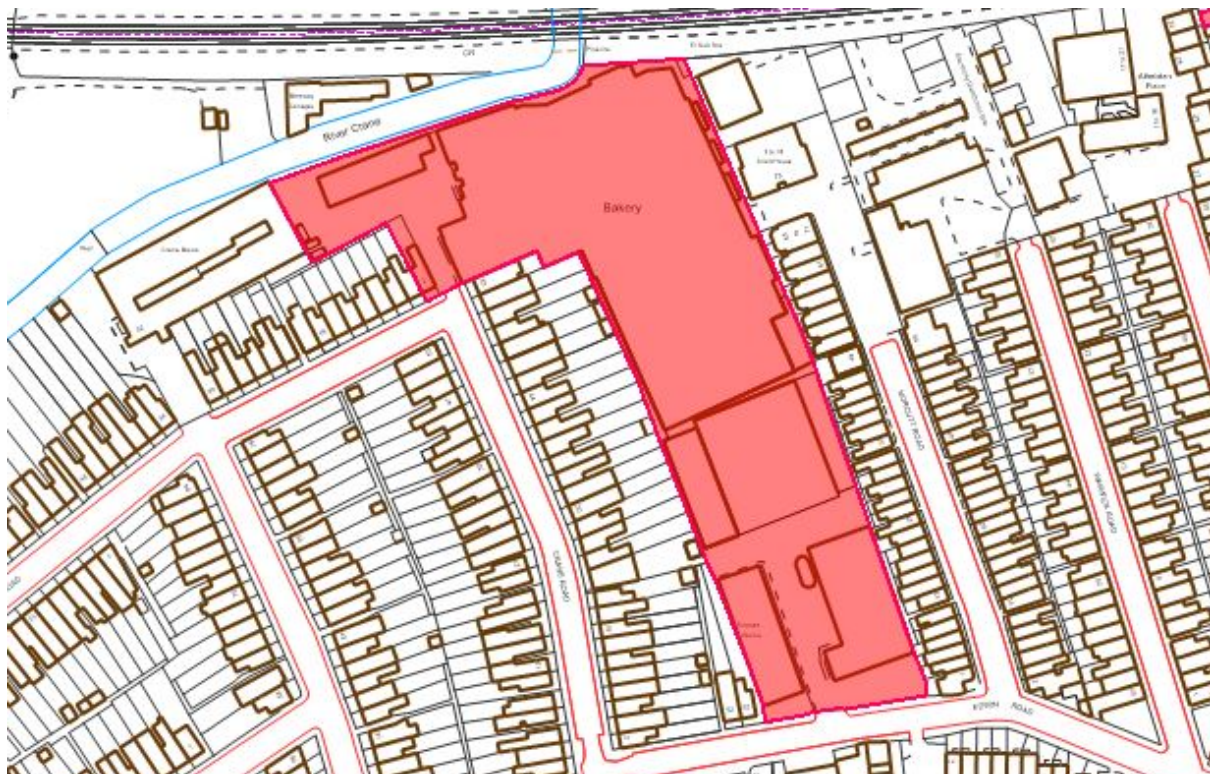


APPLICATION NUMBER	22/2557/FUL
ADDRESS	Greggs and No. 2 Gould Road Gould Road TW2 6RT
PROPOSALS	Demolition of existing buildings (with retention of a single dwelling) and redevelopment of the site to provide 97 residential units and 883 sqm industrial floorspace (Use Class E(g)(iii)) and 117sqm of affordable workspace (Use Class E) with associated hard and soft landscaping, car parking and highways works and other associated works.
APPLICANT	London Square Developments Ltd
AGENT	DP9 Ltd
CONTACT OFFICER	Thomas Faherty
APPLICATION RECEIVED	12 August 2022
WARD	South Twickenham

[Planning detail - London Borough of Richmond upon Thames](#)



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The explanation of the officer recommendation starts at Section 8 of this report.

1. EXECUTIVE SUMMARY

- 1.1 The scheme is for the redevelopment of the Greggs and No. 2 Gould Road site, which currently contains a mixture of warehouses, cold storage areas, a large commercial oven, office and administrative buildings and plant material and 26 parking spaces. The site is designated as a 'Locally Important Industrial Land and Business Park' (LIL&BP) in both the Local Plan and draft Local Plan.
- 1.2 The application is for the demolition of all existing site buildings, with the exception of the single dwelling at No. 2 Gould Road, and redevelopment of the site to provide 97 residential units and 883 sqm industrial floorspace (Use Class E(g)(iii)) and 117sqm of affordable workspace (Use Class E) with associated hard and soft landscaping, car parking and highways works and other associated works. The previous refused application, 19/0646/FUL, involved 116 residential units and 175sqm commercial floorspace (Use Class B1). Therefore, the current proposal has reduced the amount of housing and increased the amount of employment floor space. The following paragraphs provide a brief summary of the key planning considerations for these schemes:
- 1.3 **Land Use** – The site is currently authorised for employment use and the proposal would result in a significant reduction in the amount of employment floorspace which is clearly contrary to policy LP 42. Compared to 19/0646/FUL, the proportion of affordable housing would be reduced from 40% to 30% and the amount of replacement employment floorspace would increase from 1.5% to 13.5%. The revised proposal does not adequately address the reason for refusal as raised under 19/0646/FUL, and there remains an in-principle objection in relation to employment policies which do not permit a change of use to a predominately residential use on a protected employment site. The lack of opportunity to add to the industrial floorspace is restricting economic growth in the Borough. Furthermore, the amount of affordable workspace is inadequate and in the absence of a binding legal agreement its delivery is not secured
- 1.4 **Design and Siting** – The existing buildings on the site are not considered to be of any design merit and do not contribute positively to the area. As per the previous application, a new mews style residential street is proposed through the site with access from the existing entrances on Edwin Road and the corner of Gould Road and Crane Road, with 3 storey dwellings proposed to face either side of this street. Apartment style buildings are also proposed near the northern side of the site, ranging between 3 and 5 storeys in height. The main difference with the previous application is the introduction of an industrial building at the southern end of the site, providing a frontage onto Edwin Road, which would bear a relationship with the existing site and surrounding commercial uses, create a grouping of commercial land uses. On this basis, the proposal is generally considered consistent with the NPPF, London Plan policies and LP1 of the Local Plan.
- 1.5 **Affordable Housing** – 29 affordable units are proposed which would equate to 30% of all housing units on the site, and 24% by habitable room. This application does not reflect the tenure split sought by the Council's Housing department which seeks larger homes, particularly for rent. The tenure split proposed is 7 (24%) affordable rent and 22 (76%) shared ownership. A Financial Viability Statement (by DS2) has been

submitted to accompany the application to demonstrate that it cannot deliver a policy compliant level of affordable housing. The FVA confirms the number of affordable housing provision has been maximised. However, by reason of a shortfall in affordable rental units, the proposal does not provide an appropriate tenure split. Moreover, in the absence of a legal agreement securing early and late stage reviews the affordable housing contribution cannot be considered to be maximised.

- 1.6 **Residential Development Standards** – All apartments will comply with national space standards, and although 16.4% are single aspect, none of these units are north facing. The report identifies that 5 apartments would not contain external amenity spaces, however these relate only to single bed dwellings where there is likely to be less need for providing external amenity space compared to larger dwellings. Furthermore, although the rear gardens of some properties remain small, they meet the minimum requirements for Policy LP35. Broadly speaking the proposal would provide a good standard of residential accommodation.
- 1.7 **Play space** – The proposal comprises 576 sqm of dedicated on-site play space for 0 to 5 year olds located at the riverside and on a roof terrace. A Unilateral Undertaking would be required to secure a contribution of £27,335 to the provision of play areas off-site. A further sum of £21,790 would be required to be spent in the two years following occupation of the development on projects that improve accessibility, increase available facilities and build capacity for activities / health and well-being / social cohesion for existing and new residents.
- 1.8 **Accessibility** – All of the units are able to achieve the M4(2) requirement for step free access as the proposal includes lifts. 10% of the units will be wheelchair accessible. The Council's Specialist Housing Occupational Therapist reviewed the application, including its suitability for wheelchair users, in relation to the Council nominated housing units. Following negotiations, it was advised that the units would comply with M4(3).
- 1.9 **Residential Amenity** – It is not considered that the proposal would result in undue levels of visual intrusion, noise and disturbance, loss of privacy or daylight and sunlight to residential neighbours. Building E would be considered to have some impact in terms of visual intrusion and reduce the outlook to occupiers of units at Lockcorp House, however on balance, given the relatively minor scale of the harm arising, on balance this is not considered to warrant the refusal.
- 1.10 **Air Quality** - The AQA has demonstrated that pollutant concentrations would be well below the objectives at all existing receptors on the opening of the development, with or without the proposed development, and that the emissions from the traffic generated by the proposed development would have a negligible impact on air quality conditions at all existing receptors along the local road network. A contribution of £18,585 would be required to be made to the Borough's Air Quality Action Fund (AQAF) through a Section 106 agreement as per the policy requirement.
- 1.11 **Flood Risk** – The very northern part of the site is in Flood Zones 2 and 3b due to its proximity to the River Crane, however the area of the site which is proposed for residential and industrial redevelopment falls under Flood Zone 1. The applicants have submitted flood reports which demonstrate that the development is at a relatively low

level of flood risk, and that surface water runoff can be managed appropriately, in compliance with relevant policy guidance. The area of the site being developed for habitable uses has a low probability of flooding, and as such the sequential test required by Policy LP21 is passed by default and the exception test is not required. Furthermore, surface water, groundwater, and sewer flooding have been reviewed by the Environment Agency, Lead Local Flood Authority and Thames Water, and confirmed as acceptable.

