considered appropriate for the scale of development proposed.

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

In light of the above, the proposed fire safety measures are considered to comply with Policy D12 of the London Plan.

Issue xiii - Other Matters

A number of matters were raised within the public representations which include concerns regarding party walls and compensation of how adjoining neighbours are affected financially by the development particularly through construction. However, these are civil matters and not matters for the Local Planning Authority. A request was made that the application should be determined at the planning committee. However, given the application is not a major or a departure, the scheme is within the Head of Development Management's remit to determine under delegated powers.

Housing Land Supply

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

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

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

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

Local Finance Considerations

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

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

Conclusion and Planning Balance

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

In terms of the social benefits, the scheme proposes a mix of dwelling sizes, including a high proportion of smaller units, which contributes to mixed and balanced communities. The amenities in Hampton Wick and Kingston are in close proximity to the site, promoting active and healthy communities and allow future residents to use these and add to the community. The proposal would deliver market dwellings which will contribute towards ensuring there are a mix and choice of homes. A financial contribution of £85,576 will also be made as for affordable housing provision.

In addition, the development would significantly improve the quality of the commercial floorspace, ensuring that jobs are retained in the local area, contributing to the local economy. From an employment perspective the proposal would generate approximately 27-35 FTE jobs, which represents an increase of approximately 10-18 FTE jobs when compared with the existing provision. This should be given significant weight in the determination of the application.

As set out within the report there will be less than substantial harm to the significance of the conservation area and harm to the adjacent BTM, No 31 High Street. Due to the above, the decision maker must therefore weigh the harm against the public benefits of the scheme. An application can only be approved if the public benefits clearly outweigh the harm caused to the heritage constraints. Officers have demonstrated in the main body of the report that this will be the case. Concerns were also raised regarding construction access, however it is considered this could be resolved by condition. The onus would be on the applicant to demonstrate acceptable practises.

In terms of environmental impacts, the site comprises previously developed land which will reduce pressure on undeveloped sites. The proposal seeks to make effective reuse of land within a sustainable and urban area, providing future occupiers with access to sustainable transport connections, reducing the reliance on private vehicles. The brownfield nature of the site means that it is of a low ecological value. The development will incorporate a green roof and evergreen planting in the parking courtyard as well as further soft landscaping. Furthermore, the scheme incorporates Air Source Heat Pumps (ASHPs) and other energy efficiency measures which will reduce emissions by over 11% under the 'Be Lean' category and over 40% under the 'Be Clean' category. The site therefore contributes positively to the environmental arm of sustainability.

The proposal passes the Sequential Test, in connection with some of the new residential development being partly within Flood Zone 2, and this would comply with Policy LP21 and the NPPF. The new residential units are also at upper floors of the new development and a flood evacuation plan has also been provided in accordance with Paragraph 167 of the NPPF. The Environment Agency and the Council's Lead Local Flood Authority have not objected to the proposal in flood risk or drainage terms. A basement impact assessment and structural impact assessment has also demonstrated policy compliance.

In terms of economic impacts, the development, through providing open market dwellings and high-quality employment space, will introduce a new economically active population to Hampton Wick that will represent inward investment and provide a significant boost to the local economy through increased patronage, helping support existing local jobs, services and facilities. The development will bring permanent economic benefits through additional household expenditure and council tax payments. In terms of temporary economic benefits, the proposed development will generate turnover and temporary employment for construction firms and related trades.

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

- Provide 536.5sqm of Class E commercial floorspace.
- Additional 8 residential units for the Council's housing supply.
- Policy compliant level of affordable housing.
- Acceptable design which preserves heritage assets and the character of the area.
- Not cause significant detrimental impact to residential amenity.
- Maximise opportunities for use of public transport, walking and cycling.
- Manage basement impacts, flood risk and drainage effectively.
- Have no significant adverse impacts on features of landscape or ecological value.
- Provide appropriate infrastructure to meet the needs generated by the development through wheeled bin provision.

It is accepted that the proposed development would result in some harm as the proposal would not fully accord with all development plan policies, including regarding residential amenities, the impact on a Building of Townscape Merit and less than substantial harm to the conservation area. However, the report states numerous benefits arising from the proposal and when considered in the round, it would contribute to the economic and other social dimensions of sustainability. The scheme also offers some environmental benefits. Overall, the harm identified is not considered to significantly and demonstrably outweigh the benefits arising and when assessed against all the relevant policies in the NPPF. This is a significant material consideration and outweighs the identified conflicts with the Development Plan and therefore it is recommended that permission should be granted.

RECOMMENDATION – Approve, subject to the completed Unilateral Undertaking securing an affordable housing contribution of £85,576 (index-linked) and restriction on parking permits, monitoring fee and legal fee along with the conditions and informatives listed below:

AT01 – Development begun within 3 years

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

DV44A - Approved Documents and Drawings

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

Location Plan drawing no. 1911 TP(00) 01 received 21 June 2021
Proposed Site Plan drawing no. 1911 TP(00) 05 Rev A received 21 June 2021
Proposed Block Plan drawing no. 1911 TP(00) 03 Rev A received 21 June 2021
Proposed Basement Floor Plan drawing no. 1911 TP(10) 20 Rev A received 21 June 2021
Proposed ground floor plan drawing no. 1911 TP(10) 21 Rev C received 31 August 2021
Proposed first floor plan drawing no. 1911 TP(10) 22 Rev E received 17 October 2023
Proposed second floor plan drawing no. 1911 TP(10) 23 Rev E received 17 October 2023
Proposed roof plan drawing no. 1911 TP(10) 24 Rev C received 17 December 2021
Proposed elevations drawing no. 1911 TP(11) 21 Rev E received 17 October 2023
Rear of Hampton Wick High Street drawing no. 1911 SK007 Rev A received 17 December 2021
Landscape Plan: Planting Layout drawing no. 1911 Planners Response 20210624 received 31 August 2021
Schedule of Accommodation - Proposed drawing no. 1911 SK003 Rev E received 31 August 2021

'Flood Risk Assessment and Indicative Surface Water Drainage Strategy' by RSK dated January 2021 (as Amended by letters dated 28 June 2021 and 19 August 2021)

'Screening Assessment' by RSK dated April 2021

'Sequential Test' by WSP dated March 2023 'Structural Impact Assessment' by Engineeria Structural and Civil Engineers dated 28 July 2023.

'Ground Investigation Report & Basement Impact Assessment' by Geotechnical and Environmental Associates Limited (GEA) dated July 2023.

'BS 5837 Arboricultural Report' by Crown Tree Consultancy dated 12 January 2021

'Sustainability & Energy Statement' by Bluesky Unlimited dated 27 January 2021

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

Class E use class restriction (Block 1)

The ground floor and basement of block 1 as shown on approved drwg 1911 TP(00)03 Rev A shall be used only for purposes within Use Class E as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision revoking or re-enacting that order.

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

Class E use class restriction (Block 2)

The ground floor of block 2 as shown on approved drwg 1911 TP(00)03 Rev A hereby approved shall be used only for/as offices or industrial type uses which can be carried out in a residential area without detriment to its amenity (Class E(g)), provision of medical or health services (Class E(e)), provision of services including financial services, professional services (other than health or medical services), or other services appropriate in a commercial, business or service locality (Class E(c)) or display or retail sale of goods, other than hot food (Class E(a)) and for no other purpose as specified in the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision revoking or re-enacting that order.

REASON: To safeguard the amenities of nearby occupiers and the area generally and local parking

conditions and accord with employment policy.

Hours of Work

No work or associated activities including deliveries /loading /unloading /servicing /or parking or manoeuvring of vehicles by staff and/or visitors shall be carried out on the premises on any Bank Holiday nor before 7am or after 11pm on Monday - Sunday.

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

U0162300 - Details of shopfront

No work to any part of the shopfront (s) to the commercial units shall be carried out until detailed plans showing the design and external appearance of the shopfront (s) including fascia has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of visual amenity.

U0162301 - Door design - Disabled access

The external door of a shopfront shall have a minimum opening clearance of 830mm and a level approach from the public highway.

REASON: To safeguard access for the disabled.