- 1.12 **Ecology & Trees** – There will be little loss of on-site habitat and the development would provide a 5m buffer zone in the form of a wildlife corridor beside the river, 71 trees and 644m² of green living roofs, along with other enhancements across the site. Overall, the proposed development would result in a biodiversity net gain of 100%. The total habitat creation, taken from those used in the Urban Greening Factor (UGF), would be 0.44. In addition to the measures outlined above, £65,000 would be secured through a legal agreement to provide coir rolls and the Mereway Nature Reserve River Restoration Project.
- 1.13 **Transport** – The proposal does meet the maximum standard for on-site parking provision, however the discretion is minimal and no objections are raised to this subject to securing a vehicular parking management plan which could be secured via a pre-occupation condition. It has been demonstrated that the increase in traffic would not have a significant impact on any part of the transport network. 202 residential cycle parking spaces and 12 employment spaces would also be included as part of the development. The Council's Transport Officer has raised no objections subject to various conditions and legal agreement heads of term. However, the Transport Officer was unable to agree with the Applicant's argument that this site is unsuitable for an employment-led development because of the unsuitability of the local road network for HGVs.
- 1.14 **Health & Wellbeing** – A s106 contribution of £94,210 would be required to mitigate the adverse impact on local healthcare services. The HUDU contribution would be used to provide additional capacity for the East Twickenham Partners Primary Care Network PCN.
- 1.15 **Sustainability** – It has been demonstrated that site emissions provide a 71% improvement on combined building regulations L1 and L2 target emissions (for both residential and commercial buildings). In accordance with the policy requirements, further reductions to meet zero carbon homes will be met by way of a payment in lieu due to limitations at roof level for the placement of additional PV cells or other renewable technologies. Should the application be considered acceptable overall, a contribution to the Council's Carbon Offset Fund of £90,630. (788 tonnes over 30 years) via a legal agreement.
- 1.16 **Planning obligations** - Local Planning Authorities can secure planning obligations where these are necessary to make a development acceptable in planning terms and are reasonable. Notwithstanding issues raised regarding loss of industrial land and affordable housing, a series of Heads of Terms would need to be secured as part of any approval in order to mitigate elements of harm caused by the development and outlined fully within Section XV of this report. This includes the following:
- Delivery of 29 units of affordable housing

- Early and late-stage viability review mechanism to maximise amount of affordable housing provision
- Secure tenure mix of 7 affordable rental units and 22 shared ownership
- 117sqm of affordable workspace
- Contribution towards off-site play space (£27,335 Indexed)
- Play space maintenance fee
- Contribution to public open space (£21,790)
- Contributions to cater for the uplift to local GP (£94,210)
- Initial payment towards Richmond's carbon offset fund (£90,630) and post-construction review and further payment if required;
- Contribution to Richmond's Air Quality Action Fund ((£18,585)
- Contribution towards in-river channel works and the Mereway Nature Reserve River Restoration Project. (£65,000)
- Local Employment Agreement for the construction and operation stages
- Public right-of-way agreement through the site to allow pedestrians and cyclists to access and use the riverside walkway
- Restriction on resident eligibility to car parking permits in the CPZ
- Provision of 5 years of free car club membership to residents of the development.
- Provision of car club bay on Edwin Road and funding of Traffic Management Order
- S278 agreement prior to development for any highway works as required
- Agreement of detailed layout and fit out of wheelchair accessible units with the Local Planning Authority
- Use of low-transmittance glass (or other light attenuation solution) to glazing facing the River Crane, details to be approved by Local Planning Authority
- Monitoring Fee
- Legal Fees

1.17 The above mitigation measures have been included as reasons for refusal on the basis that there is no Unilateral Undertaking agreed between the Council and the applicants. This is different to 19/0646/FUL which included a completed Unilateral Undertaking to secure the relevant heads of terms save for affordable housing which could not be secured due to the need to include early and late stage viability reviews which would have required a bi-lateral agreement with the Council.

1.18 **CIL:** The proposal generates a significant CIL charge that will help deliver infrastructure in both the borough and London. This is a material planning consideration.

1.19 **Planning Balance:** - As required by law, this application has been assessed against the development plan, and other relevant material planning considerations which includes the emerging Local Plan. As the report identifies there are key aspects of the application that do not comply with planning policy and guidance or have shortcomings. It is necessary to decide what weight should be afforded to each of these, and whether the harm is outweighed by the mitigation measures or benefits the scheme delivers. Overall, taking into account the significant loss of industrial and employment land, it is considered that the benefits of the scheme do not outweigh the loss of employment floorspace and land in this case and that the reduction in employment/industrial floorspace is not justified.

OFFICER RECOMMENDATION: It is recommended the Planning Committee authorises the Assistant Director (Planning & Transport Strategy) to refuse planning permission for the reason outlined in Section 10 of this report

2 REASON FOR PLANNING COMMITTEE DETERMINATION

- 2.1 The Council's Assistant Director of Environment & Community Services (Planning & Transport Strategy) has used their discretion to defer the decision to the Planning Committee due to the level of public interest in this application.

3 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The proposal site relates to the Greggs Bakery industrial site, situated on the north east side of Gould Road, Twickenham, TW2 6RT, in South Twickenham ward. The site is general industrial (B2 Use Class) with ancillary offices and warehouses. Greggs have ceased bakery use on the site but are understood to retain an operational presence.
- 3.2 The site is approximately 1.1 hectares with a general building coverage of approximately 65%. Buildings comprise mainly warehouses, cold storage areas, a large commercial oven, office and administrative buildings and plant material. Most of the warehouse buildings are tall single-storey buildings with the office and administrative elements to the north east of the site being two and three storey buildings.
- 3.3 The surrounding area is residential in nature, comprising mainly two-storey hipped roof Victorian cottage-style terraces, with the exception of Crane Mews to the east, which is a collection of two-storey commercial studios, some of which have been converted into residential units.
- 3.4 The site is bounded by the River Crane and a railway line to the north. The river, railway and land to the north is Metropolitan Open Land (MOL). The Mereway Nature Reserve to the north of the river is also designated MOL as well as Public Open Space and Other Site of Nature Interest. To the east of the site is Norcutt Road, a residential street of predominantly two-storey terraces is proposed. The rear sections of these properties border the site, as does the flank wall of Alcott House, which is a three-storey block of flats. These properties do not have rear gardens and instead have very modest back yards. To the south of the site runs Edwin Road, nos. 50 and 52 Edwin Road of which are situated at the south west corner of the site. To the west of the site is the flank of no. 2 Gould Road and the even properties of the dwellings on the eastern side of Crane Road, which are two-storey terraces with rear gardens.
- 3.5 The site is not listed and is not located within a Conservation Area. The boundary of Hamilton Road Conservation Area (CA72) is located approximately 50m to the east of the site. The nearest listed building is no. 74 Colne Road which is located approximately 70m south of the site.

SITE DESIGNATIONS:

Designation	Description
Archaeological Priority Area	Crane Valley
Article 4 Direction	E to C3 (West Twickenham Cluster) Basements
Buildings of Townscape Merit (BTMs)	None
Community Infrastructure Levy (CIL) Band	Low
Conservation Areas	Hamilton Road CA72 (located to the east) Twickenham Green CA9 (located to the south)
Flood Zone	Flood Zone 2 (Fluvial) Flood Zone 3 (Fluvial)
Industrial Land / Business Park LP42	West Twickenham Cluster / Greggs Bakery and Surroundings: Status – Adopted
Key Office Area	West Twickenham Cluster / Greggs Bakery and Surroundings
Land Use Past Industrial	Gravel Pit 1890-1914 Electricity Works 1914-1920 Laundry 1930-1950 Tanks 1961-1962 Garage Services 1971
Listed Buildings	No. 74 Colne Road (located to south)
Metropolitan Open Land (MOL)	Crane Park East (located to the north)
Other Site of Nature Importance (OSNI)	Mereway Nature Park (located to the northwest) Twickenham Rifle Club (located to the northeast)
Public Open Space (POS)	Craneford Field West (located to the northeast)
River Crane Area of Opportunity	Area 5 Meadway to London Road (located to the north)
Strategic Flood Risk Assessment (SFRA)	Zone 3a High Probability (Flood Zone 3) Zone 2 Medium Probability Area Susceptible to Groundwater Flooding (75% risk)
Village	Twickenham Village
Village Character Area	(North of the Green – Area 11) Twickenham Village Planning Guidance

Table 1**LAND USE DETAILS:**

Site area (ha)	approx. 1.1
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Table 2**NON-RESIDENTIAL DETAILS:**

	Use Class	Use Description	Floorspace (sqm) Gross Internal Area (GIA)
Existing	B2	General Industrial with ancillary offices and warehouses	7,371
Proposed	E(g)(iii)	Industrial workspace	883
	E	Affordable workspace	117

Table 3

RESIDENTIAL DETAILS:

	Residential Type	No. of bedrooms per unit						Total Habitable Rooms
		Studio	1	2	3	4	Total	
Existing	Private/Market			1			1	4
Proposed On-Site	Affordable Rent		2	5			7	20
	Shared Ownership		15	6	1		22	52
	Private/Market		16	22	30		68	227
	Total		33	33	31		97	299

Table 4

PARKING DETAILS:

	Car Parking Spaces (General)			Car Parking Spaces (Blue Badge)			% EVCP
	Resi	Commercial	Visitor	Resi	Commercial	Visitor	
Existing							
Proposed	83	18		8	5		100

	Cycle Parking Spaces (Long Stay)		Cycle Parking Spaces (Short Stay)	
	Resi	Commercial	Resi	Commercial
Existing		26		
Proposed	196	10	6	2

Table 5

4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY

- 4.1 The applicant seeks planning permission for the demolition of all existing site buildings save for the retention of a single dwelling at No. 2 Gould Road and redevelopment of the site to provide up to 97 residential units and 883 sqm of industrial floorspace (Use Class E(g)(iii)) and 117sqm of affordable workspace (Use Class E).