DV49 – Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Management Statement (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Statement shall provide for:

1. The size, number, routing and manoeuvring tracking of construction vehicles to and from the site, and holding areas for these on/off site;
2. Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear;
3. Analysis of the access point to accommodate the swept paths of construction vehicles and utilise selected operators that are committed to best practice and are a member of Transport for London's Freight Operator Recognition Scheme (FORS).
4. Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
5. Details and location where plant and materials will be loaded and unloaded;
6. Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required;
7. Details of any necessary suspension of pavement, road space, bus stops and/or parking bays;
8. Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such;
9. Details of any wheel washing facilities;
10. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips);
11. Details of measures that will be applied to control the emission of noise, vibration and dust including working hours. This should follow Best Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites;
12. Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site);
13. Details of the phasing programming and timing of works;
14. A construction programme including details of the 24 hour emergency contact number for neighbours;
15. Details of Banksman to be used;
16. Details of the reinforcement of the existing crossover, together with the protection and any diversion the utilities required;

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

Grampian – Section 278

Prior to the commencement of development, to enter into agreement with the Council under section 50 and section 278 of the Highways Act 1980 for crossover works as shown on drawings to be submitted to and agreed in writing by the Local Planning Authority.

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

LT09A – Hard and Soft Landscaping Required

(A) No part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play

equipment, refuse or other storage units, signs, lighting etc.); proposed and existing utility services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; a program or timetable of the proposed works.

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

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

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

BD10 – Sample Panels of Brickwork

Sample panels of facing brickwork showing the proposed colour, texture, face-bond and pointing shall be provided on site and approved by the Local Planning Authority before the relevant parts of the works are commenced and the sample panels shall be retained on site until the work is completed and has been approved.

REASON: To ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

BD12 Details - Materials to be Approved

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

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

NS01 - Fenestration etc

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

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

NS02 - Building Regulation M4(2)

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

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

NS03 - BREEAM for Non-Housing~

The development hereby approved shall achieve BREEAM Rating Excellent in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).

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

DV50A – Energy Reduction

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

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

DV51A – Water Consumption

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

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

PK06A – Cycle Parking

No building/dwelling/part of the development shall be occupied until 24 cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof. The cycle parking facilities shall be retained as such for the lifetime of the development.

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

NS02 - Boundary Treatments

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

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

DV18 - Refuse

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

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

NS03 - Biodiversity Enhancement and Mitigation

No development shall commence until details of a Biodiversity Enhancement and Mitigation Plan (BEMP) in accordance with the Ecological Appraisal Report by Wychwood Environmental Ltd dated October 2019 have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details prior to occupation of the development.

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

NS04 - Wildflower green roof

Prior to the commencement of development, full details of the wildflower biodiverse roof - including substrate type, species mix, depth and contouring of substrate, type of membrane, how levels of light, moisture, aeration and nutrients will be achieved, wildlife features and maintenance plan - shall be submitted to and agreed in writing by the Local Planning Authority and thereafter constructed in accordance with these details prior to occupation of the development.

REASON: To preserve the ecological value of the site hereby approved, to promote sustainable development and ensure that the proposed development is in keeping with the existing building(s) and does not prejudice the appearance of the locality.

NS05 - External lighting - as per recommendations of above reports

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

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

NS06 - Ecological Enhancements

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Prior to the occupation of the development hereby approved, an ecological enhancement plan including details of Biodiversity Net Gain shall be submitted and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with these details prior to the occupation of the development. These should include the following:

- o A Bird brick/ox (house Sparrow or swift) and a bat brick incorporated into each unit
- o All planting should be native or wildlife friendly

The details shall include specific location (including proposed aspect and height), specific product/dimensions and proposed maintenance.

Reason: To enhance nature conservation interest.

NS07 - Sustainable Drainage and basement details and flood management

Prior to the commencement of any groundworks (excluding site investigations and demolition), a final detailed drainage design including drawings, supporting calculations and an updated Sustainable Drainage Proforma shall be submitted to and approved in writing by the Local Planning Authority. The details shall be aligned with the Flood Risk Assessment and Indicative Surface Water Drainage Strategy by RSK dated January 2021, Basement Screening Assessment by RSK dated April 2021 and the letter from RSK dated 28th June 2021 and 'Structural Impact Assessment' by Engineeria Structural and Civil Engineers dated 28 July 2023 and 'Ground Investigation Report & Basement Impact Assessment' by Geotechnical and Environmental Associates Limited (GEA) dated July 2023. A detailed management plan confirming routine long-term management and maintenance tasks for all drainage components for the lifetime of the development shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate that forecast green run-off rates have been achieved. Prior to the occupation of the development, the approved scheme shall be fully implemented and not operated other than in accordance with the details of the approved scheme.

REASON: 1). To ensure a sustainable drainage system is implemented and that sufficient capacity is made available to cope with the new development and to avoid adverse environmental impacts upon the local environment.