- 4.2 A new mews style residential street is proposed through the site with access from the existing entrances on Edwin Road and the corner of Gould Road and Crane Road, with 3 storey dwellings proposed to face either side of this street. Apartment style buildings are proposed near the northern side of the site, ranging between 3 and 5 storeys in height.
- 4.3 Dwellings would comprise of a mixture of townhouses and flats. 7.2% of the residential units would be on-site affordable rent, while 22.7% would be shared ownership and the remaining private/market. Overall, the dwellings would range between one, two and three bedroomed units, and the majority of the apartments would have private balconies. All homes are Part M4(2) compliant with all apartment buildings accessible via a level threshold and a lift ensuring accessibility for all and suitability for lifetime occupation. M4(3) compliant wheelchair accessible units are also proposed.
- 4.4 The scheme provides 883 sqm of industrial floorspace (Use Class E(g)(iii)) and 117sqm of affordable workspace (Use Class E), with a view to benefitting local small businesses. This provision is anticipated to create approximately 26 full time jobs.
- 4.5 The scheme proposes landscaping and play space fronting the river, and on-site parking spaces for 101 vehicles is proposed, with 18 allocated to the proposed commercial space. 214 cycle spaces are proposed, comprising 196 long stay residential spaces, 10 long stay commercial spaces, 6 short stay residential spaces, and 2 short stay commercial spaces.

Relevant Planning history

- 4.6 47/2667 - Extension of existing premises for use as plant bakery – Granted 08/08/1951
- 4.7 The most important application to note is 19/0646/FUL which was refused by the Council's Planning Committee on the 7th of August 2020 due to the following reasons:
- **Loss of Industrial Floorspace** – The proposal would result in a significant reduction in the amount of industrial floorspace at a site designated as Locally Important Industrial Land and Business Park and without adequate replacement floorspace would reduce employment opportunities within the locality contrary to the aims of the Council's employment policies. The proposal would therefore fail to comply with Policies LP40 and LP42 of the Local Plan (2018), the Greater London Authority (GLA) Industrial Land Demand Study (2017), the GLA Industrial Land Supply and Economy Study (2015), and the Mayor of London's Land for Industry and Transport Supplementary Planning Guidance (2012).
 - **Affordable Housing** – Without a binding obligation to secure early and late stage viability reviews, the proposal fails to demonstrate the level of affordable housing proposed would be maximised within this development and therefore does not compensate adequately for the substantial loss of employment floorspace nor contribute fully to the identified need in the borough for affordable housing and is therefore contrary to policies LP36, LP40 and LP 42 of the Local Plan (2018) and the Affordable Housing Supplementary Planning Document
- 4.8 In addition, there is a separate 'residential led' proposal being processed concurrent to this application as outlined below:

- 4.9 22/2556/FUL – Demolition of existing buildings (with retention of a single dwelling) and redevelopment of the site to provide up to 116 residential units and 175 sqm commercial floorspace (Use Class E) with associated hard and soft landscaping, car parking and highways works and other associated works – Pending consideration.

Amendments

- 4.10 Following discussions with the Council the applicant agreed to make the following revisions to the application:
- Increase in the amount of affordable housing from 24 to 29 units. The additional 5 units are shared ownership.
 - Increase in the amount of play space on-site.
 - The range of trees species has been increased.

5. DEVELOPMENT PLAN

5.1 London Plan (2021):

https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf

Issue	London Plan Policy
Building strong and inclusive communities	GG1
Making the best use of land	GG2
Creating a health city	GG3
Delivering the homes Londoners need	GG4
Growing a good economy	GG5
Increasing efficiency and resilience	GG6
Town centres: development principles and Development Plan Documents	SD7
London's form, character and capacity for growth	D1
Infrastructure requirements for sustainable densities	D2
Optimising site capacity through the design-led approach	D3
Delivering good design	D4
Inclusive design	D5
Housing quality and standards	D6
Accessible housing	D7
Public Realm	D8
Tall Buildings	D9
Basement development	D10
Safety, security and resilience to emergency	D11
Fire safety	D12
Agent of changes	D13
Noise	D14
Increasing housing supply	H1
Delivering affordable housing	H4
Threshold approach to housing	H5

Affordable housing tenure	H6
Housing size mix	H10
Developing London's social infrastructure	S1
Play and informal recreation	S4
Offices	E1
Providing suitable business space	E2
Affordable workspace	E3
Land for industry, logistics and services to support London's economic function	E4
Industrial intensification, co-location and substitution	E7
Sector growth opportunities and clusters	E8
Skills and opportunities for all	E11
Heritage conservation and growth	HC1
Strategic and Local Views	HC3
London view management framework	HC4
Urban greening	G5
Biodiversity and access to nature	G6
Trees and woodland	G7
Improving air quality	SI1
Minimising greenhouse gas emissions	SI2
Energy infrastructure	SI3
Managing heat risk	SI4
Water infrastructure	SI5
Digital connectivity infrastructure	SI6
Reducing waste and supporting the circular economy	SI7
Waste capacity and net waste self-sufficiency	SI8
Flood risk management	SI 12
Sustainable Drainage	SI 13
Strategic approach to transport	T1
Healthy Streets	T2
Transport capacity, connectivity and safeguarding	T3
Assessing and mitigating transport impacts	T4
Cycling	T5
Car Parking	T6
Residential parking	T6.1
Office parking	T6.2
Non-residential disabled persons parking	T6.5
Deliveries, servicing and construction	T7
Funding transport infrastructure through planning	T9
Delivery of the Plan and Planning obligations	DF1

5.2 London Borough of Richmond Local Plan (2018):

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

Issue	Local Plan Policy
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Local Character and Design Quality	LP1
Building Heights	LP2
Designated Heritage Assets	LP3
Non-Designated Heritage Assets	LP4
Views and Vistas	LP5
Archaeology	LP7
Amenity and Living Conditions	LP8
Local Environmental Impacts, Pollution and Land Contamination	LP10
Subterranean developments and basements	LP11
Biodiversity	LP15
Trees, Woodlands and Landscape	LP16
Green Roofs and Walls	LP17
Climate Change Adaptation	LP20
Flood Risk and Sustainable Drainage	LP21
Sustainable Design and Construction	LP22
Water Resources and Infrastructure	LP23
Waste Management	LP24
Social and Community Infrastructure	LP28
Education and Training	LP29
Health and Wellbeing	LP30
Public Open Space, Play Space, Sport and Recreation	LP31
New Housing	LP34
Housing Mix and Standards	LP35
Affordable Housing	LP36
Housing Needs of Different Groups	LP37
Infill, Backland and Backgarden Development	LP39
Employment and Local Economy	LP40
Offices	LP41
Industrial Land and Business Parks	LP42
Sustainable Travel Choices	LP44
Parking standards and servicing	LP45

6. MATERIAL PLANNING CONSIDERATIONS

6.1 National Planning Policy Framework (NPPF) (2023): [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114241/nppf-2023.pdf)

- Section 2: Achieving Sustainable Development
- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes
- Section 6: Building a strong, competitive economy
- Section 7: Ensuring the vitality of town centres
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places

- Section 13: Protecting Green Belt
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

Richmond Publication Local Plan (Regulation 19 version)

- 6.2 The Richmond Publication Version Local Plan (Regulation 19 version) and its supporting documents, including all the Regulation 18 representations received, was considered at Full Council on 27 April 2023. Approval was given to consult on the Regulation 19 Plan and, further, to submit the Local Plan to the Secretary of State for Examination in due course. The Publication Version Local Plan, including its accompanying documents, have been published for consultation on 9 June 2023. Together with the evidence, the Plan is a material consideration for the purposes of decision-making on planning applications.
- 6.3 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 compliance, 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 the relevant policies; where appropriate this is set out in the explanation of the officer recommendation within the report below. Note that while the Publication Version Local Plan was agreed to be utilised for the purposes of development management decisions, 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.
- 6.4 The main policies applying to the site as material planning considerations are:

Issue	Reg 19 Local Plan Policy
Living locally and the 20-minute neighbourhood	1
Spatial strategy: Managing change in the borough (Strategic Policy	2
Tackling the climate emergency (Strategic policy)	3
Minimising Greenhouse gas emissions and promoting energy efficiency (Strategic Policy)	4
Energy Infrastructure (Strategic Policy)	5
Sustainable construction standards	6
Waste and the circular economy (Strategic Policy)	7
Flood risk and sustainable drainage (Strategic Policy)	8
Water resources and infrastructure (Strategic Policy)	9
New Housing (Strategic Policy)	10

Affordable housing (Strategic Policy)	11
Housing needs of different groups	12
Housing mix and standards	13
Infill and backland development	15
Supporting our centres and promoting culture (Strategic Policy)	17
Managing impacts	19
Protecting the local economy (Strategic Policy)	21
Promoting jobs and our local economy	22
Offices	23
Industrial land	24
Affordable, flexible and managed workspace	25
Local character and design quality (Strategic Policy)	28
Designated heritage assets	29
Non designated heritage assets	30
Views and vistas	31
Archaeology	33
Green and blue infrastructure (Strategic policy)	34
Public open space, play, sport and recreation	37
Urban Greening	38
Biodiversity and Geodiversity	39
Trees, woodland and landscape	42
Floodlighting and other external artificial lighting	43
Design process	44
Tall and mid rise building zones	45
Amenity and living conditions	46
Sustainable travel choices	47
Vehicular parking standards, cycle parking, servicing and construction logistics management	48
Social and community infrastructure (Strategic Policy)	49
Education and training (Strategic Policy)	50
Health and wellbeing (Strategic Policy)	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

6.5 Supplementary Planning Documents:

- Air Quality SPD (June 2020)
- Affordable Housing SPG (March 2014)
- Buildings of Townscape Merit SPD (May 2015)
- Car Club Strategy SPD (2006)

- Contaminated Land (2003)
- Design Quality SPD (February 2006)
- Development Control for Noise Generating and Noise Sensitive Development (2018)
- Hamilton Road Conservation Area (CA72) Statement
- Twickenham Village Planning Guidance SPD (January 2018)
- Planning Obligations in conjunction with Borough Community Infrastructure Levy [CIL] (2014)
- Refuse and Recycling Storage Requirements SPD (2022)
- Residential Development Standards SPD (2010)
- Small and Medium Housing Sites SPD (2006)
- Strategic Flood Risk Assessment (2021)
- Sustainable Construction Checklist Guidance Document SPD (January 2016)
- Transport SPD (2020)

These documents can be found at:

https://www.richmond.gov.uk/supplementary_planning_documents_and_guidance

6.6 **Other Local Strategies or Publications:**

- Community Infrastructure Levy

6.7 **London Plan Guidance**

- Fire Safety LPG (Draft)
- Housing Design Standards (LPG)
- Affordable housing and Viability SPG
- Housing SPG
- Accessible London SPG
- Play and informal recreation SPG
- Urban greening factor LPG
- Air quality positive LPG
- Air quality neutral LPF
- Be seen energy monitoring LPG
- Circular economy statement LPG
- Energy Planning Guidance
- The control of dust and emissions in construction SPG
- Whole life carbon LPG

7.0 **CONSULTATIONS CARRIED OUT**

Comments from interested parties

- 7.1 The Council has undertaken a neighbour notification in excess of the Development Management Procedure Order; with statutory notices advertising the applications posted around the site; advertisements in a local paper; and letters issued to local owners and occupiers. This section of the report summarises the consultation responses and representations received which have been considered by Officers in

reaching the recommendation. It sets out all responses received.

- 7.2 Following receipt of the application, 127 letters of **objection**, 10 letters of **observation**, and 4 letters of **support** were received. Below are separate tables for objection and support comments.

Objection comments

Traffic and parking
Congestion parking and transport safety concerns given scale of development and narrow roads in vicinity
Limited parking spaces and concern over proposal's <1 parking permit per household
Concerns over proposed entrance/exit points, which are likely to exacerbate traffic-related nuisances such as noise, road safety issues, and congestion
Overdevelopment and impact on public transport and parking
A previously presented petition has voiced collective concerns regarding the potential noise, congestion, and road safety risks, underscoring the widespread community concern over this aspect of the development.
Doubt about preventing future CPZ applications for nearby streets, leading to parking issues
Lack of visitor parking for electric vehicles
Area unsuitable for large number of HGVs
Principle of development
Unclear demand for proposed commercial and affordable workspace
Proposed industrial units incompatible with limited access and narrow roads and not aligned with area's creative small business focus
Covenant breaches
The proposed development contravenes restrictive covenants that have long governed the area's planning and construction principles.
The intended construction of a bin/bike store is a clear contravention of these covenants, as its potential for generating disruptive noise, unpleasant odours, attracting pests, and causing disturbances infringes on the rights and amenity of neighbouring properties.
Similarly, the proposed Block F apartments' orientation and design directly contravene the covenant that bars any activity that causes annoyance to adjoining property owners.
Construction impact and inconvenience

The proposed construction traffic route, coupled with the intended placement of the site welfare facilities, poses a significant challenge to the area's residential character.
The inevitable noise, disturbances, congestion, and light pollution associated with the construction process would impose an undue burden on the quality of life for residents in proximity to the development site.
Impact on neighbour amenity
Potential for the projected loss of light to exceed well-established BRE guidelines, thereby directly impacting the habitable rooms and gardens of neighbouring properties.
Inaccurate daylight and sunlight study
The developments' height, scale, and design would lead to overshadowing, loss of privacy, and visual intrusion
Particular concerns over impact of Block F on properties fronting Gould Road.
Industrial section of development unsuitable for a residential area
The collective impact of increased traffic, noise pollution, and congestion stemming from the proposed developments pose a direct threat to the area's overall quality of life
The proposed construction of a bin/bike store at No. 2 Gould Road threatens to drastically curtail available garden space, with potential repercussions for families residing in the vicinity.
Increase in light pollution
Affordable Housing and Development Scale Discrepancy
While the principle of introducing affordable housing is commendable, the scale and density of the proposed development are under extensive dispute within the community.
Contradiction between different viability evidence
Suspicious of overestimation and inappropriate valuation
Discontent with the proportion of 1-bedroom affordable units
Communication, Consultation Discrepancies and errors
Lack of effective communication and consultation throughout the planning process.
Repeated requests for meaningful engagement and dialogue have been met with silence, raising doubts about the transparency and accountability of the planning authority
Urgent action is warranted to initiate a productive discourse, revise plans in alignment with established restrictive covenants, and prioritize the well-being of the community

The apparent oversight in integrating and addressing the well-documented concerns expressed by local residents raises questions about the comprehensiveness and effectiveness of the planning process
Incorrect drawings and models submitted for certain elements such as 2 Gould Road and the rear extension to this property.
Difficulty in submitting comments online due to website maintenance
Design, character and amenity
The proposed development would result in a significant departure from the established architectural character and design aesthetic of the area.
Proposed height of taller buildings would disrupt established two storey nature of the surrounding
Industrial design of Block G not in keeping with the area
Applicability of Lockcorp House precedent to Greggs questioned
Ecology and Biodiversity
Failure to enhance biodiversity
Loss of trees and green space
Negative impact on River Crane
River Access, Play space and Community Benefit
Insufficient outdoor play space for the number of residents
Insufficient provision for river access and community spaces
Lack of consideration for existing community and resident's needs
Gardens too small for families
Tokenistic bridge link
Density issues
Density exceeds the area's capacity
Over-density would strain local infrastructure

Support comments

Design, character and amenity
Site is currently an eyesore and the proposal is an improvement

Proposed 5-storey height justified by other similar developments
The design of the scheme appears sympathetic and in keeping with the suburban nature of the area
Density of development
Precedence from adjacent roads justifies housing density
Proposal should not be considered overdevelopment as it is replacing an industrial site and the buildings are not overbearing for Twickenham
Community benefits and amenities
New houses bring residents and employment to the area
There are also play-spaces and amenities at Twickenham Green and Kneller Gardens, both just minutes walk from Crane Road and Gould Road
Parking and transport
Reduction in number of parking spaces is a good thing when it comes to meeting environmental goals
Future residents will not have access to parking spaces in the CPZ so there will be no impact on parking demand for surrounding streets
Increase in traffic volumes will be manageable
Acknowledge there will be short term construction impacts but this is for long term gain

Statutory and internal consultees

External consultees	Response
Environment Agency	No objection following amendments to application, subject to conditions regarding a scheme for the management of the River Crane buffer zone and an informative regarding the requirement of a Flood Risk Activity Permit.
Greater London Archaeological Advisory Service (GLAAS)	No further assessment necessary.
Climate Integrated Solutions (CIS)	No objection following amendments to application, subject to conditions requiring Water calculation sheets to be provided for the residential units confirming the expected water consumption meets policy limit of 110L per person per day (including an allowance of 5L or less per person per day for external water consumption) and a copy of a copy the TM59 to

	be provided for commercial offices when design commences. Contribution of £90,630 suggested towards Council's Carbon Offset Fund.
Fire Compliance Management Services (FCMS)	No objection following amendments to application.
NHS South West London	A health impact assessment has been submitted with the application which correctly identifies the seven closest GP practices to the site (Table 4), but incorrectly assumes that these practices have surplus capacity to absorb the additional demand from the proposed development. S106 contribution of £94,210 is required to mitigate the adverse impact on local healthcare services.
Network Rail	No objection but due to the close proximity of the proposed development to Network Rail's land and the operational railway. Network Rail requests the applicant / developer engages Network Rails Asset Protection and Optimisation (ASPRO) team prior to works commencing.
Thames Water	No objection subject to a condition requiring details of piling to be submitted to the council and Thames Water consulted on this. Informatives are required relating to the avoidance of sewage flooding, avoiding public sewers, measures to minimise groundwater discharge, a sequential approach to the disposal of surface water, avoidance of water mains and underground water storage assets and informing Thames Water prior to using mains water.
Achieving for Children (AfC)	No objection as there are enough places in both the primary and secondary state-funded schools within a reasonable distance of the site to be able to accommodate additional children arising from the development.
Transport for London (TfL)	No comments received.