2) To ensure that the development will be safe and prevent the risk of flooding to and from the site in accordance with relevant policy requirements, including but not limited to London Plan Policy SI 13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Richmond Council's Local Plan Policies LP11 and LP 21.

NS15 Flood Mitigation

The development permitted by this planning permission shall not be constructed other than in accordance with the submitted Flood Risk Assessment and Indicative Surface Water Drainage Strategy by RSK dated January 2021, Basement Screening Assessment by RSK dated April 2021, the letter from RSK dated 28th June 2021 and the 'Ground Investigation Report & Basement Impact Assessment' by Geotechnical and Environmental Associates Limited (GEA) dated July 2023 and the mitigation, resistance and resilience measures described within these documents, unless otherwise agreed in writing by the Local Planning Authority. The mitigation measures shall be fully implemented prior to first use, or within any other period as may subsequently be agreed, in writing, by the local planning authority. REASON: To reduce the risk of flooding to the proposed development and future occupants and to reduce the effects of flooding to the proposed development and future occupants."

NS08 -- Permeable Paving

Prior to any occupation of the development hereby permitted details of the permeable paving shall be submitted to and approved in writing by the local planning authority. The permeable paving shall be implemented in accordance with the approved details prior to the first occupation of the development and be retained for the lifetime of the development.

REASON: Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework

NS09 - Parking

The development hereby permitted shall not be occupied until all of the 5 car parking spaces and access road thereto shown on drawing no. 1911 TP(10)21 Rev E have been constructed and laid out in accordance with these details. The residential flats shall be allocated 3 car parking spaces and the commercial units allocated 2 car parking spaces. The parking spaces shall thereafter be retained and assigned for these uses for the lifetime of the development.

REASON: To ensure a satisfactory cap parking provision.

EVCPs

The development shall provide 2no. active electrical vehicle charging points (EVCPs) and 3no. passive EVCPs at all times. Prior to the occupation of the development hereby approved, the approved scheme shall have been installed, be ready for use, and be thereafter retained.

Reason: To encourage the uptake of electrical vehicles and accord with the requirements of the London Plan.

Obscure Glazing

The proposed first and second floor side windows of the buildings annotated OW on approved drawings nos: 1911 TP(11) 21 Rev E , 1911 TP(10) 22 Rev E and 1911 TP(10) 23 Rev E received on 17 October 2023 shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.75 metres (5'7") above the relevant floor level unless otherwise approved in writing by the Local Planning authority.

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

Privacy Screens – First Floor Terraces

The first-floor roof terraces on the north-west elevation shall be screened to a height of 1.8m in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved screens shall remain in situ thereafter at all times.

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

Privacy Screen – First Floor Corner Balcony

The first-floor corner balcony shall be screened to a height of 1.8m on its south-west elevation in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved screen shall remain in situ thereafter.

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

Roof Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part(s) of the roof other than of the building hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto other than for essential maintenance unless otherwise annotated as an amenity space, roof terrace or balcony on approved drawings nos: 1911 TP(10) 22 Rev E and 23 Rev E .

REASON: To safeguard the amenities of the occupiers of adjoining property.

DV29F - Contamination

1. No development shall take place until:

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

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

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

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

REASON: To protect future users of the site and the environment.

Tree Protection

(A) Notwithstanding the submitted BS5837 Arboricultural Report Impact Assessment and Method statement dated 12th January 2021, in order to take into account trees within the Conservation Area, no building operations, site preparation or the delivery of materials to the site shall commence until a tree protection

strategy, including a tree protection plan and Arboricultural Impact Assessment (in accordance with the BS 5837:2012 standard), have been submitted to and approved in writing by the Local Planning Authority. The protection measures recommended in the approved tree protection strategy shall be implemented prior to the commencement of building operations, site preparation or delivery materials and remain in position until the practical completion of the development.

(B) No fire shall be lit within 10m from the outside of the crown spread of trees to be retained.

(C) The ground levels within the protected areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

(D) All means of protection shall be in situ for the duration of the development and distances of such protection should be passed by a person suitably experienced in arboriculture.

(E) No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures to be attached to or supported by a retained tree.

(F) No mixing of cement or use of other materials or substances to take place within a Root Protection Area ('RPA'), or close enough to a RPA that seepage or displacement of those materials or substances could enter a RPA

(G) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the local planning authority.