Internal consultees	Response
Air Quality Officer	Requested that car and cycle parking is carefully considered with air quality in mind and that measures are taken to ensure that future residents are precluded from obtaining a permit for any existing or future CPZ. Conditions are recommended to ensure that deliveries during the construction phase do not take place during pick up/drop off time for nearby schools and nurseries to reduce compromised air quality due to congestion. In addition, mitigation against the

	development's impact on air quality will be required in the form of a Travel Plan, car club membership, electric vehicle charging points, the provision of high-speed broadband to encourage home working, and a service and delivery plan to manage deliveries. Payment towards the Council's Air Quality Action Fund also required via a legal agreement
Environmental Health (contamination)	No objection subject to standard Contaminated Land Condition DV29F being attached to any approval.
Environmental Health (noise)	No objection subject to conditions relating to Mechanical Services Noise Control, Noise Protection Scheme and pest control.
Highways (transport)	No objection, subject to unilateral undertaking clauses surrounding restriction on CPZ parking permits, funding for car club memberships highway works at the access points and provision of new car club bay on Edwin Road and a Traffic Management Orders. Conditions required regarding a parking management plan, detailed travel plan, and cycle parking.
Urban Design	No objection, subject to conditions for materials, fenestration, green roofs, landscaping and lighting.
Ecology	No objection following amendments to proposal, subject to unilateral undertaking securing low level lighting beside river crane and contribution of £65,000 towards river restoration. No objections were raised on the basis of urban greening factor or biodiversity net gain.
Policy (employment/industry)	Objection to loss of employment on the site. Wholly insufficient replacement employment floorspace proposed.
Policy (housing)	A Financial Viability Statement (by DS2) has been submitted to accompany 22/2557/FUL to demonstrate that it cannot deliver a policy compliant level of affordable housing. A review was undertaken by the Council's assessors (Bespoke, along with QS Exigere) who agreed with the conclusions reached in the DS2 report. However, the affordable housing offer proposed does not offer an appropriate tenure split and an objection is raised on this basis.

Housing Officer	Proposal is a missed opportunity to deliver a significant number of new affordable homes and whilst it is understood that the Planning process has to balance up a number of competing priorities, there are limited opportunities to deliver significant new numbers of affordable homes in Richmond, therefore when those opportunities do arise affordable housing provision should be maximised. The proposals fall short of our requirements in terms of quantum of affordable, unit and tenure mix, and therefore fall short of the Local Plan requirements outlined in LP36. Evidence of discussions with registered providers also required.
Parks	No objection following amendments to application, subject to legal agreement securing off-site contribution of £27,335 and £21,790 for impact on parks.
Lead Local Flood Authority (LLFA)	No objection following amendments to application, subject to conditions securing final detailed drainage design and updated SUDS proforma, and submission of photographic evidence to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details.
Trees	No objections following additional information, subject to conditions relating to an Arboricultural Method Statement and further detailed landscape plans.
Waste Officer	No objections following amendments.
LBR Specialist Housing Occupational Therapy	Comments on improving layouts passed to applicants and these were followed.

THE FOLLOWING SECTION OF THE REPORT EXPLAINS THE OFFICER RECOMMENDATIONS WITH REFERENCE TO THE PROPOSED DEVELOPMENT AND WITH REGARD TO THE DEVELOPMENT PLAN AND ANY RELEVANT MATERIAL CONSIDERATIONS INCLUDING THOSE RAISED IN RESPONSE TO CONSULTATION.

8.0 EXPLANATION OF OFFICER RECOMMENDATION

8.1 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004).

8.2 The key issues for consideration are:

- i Land Use / Loss of Employment Land
- ii Housing
- iii Residential Development Standards, amenity space and access
- iv Design considerations including height
- v Residential Amenity
- vi Transport
- vii Air Quality/Pollution
- viii Flood Risk
- ix Trees and Ecology
- x Land Contamination
- xi Sustainability
- xii Playspace
- xiii Health and wellbeing
- xiv Fire Safety
- xv Archaeology

xvi Water Resources and Infrastructure
xvii Heads of Terms and S106 Legal Agreement

Issue i - Land Use/Loss of Employment Land

Loss of existing use

- 8.3 The lawful use of the site is B2 (general industrial) with ancillary offices and warehouses, amounting to 7,371 square metres floor area. The proposal is to provide 97 residential units and 883 sqm industrial floorspace (Use Class E(g)(iii)) and 117sqm of affordable workspace (Use Class E).
- 8.4 In response to the very limited supply of industrial floorspace, policy LP42 has a presumption against the loss of all industrial floorspace unless there is robust and compelling evidence which clearly demonstrates there is no longer a demand, supported by marketing evidence; and a sequential approach to redevelopment has been applied (for employment uses first then mixed and residential uses). The Publication Local Plan continues to protect existing employment floorspace, with policies 23 and 24 expecting no net loss of floorspace, and marketing information considered as a material consideration. This is reflected in policy E4 and E7 of the London Plan, which seeks to maintain a sufficient supply of land and premises to meet current and future demands for industrial functions, and any release managed, with mixed use developments on non-designated industrial sites only supported in specific circumstances.
- 8.4 The NPPF is clear that there should be a presumption in favour of sustainable development, that economic growth is a high priority and that planning should encourage and not act as an impediment to sustainable growth. The proposal comprises two land uses, residential and commercial in the form of light industrial/office units. The current use of the land is B2 (general industrial) with ancillary offices and warehouses. The surrounding area is almost wholly residential.
- 8.5 Policy LP40 states that the Council will support a diverse and strong local economy by requiring land in employment use to be retained in employment use for business, industrial or storage purposes. At para.10.3.1 the policy LP42 defines 'industrial land' as that being used for general industry, light industry, open storage, self-storage, distribution and logistics and other similar types of development as well as any other uses which fall within B1c (now Use Class E), B2 or B8 Use Classes or are considered to be Sui Generis.
- 8.6 Policy LP42 (A) requires the retention of industrial space. It states that there is a presumption against loss of industrial land in all parts of the borough. Loss of industrial space (outside of the locally important industrial land and business parks) will only be permitted where:
- 1. Robust and compelling evidence is provided which clearly demonstrates that there is no longer demand for an industrial based use in this location and that there is not likely to be in the foreseeable future. This must include evidence of completion of a full*

and proper marketing exercise of the site at realistic prices both for the existing use or an alternative industrial use completed over a minimum period of two continuous years in accordance with the approach set out in Appendix 5; and then

2. A sequential approach to redevelopment or changes of use is applied as follows: a. Redevelopment for office or alternative employment uses. b. Mixed use including other employment generating or community uses, and residential providing it does not adversely impact on the other uses and maximises the amount of affordable housing delivered as part of the mix.

8.7 Policy LP42 (B) requires for identified locally important industrial land and business parks such as this:

a. loss of industrial floorspace will be resisted unless appropriate replacement floorspace is provided;

b. development of new industrial floorspace and improvement and expansion of existing premises is encouraged; and

c. proposals for non-industrial uses will be resisted where the introduction of such uses would impact unacceptably on industrial activities (which may include waste sites).

8.8 It is noted that Colliers International, on behalf of Greggs Plc, submitted representations to the (now adopted) Local Plan, objecting to the locally important industrial land and business park designation on the alleged grounds that the site is significantly constrained, unattractive to industrial occupiers, incompatible with the surrounding residential area due to noise, smells and traffic, industrial redevelopment would be restricted by an emerging Controlled Parking Zone (CPZ) and an alleged missed opportunity to provide a location for Small and Medium-sized Enterprises (SMEs) and start-ups. All representations made to the Local Plan were submitted for consideration by the Inspector as part of the Examination.

8.9 In its public response to those representations, the Council stated that it considered that the evidence regarding protection of employment floorspace to be both robust and up-to-date, and that the policy approach set out in LP42 was sound. The Inspector found the policy to be sound, and Local Plan has since been adopted. The designation of the Greggs site as a locally important industrial land and business park was retained, thus demonstrating the Inspector's agreement that the industrial use of the site should be protected.

8.10 The situation as set out in Adopted Local Plan and subject to examination has not changed materially. The borough has a very limited supply of industrial floorspace and demand for this type of land is high, land is scarce. Therefore, the Council will seek to protect, and where possible enhance, the existing stock of industrial premises to meet local needs. The Mayor of London's Land for Industry and Transport SPG (2012) states that the Council should ensure a 'restrictive' approach towards the transfer of industrial land to other uses until 2031, which means that industrial land should not be released for other uses. Further to this, the GLA's Industrial Land Supply and Economy Study (2015) demonstrates that the borough has a very limited supply of industrial land, with only 17.3 hectares of general and light industrial space (B2 and E), and 8.1 hectares

of warehousing and storage (B8) facilities; this is amongst the lowest of all the London boroughs.