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

Details of Foundations - Block 2

Details of the foundation system proposed for Block 2 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on Block 2. The foundation shall be hand-dug and the installation and excavation of the foundation system shall be overseen by Council's tree officer and the consultant's arborist.

REASON: To ensure that tree T1 is not damaged or otherwise adversely affected by building operations and soil compaction.

Delivery and Servicing Management Plan

A delivery and servicing management plan, including vehicle tracking, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme approved by the Local Planning Authority shall be implemented at all times in accordance with the approved details. The strategy submitted shall include detailing management of deliveries to and collection of waste and recyclables, times of deliveries and collection, use of operators who can demonstrate best practice such as FORS and who promote more sustainable deliveries, silent reversing methods and staff/resident responsibilities in connection with the enforcement of the management plan.

The scheme approved by the Local Planning Authority shall be implemented at all times in accordance with the approved details.

Reason: To ensure a safe and convenient form of development at a restricted site with limited impact on local roads and to safeguard the amenities of nearby occupiers and the area generally.

DV30 - Refuse Storage

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

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

Noise

Prior to the commencement of any superstructure works a detailed scheme of noise insulation measures for all divisions walls and/or floors separating proposed commercial/residential areas shall be submitted to and approved in writing by the Local Planning Authority. The scheme of noise insulation measures shall be prepared by a suitably qualified consultant/engineer and shall demonstrate that the proposed sound insulation will achieve a level of protection which is at least +5dB above the Approved Document E standard dwelling houses and flats for airborne sound insulation and -5dB for impact sound insulation. The approved scheme shall be implemented prior to the commencement of the use and be permanently retained thereafter.

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

LB12 - Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. Where appropriate, details of a programme for delivering related positive public benefits

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination

and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: In order to protect, enhance and promote archaeological heritage.

Fire Safety

The development must be carried out in accordance with the provisions of the Fire Statement received on 22 December 2021 unless otherwise approved in writing by the Local Planning Authority.

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

Flood Evacuation Strategy

The Flood Evacuation Plan ref /Volumes/Projects/1911 Hampton Wick High Street/Admin/FRA – RSK prepared by Fletcher Crane Architects received on 27 June 2022 shall be implemented at all times in accordance with the approved details.

Reason: To ensure a safe and convenient form of development.

NRMM

During on site construction of any phase of development, all non-road transportable industrial equipment or vehicles which are fitted with an internal diesel powered compression ignition engine between 37 and 560KW and not intended for transporting goods or passengers on roads are required to meet Stage IIIB of EU Directive 97/68/E and be NRMM registered. Such vehicles must be run on ultra low sulphur diesel (also known as ULSD 'cleaner diesel' or 'green diesel'). "Ultra low sulphur diesel" means fuel meeting the specification within BS EN 590. Where these standards are succeeded, they should be applied when reasonable. Exemptions to these standards may be granted for specialist equipment or for equipment with alternative emission reduction equipment or run on alternative fuels. Such exemptions shall be applied for in writing to the local planning authority in advance of the use of such vehicles, detailing the reasons for the exemption being sought and clearly identifying the subject vehicles. Exemptions that are granted will be in writing and such vehicles must not be used until written exemption has been issued by the local planning authority. No vehicles or plant to which the above emission standards apply shall be on site, at any time, whether in use or not, unless it complies with the above standards, without the prior written consent of the local planning authority. Reason: To protect the amenity of future occupants and/or neighbours

13. INFORMATIVES RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED

IL25D NPPF APPROVAL - Para. 38-42

COMH08 Composite Informative

IL24 CIL liable

IL29 Construction Method Statement

IL13 Section 106

This planning permission has 2no. Section 106 Agreements which must be read in conjunction with it.

IM13 Street numbering

Archaeology

The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

IL02 – Advertisements

The applicant is advised of the need to obtain separate consent under the Town & Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which it is to display on these premises.

Recommendation:

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

I therefore recommend the following:

1. REFUSAL



- 2. PERMISSION
- 3. FORWARD TO COMMITTEE

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

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

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

This application has representations on file YES NO

Case Officer (Initials):WT..... Dated:17/01/2022.....

I agree the recommendation: CTA

Team Leader/Head of Development Management/Principal Planner

Dated:20/10/2023.....

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:RDA.....

Dated:08/11/23.....

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