- 8.11 The London Plan places Richmond in the Retain Capacity category for the management of industrial floor space capacity. Research for the GLA indicates that there will be positive net demand for industrial land in London over the period 2016 to 2041. Any loss must be supported by full and proper marketing and the sequential approach, as set out in policy LP42 applied.
- 8.12 This site is a locally designated employment site, equivalent to the London Plan's Locally Significant Industrial Sites (LSIS). London Borough of Richmond, Employment Sites & Premises Study 2017 Update by Peter Brett Associates, showed high occupancy rates for the industrial sites in the borough. The small sites profile of the stock reflects the business profile of generally providing for the needs of the local population - local van-based distribution, motor repair, trade counter; no provision or need for much larger buildings occupied by businesses serving sub-regional activity. Businesses serving local catchments only require small to medium sized buildings that are close to the local residential / business market that they serve. They do not require excellent access to the strategic road network or the co-locational advantages associated with larger sites elsewhere that serve the sub-regional market.
- 8.13 The Council evidence suggests industrial development is viable (which informed the Local Plan). The South London Partnership (SLP) Industrial and Business Land Study (Ramidus) 2018 identified in industrial and employment premises an acute shortage of small (100-200 sq m, or 1-2,000 sq ft) light industrial units, which has led to recent sharp rises in rents - which has led to increased institutional investment in industrial and employment land, which, in the medium to longer term, will encourage redevelopment and refurbishment of older estates.
- 8.14 More recently, the Council's Employment Sites and Premises Needs Assessment 2021, supports the ongoing protection of sites in industrial uses in the current and emerging new Local Plans, and notes a 0.5% industrial vacancy rate which is well below the London average for industrial land. It was noted that it is almost certain that industrial demand will continue to strengthen as the economy recovers from Covid. In relation to the Greggs site, the study notes the Borough has few if any options to easily address the current deficit of industrial land and of the 'traditional' options only the Greggs site, largely vacant or underused, is available as a redevelopment option. There is strong local and GLA policy support that would suggest that economic uses should be firmly prioritised for the site with not only the current floorspace re-accommodated, but net additional floorspace secured as far as practical.
- 8.15 The Council's Employment Land and Premises Study 2023 has recently been published, and identifies over a decade since 2013, 65,000m² (22% reduction) of office floorspace has been lost since the introduction of permitted development rights for the conversion of office to residential, and there is still a need for additional land over the plan period (1,143m² pa), as it is expected the office sector job growth to continue and this growth to exceed the capacity of the currently available space. . The findings have shown that forecast job change for the Plan period of 2019-39 is still substantially lower than what has been delivered (an additional 14 jobs pa up from 6 pa in the 2021 study).

The position in respect of the forecast is not surprising given the Borough's relatively modest industrial stock (latest VOA sets this at 141,000 sqm), that stock is operating at very high floorspace to worker densities (approx. 20 sqm / job), which is around half the floorspace we would expect, and there has been almost no stock additions in recent years. Whilst market demand remains strong, the lack of opportunity to add to the industrial floorspace is restricting economic growth in the Borough. As was the case with the 2021 Study, an approach of accommodating 100 additional industrial jobs per annum (62,000sqm floorspace) is recommended. The latest Employment Floorspace Monitoring Report 2020-22 has also confirmed the continued net loss of employment floorspace through completions in that period, including industrial.

- 8.16 Turning to the application itself, this proposes 883 sqm industrial floorspace (Use Class E(g)(iii)) and 117sqm of affordable workspace (Use Class E). This would be accessed from Edwin Road, with the affordable workspace located in an adjacent single storey element. This still falls a long way short of the 7,317 sqm of existing industrial/employment floorspace. Whilst this is an improvement over the proposal that was refused planning permission due to the loss of industrial floorspace, there would be a significant shortfall compared with the existing provision on site that would be contrary to policy requirements. Given the findings of the employment evidence, which has identified a significant shortfall in the supply of industrial floorspace in the borough, the loss of that amount of B2 floorspace raises significant employment policy concerns. It is acknowledged that this application is by comparison offering an increase in commercial floorspace compared to the previous refused scheme (19/0646/FUL), however it remains the case that there is still a significant shortfall compared with the existing employment provision. Furthermore, the amount of affordable workspace is inadequate to meet requirements given the overall shortfall in replacement commercial floorspace.
- 8.17 The applicant has submitted a marketing report with the application. Although not invited for sites with an Industrial Land and Business Park designation, the marketing states that the site was marketed since February 2018 to establish demand for the site. It is stated that the reasons for rejecting the site relate to the size and configuration of the existing buildings, small yard and insufficient car parking, concerns regarding access and movement for HGVs and vans for deliveries, and location within a residential area.
- 8.18 The applicants raise transport concerns for the continued use of HGVs and the highway safety implications these have on surrounding narrow roads. This will be discussed in further detail in the Transport section of this report.
- 8.19 In summary, the revised proposal does not adequately address the reason for refusal as raised under 19/0646/FUL, and there remains an in-principle objection in relation to employment policies (Local Plan Policies LP40, and 42) which do not permit change of use to a predominately residential use on this protected employment site. A reduction in employment floor area (currently 7,317 sqm) would only be acceptable if the alterations to the buildings resulted in new improved industrial floorspace, with servicing and yard areas. The Greggs site contains a number of different activities that have now mostly ceased (i.e. offices, storage, distribution, bakery ovens, and cold store). The Local Plan designations reflect the mix of uses in the area.

- 8.20 As per above, the Publication Version Local Plan is a material consideration for the purposes of decision-making on planning applications once published for consultation, since 9 June 2023. There were representations made to the emerging Local Plan, at Regulation 18 stage, by DP9 Ltd on behalf of London Square Developments. These commented on the application site's omission as a Site Allocation, putting it forward for residential or mixed-use development. However, the Council's response is that it has not been recommended for inclusion as a Site Allocation, given the need to protect/re-provide employment use on site.
- 8.21 The Regulation 19 consultation ran until 24 July 2023 and comments are currently being collated; at this stage the Council is not aware that comments have been received on behalf of London Square Developments. The next stage is the Local Plan will be submitted for Examination, and the Planning Inspector(s) will consider all representations received at Regulation 19 stage and examine the Plan, the evidence supporting it and make a decision whether it is sound and meets the legal requirements. It is anticipated that the Plan will be adopted in winter 2024/25.
- 8.22 The Council is aware that comments have been received on employment policies (from other landowners suggesting their sites should not be designated for employment) although it is not considered the emerging policies would be providing a significant change in policy direction, and full weight continues to be given to adopted policies.
- 8.23 The employment policies in the Publication Version Local Plan continue to take a protectionist approach to existing employment floorspace. Policies 23 (Offices) and 24 (Industrial land) expect no net loss of floorspace. Marketing information will be considered as a material consideration, but will not in itself justify an exception to policy (stated clearly at paragraphs 19.19 and 19.33). The Publication Draft Local Plan also includes a requirement for affordable workspace to be provided in Policies 23 (Offices) and 24 (Industrial). Proposals must provide opportunities for local employment and training, as required by Policy 50 (Education and Training).
- 8.24 In light of the above, the Council's position to refuse the application based on the loss of employment/industrial floorspace is considered to be enhanced by the Publication Version Local Plan, a material planning consideration of some weight.
- 8.25 The Council has also considered this case in light of an application for the St Clare Business Park site (19/3201/FUL) and the recently dismissed appeal. The Inspector in that case considered the Council's position as at refusal by Planning Committee in December 2020 which predated the latest evidence base for the emerging Local Plan. The distinction highlights the differences between this site and St Clare; notably the lower affordable housing (35% at St Clare compared to 30% here) and significant re-provision of employment floorspace proposed for St Clare (38% compared to 13.5% in the case of Greggs). A subsequent application for this site (22/2204/FUL) increased the level of employment floorspace to 50% (1,906 sqm), whilst retaining 35% affordable housing, and was recently resolved to be granted by the Council's Planning Committee, subject to the completion of legal agreements. There is both a lower amount of affordable housing proposed on Greggs and a significantly lower proportion of, and actual, employment floorspace re-provision. When considering that the proportion of employment re-provision remains a significantly smaller quantum than St

Clare's, this application is not considered to have addressed policy requirements sufficiently to come to a different view.

8.26 Another recent case involving the loss of employment floorspace was Arlington Works (18/2714/FUL) where a reduction from 849 sqm to 512 sqm (40% loss) with only minor affordable housing provision (17% - 4 units out of 24) was proposed, and this formed one of the reasons for refusal. This was later dismissed on appeal where the Inspector's decision stated:

8.27 *"The scheme would involve a significant loss of industrial floorspace and land and for which the development plan and accompanying evidence indicate a real and up-to-date need. The development plan sets out a presumption against the loss of industrial land and space and the proposal would conflict... I therefore conclude that the proposed development would be contrary to Policies LP 40 and LP 42 of the Local Plan and to Policies E2, E4 and E7 of the PVLPA. These policies are consistent with the Framework which, amongst other things, seeks to help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity."*

8.28 In summary, there would be a significant shortfall of employment/industrial floorspace compared with the existing provision on site which would be contrary to policy requirements.

Principle of residential use (Use Class C2)

8.29 The proposal is for a predominately residential scheme delivering 116 units. Notwithstanding the in-principle objection to the loss of employment / industrial / office space, the main housing policy issues to be considered are:

- the need to provide on-site affordable housing;
- policy requirements regarding mix of units, internal and external space standards and inclusive access;
- acceptability of infill housing on this site with regards to scale and massing, impact on the character of the area and impact on amenity.

8.30 The above matters will be discussed in further detail below. In general, the inclusion of residential use with a mixed-use scheme is appropriate, however it has not been demonstrated that the proposal would maintain existing employment / industrial / office floorspace and that the residential use would be compatible with the continued operation of industrial uses on the site. As such there is an in-principle objection to the proposal on the basis of the loss of existing employment/industrial/office floorspace. The benefits arising from the addition of housing/affordable housing/other benefits as proposed will be considered in the overall planning balance.

Issue ii- Housing

8.31 Notwithstanding the in-principle conflict with policy with regard to the residential use the proposal should further be assessed against policies relevant to the supply of housing to achieve an overall conclusion on the balance of considerations with regard to the Development Plan when taken as a whole. Policy LP35(A) of the Local

Plan states that development should generally provide family-sized housing outside of town centres and Areas of Mixed Use, and that the housing mix should be appropriate to the location.

- 8.32 The overall mix for the proposed units is 33 x 1 bed (34%), 33 x 2 bed (34%), 31 x 3 bed (32%). Notwithstanding the comments below regarding the inappropriate tenure split for affordable homes, the unit mix is considered to provide a range of unit sizes that is appropriate to this location to accord with LP35 (A).
- 8.33 The NPPF sets a target for at least 10% of the total number of homes to be available for affordable home ownership (para. 65). The London Plan and Local Plan has a higher expectation, with policies GG4, H4, LP36 and Policy 11 of the Publication Version Local Plan, a material consideration, expecting 50% of all housing units (and habitable rooms) to be affordable (including affordable home ownership). Policy LP36(B)(a) states that on sites capable of ten or more units gross and all former employment sites, at least 50% on-site affordable housing provision by unit is expected. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.
- 8.34 It should be noted that the Publication Version Local Plan sets a greater ambition to ensure that all development delivers affordable housing in line with policy requirements to meet the great need for genuinely affordable homes in the borough. While this policy is yet to be tested through examination and is currently a material consideration of lesser weight therefore it is important to note that it would disapply the fast track route provided in policies H5 and H6 of the London Plan and, furthermore, only in exceptional cases allow for a viability case to be made: otherwise proposals which fail to deliver 50% affordable housing by total number of habitable rooms will be refused. The move to assess this by habitable room for the future is a key distinction and material.
- 8.35 On a site basis, policies H5 and H6 of the London Plan sets out the expectation for major developments to provide affordable housing through the threshold approach, the provision of a minimum of 35%, with a tenure split of 62% rented products (London Affordable Rent / Social Rent) and 38% intermediate products (London Living Rent / Shared Ownership). The London Plan sets out that schemes that do not meet the target threshold, must be accompanied with viability assessments, to ascertain the maximum level of affordable housing is being provided. Where that is the case, a scheme would be subject to early, mid and late-stage reviews secured through Section 106 agreement.
- 8.36 Locally, policy LP36 seeks in schemes such as this, 50% on-site affordable housing provision by unit, with:
- A tenure mix of 40% for affordable rent and 10% affordable intermediate
 - Affordable rent to reflect the need for larger family units
 - Evidence of meaningful discussions with a Registered Provider (RP), which have informed the proposed tenure, size of units, design to address local priorities and explore funding opportunities.
- 8.37 Policy 11 of the Publication Version Local Plan alters the desired tenure split to 70%

affordable rent and 30% intermediate by habitable room.

- 8.38 As per policy LP40 outlined above, the Council seeks to retain employment floorspace and does not wish to encourage the change of use of employment sites to potentially higher value residential uses. In those exceptional circumstances where the Council agrees a change of use, the lower Existing Use Value of employment land means that any residential development involving a loss of employment floorspace is required to increase affordable housing above the normal policy requirements for new build development or redevelopment.
- 8.39 In terms of affordable housing, the previous refused application (19/0646/FUL) proposed 40% affordable housing (46 units) with early and late-stage review mechanisms. Despite the shortcoming against policy requirements (which require 50% affordable), viability had been assessed and the tenure agreed by the Council. A reason for refusal related to affordable housing but this was only due to the absence of a binding legal agreement, this is because the scheme was considered to deliver the maximum amount of affordable housing possible. This consideration was separate to the overall consideration on the principle of the use of the site, which did form a basis for the refusal of the application 19/0646/FUL.
- 8.40 Turning to the current application, the proposal includes 29 units of affordable housing (7 Affordable Rent, 22 Shared Ownership). The affordable accommodation schedule is below.

Tenure	No. of bedrooms per unit				Percentage total (units)	Habitable rooms	Percentage total (hab rooms)
	1	2	3	Total			
Affordable Rent	2	5		7	7.2%	20	6.7%
Shared Ownership	15	6	1	22	22.7%	52	17.4%
Private/Market	16	22	30	68	70.1%	227	75.9%
Total	33	33	31	97	100%	299	

- 8.41 As per the above, 30% of units would be affordable across the site, but only 24% by habitable room. This falls short of the Council's expectation of 50% on-site affordable housing. However, a Financial Viability Statement (by DS2) has been submitted with the application in order to demonstrate that it cannot deliver a policy compliant level of affordable housing. Following negotiations with the Council, the affordable housing proposal was increased by 5 units to 30%. DS2 noted that the revised affordable housing offer of 30% affordable housing provides a Residual Land Value of £9,274,750, resulting in a deficit against the Benchmark Land Value of £25,250. This therefore demonstrates that the revised affordable housing offer is in excess of what the scheme can viably provide, based upon the current day viability assessment alone.

A review of the latest FVS has been undertaken by the Council's independent viability assessors (Bespoke, along with QS Exigere) to ensure that the assumptions and values are appropriate. It was concluded that these conclusions are agreed.

- 8.42 However, in terms of the tenure split between affordable rent and shared ownership, the proposal provides 24% affordable rent and 76% shared ownership. This proposal does not reflect the tenure split sought by policy to seek larger homes, particularly for affordable rent. Furthermore, the proposal does not meet the tenure split expected under the current Local Plan (80% for affordable rent and 20% shared ownership by unit) or the Publication version Local Plan (70% affordable rent and 30% intermediate by habitable room). As such, an objection is raised to the proposed tenure split which is contrary to the Council's policy guidance. Moreover, in the absence of a legal agreement securing early and late stage reviews the affordable housing contribution cannot be considered to be maximised.
- 8.43 8.44 The emerging Local Plan in Policy 12 at part B.4 emphasises the importance of supported housing among the Council's identified local housing needs, particularly given the scarcity of land, and reflected in the updated Local Housing Needs Assessment evidence base for the Local Plan. There are features of the site which suggest it's suitability for a scheme for care leavers to meet needs identified by Achieving for Children (for example in Block E), that as part of the overall housing mix would bring additional benefits to providing for local needs, although it has not been explored as part of the current proposals and therefore there are limited benefits to the overall mix of housing proposed.
- 8.45 The applicants have provided evidence of discussions with Registered Providers to demonstrate exploration of opportunities for Registered Providers to optimise their use of all funding resources, as required by LP36 and set out in the Affordable Housing SPD. However, this does not overcome the issue raised over the inappropriate tenure mix for affordable housing units onsite.

Issue iii- Residential Development Standards, amenity space and access

Internal amenity space

- 8.46 All housing should be of high quality. Policies D6, LP8, LP35 and 13 consider housing quality and standards, expecting comfortable and function layouts that provide adequately sized units and rooms that comply with the Nationally Described Space Standards (NDSS) and the London Plan, provision of adequate storage and headroom; maximise the provision of dual aspects dwellings (with single aspects units only provided where is provides a more appropriate design solution and the units achieve adequate ventilation, daylight, privacy and avoid overheating). Units should achieve good standards of daylight and sunlight, and is guided by the BRE 'Site layout planning for daylight and sunlight: A guide to good practice', which was updated in 2022.
- 8.47 The Nationally Described Space Standards (NDSS) require the following:
- A single bedroom should be at least 7.5sqm and 2.15m wide
 - A double bedroom should be 11.5sqm and 2.75m wide

- Head height should be at least 2.3m for a minimum of 75% of the gross internal floor area
- Suitable storage space to be incorporated into units
- Communal gardens to be sheltered from roads and not overlooked from habitable rooms.

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

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

- 8.48 Based on the submitted breakdown of gross internal floor areas (GIA) each of the proposed units conform to the NDSS's minimum GIA requirements as set out in the above table. As such it is considered that the units would be of an adequate size to ensure they appropriately meet the living space requirements of future occupants.
- 8.49 In terms of residential amenity for future occupants, it is also noted that the proposed units comprise a high proportion (83.6%) of Dual Aspect units to allow cross ventilation and improved daylight, sunlight and outlook. As displayed in the image below, the only single aspect dwellings are the one bed units located within Building F, and each face east and west so that they are able to take advantage of morning and evening sun respectively. As such, the proposed residential units are considered to receive adequate levels of daylight, sunlight and outlook.



Dual vs single aspect dwellings

- 8.50 A Daylight and Sunlight report has been prepared by Point 2 Surveyors as part of the application, which assesses both internal and neighbouring amenity resulting from the proposed development. In terms of internal amenity, the report advised that 83% of the proposed rooms throughout the development achieve Climate Based Daylight Modelling (CBDM) which provides the new median illuminance targets set out within BRE guidance. When considering Average Daylight Factor (ADF), 286 of the 305 habitable rooms tested (94%) would achieve the suggested ADF values for their relevant room uses, which would historically have been considered an excellent rate of compliance. As such, the development is broadly in line with internal requirement for sunlight/daylight access to internal windows.
- 8.51 In light of the above, the submission documents adequately demonstrate that the development provides an adequate standard of accommodation of each of the units in accordance with Policy LP35.

External amenity space

- 8.52 With respect to external space, policy D6 and LP35 expects a minimum of 5sqm of private outdoor space per 1–2-person dwelling, with an extra 1sqm for each additional occupant, which is private, usable, functional, safe, accessible. Purpose-built, well-

designed balconies or terraces are encouraged, where these do not raise unacceptable overlooking or noise or disturbance. Policies 13 and 46 expects adequate outdoor amenity space to be provided, in line with the current adopted standards.

- 8.53 When considering visual impact, buildings should not be visually intrusive or have an overbearing impact on future occupants. Whilst policy sets a minimum guideline of 20m between habitable rooms this is for privacy reasons, and it recognises this is numerical guideline, which should be assessed on a case by case basis, since privacy is only one of many factors in site layout design, and where the impact of a building is on another within the same site, measures can be applied to minimise impact, such as splays angles of windows, obscure glazing.
- 8.54 For background, the Design Review Panel reviewed an initial set of plans for the site and considered the private amenity spaces to be too small for the properties adjoining Norcutt Road and Crane Road and encouraged to adjust the typology and provide a more generous space. Under 19/0646/FUL there was an increase in the depth of rear gardens and maximising amenity spaces. Subsequently, no objections were raised to the proposed external amenity spaces under this application.
- 8.55 As per 19/0646/FUL, the proposed three-bedroom dwellings in the current development proposal contain private amenity space in the form of secure rear gardens. The average level of amenity space for the houses backing onto Crane Road would be 34sqm and for those backing onto Norcutt Road they would be 28.9sqm. For the apartment building (A, E and F) and smaller two-bedroom houses (G), amenity space has been provided in the form of terraces and balconies which comply with Local Plan requirements, with the exception of 5 one-bed units on the western end of Building F where balconies were replaced with juliette balconies due to potential overlooking. Each of the terraces are either east, west or south facing and are considered to receive adequate levels of sunlight/daylight access.
- 8.56 On balance, although 5 units would not contain external amenity spaces, these relate only to single bed dwellings where there is likely to be less need for providing external amenity space compared to larger dwellings, and given the limited number of units this relates to, the shortfall is not considered to warrant a reason for refusal. Furthermore, while the rear gardens of some properties remain small, they meet the minimum requirements for Policy LP35 and given the amendments listed above they are considered acceptable overall.

Inclusive access

- 8.57 Both policies D7, LP35 and 13 stipulate the need for housing to provide a genuine choice for London's diverse population, with 90% to meet Building Regulations Requirement M4(2) (accessible and adaptable) and 10% to meet M4(3)'wheelchair user dwellings'
- 8.58 The applicant's Design & Access Statement makes it clear that 90% of the new dwellings are M4(2) compliant and the remaining 10% will be M4(3) compliant, to accord with Policy LP35 (E). It is noted that two lifts are proposed within Building F. In relation to M4(3) wheelchair 'accessible' i.e. a home readily useable by a wheelchair

user at the point of completion, this should only be applied where the local authority is responsible for allocating or nominating a person to live in that dwelling - in effect this can only be rented as affordable housing; private units would therefore be M4(3) wheelchair 'adaptable'. Should the application be considered acceptable overall, it would have been appropriate to secure by condition which units (i.e. identifying the flat/house numbers) fall within each Building Regulation.

- 8.59 Part M4 (3) of the Building Regulations regarding 'wheelchair user dwellings' distinguishes between 'wheelchair accessible' (a home readily useable by a wheelchair user at the point of completion) and 'wheelchair adaptable' (a home that can be easily adapted to meet the needs of a household including wheelchair users). M4(3) wheelchair 'accessible' should only be applied where the local authority is responsible for allocating or nominating a person to live in that dwelling.
- 8.60 The proposals provides 10% of the units as wheelchair accessible, whilst the remaining homes are designed to be accessible and adaptable dwellings. The Council's Specialist Housing Occupational Therapist reviewed the application including its suitability for wheelchair uses in relation to the Council nominated housing units. Following negotiations, it was advised that the units would comply with M4(3) requirements subject to the inclusion of s106 clauses setting out the obligations regarding ongoing liaison with the Council's Specialist Housing officer regarding detailed layout and fitting out.

Issue iv- Design Considerations including height

- 8.61 As recognised in the NPPF, good design is a key aspect of sustainable development. Decisions should ensure developments will function well and add to the overall quality of the area; are visually attractive and sympathetic to local character and history (whilst not preventing or discouraging appropriate innovation or change); establish a strong sense of place, optimise the potential of the site; and create places that are safe, inclusive and promote health and wellbeing. Similarly, the London Plan (GG2) applies design-led approach to determine the optimum development capacity of sites.
- 8.62 The Framework sets out significant weight should be given to development that reflects local design policies and government guidance on design, taking into account local design guidance and SPDs; and or outstanding or innovative design which promotes high levels of sustainability. Conversely where development that is not well designed should be refused.
- 8.63 The above is reflected in the London Plan that seeks to make best use of land by following a design led approach that optimises the capacity of sites, with higher densities promoted in locations well connected, and elsewhere incremental intensification activity encouraged to achieve a change in densities in the most appropriate way. (GG2, D2 and D3). The density of a scheme should be linked to the provision of future planned levels of infrastructure, and where insufficient, LPAs should work with applicants to ensure sufficient capacity will exist at inappropriate times.
- 8.64 In assessing the impact of development on a Conservation Area, the Local Planning Authority must consider the tests set out in S72 of the Planning (Listed Buildings and Conservation Area) Act (1990). Under this legislation, the Local Planning Authority must have special regard to the desirability of preserving or enhancing the character

and appearance of the conservation area. The tests are encapsulated in policy LP3, which states that applications should only be granted where they conserve and where appropriate enhance the significance, appearance, character and setting of the surrounding historic environment.

- 8.65 The Development Plan expects development to make the best use of land, by enabling development on brownfield land, policies LP1 and LP2 of the Local Plan, and D3 of the London Plan, requires development to be a high quality, and in a manner that respects, contributes to and enhances the local environment, with consideration to local character, context and distinctiveness, and responding to and being sympathetic to development patterns and layout, views, scale, height, massing, proportions, form, materials, appearance, and detailing.
- 8.66 The emerging Local Plan (policy 28) reflects many of the requirements of adopted policy, it also identifies 'places', which need to be maintained and their character enhanced where opportunities arise.
- 8.67 Policy LP1 of the Local Plan states that new development must be of a high architectural and urban design quality. Development must be inclusive, respect and contribute positively to its surroundings based on a thorough understanding of the site and its context. LP2 expands on this by explicitly requiring new buildings to respect and strengthen the setting of the borough's townscapes and landscapes, through appropriate building heights.
- 8.68 In relation to height, policy LP2, expects buildings to generally reflect the prevailing building heights so to respect and strength the setting of the borough's townscapes, and schemes should refrain from using height to express and create local landmarks. Proposals that are taller than the surrounding townscape must be of high architectural design quality and standards, deliver public realm benefits, have a wholly positive impact on the character and quality of the area, and preserve and enhance the borough's heritage assets, their significance and setting.
- 8.69 In line with policy D9, the Local Plan (LP2) defines tall buildings and taller buildings and locations where tall buildings may be appropriate, informed by two borough wide Sustainable Urban Development Studies. Taller are those significantly taller than neighbouring buildings but less than 18m in height, and tall buildings are those as 18m in height or higher. The Local Plan identifies the Stag Brewery site as a specific and exceptional site where taller or tall buildings may be appropriate, subject to meeting the criteria of policy LP2.
- 8.70 Policy 45 of the emerging Local Plan is a material planning consideration. It alters the definition, with buildings 7-storeys or over, or 21m or more from the ground level to the top of the building (whichever is lower) considered as a tall building. Buildings that are 5 storeys or over, or 15m, are considered to be mid-rise. Proposals for new mid-rise buildings will usually only be appropriate in mid-rise and tall building zones identified within the Plan. Proposals will be required to meet the requirements of Policy 44 Design process and Policy 28 Local character and design quality and should:
1. be carefully located and designed to step down to surrounding existing and proposed buildings;

2. respond positively and protect the setting of existing buildings in the surrounding area, including heritage assets;
3. respect the scale, width and proportion of adjacent streets and watercourses, and local character, including potential effects on key characteristics, valued features and sensitivities as outlined in the character area profiles in Section 3 of the Urban Design Study;
4. deliver a varied and interesting roofline in response to surrounding architectural styles, avoiding long monotonous blocks of development and/or excessive height.
5. Where proposals are located within identified mid-rise and tall building zones, buildings should not exceed the appropriate height identified in Appendix 3.
6. In cases of mid-rise buildings located close to the street edge, proposals should incorporate measures to soften their edges and provide positive public spaces at their base through the use of generous walkways and mature planting.

8.71 The application site is an industrial/employment site which largely comprises industrial style buildings and hardstanding and can therefore be considered as previously developed land. The proposed redevelopment including associated gardens and open green space would replace the existing hardstanding and buildings, and therefore will subsequently be no loss of garden or amenity space in accordance with Policy LP39. The dominant character in the area is that of tight knit houses and the proposed plot widths are generally considered to be of sufficient width to accord with the established spacing of properties in the area.



Street scene photo – existing entrance to site from Edwin Road



Street scene photo – existing entrance to site from Gould Road

- 8.72 The residential element of the current application is very similar to that considered in the context of planning application reference 19/0646/FUL, the sole change being that of a new outbuilding to the rear of No. 2 Gould Road, where no objection was raised on design grounds and this matter did not result in a reason for refusal. The main difference between the current and refused scheme is the inclusion of 883sqm of industrial floorspace and 117sqm of affordable workspace and a slightly reduced residential offering comprising 97 residential units compared to the 116 considered in the context of the previous application. There is subsequently no reason why an alternative conclusion relating to the acceptability of the design of the scheme would be taken. The following assessment of the residential element of the scheme reflects that of 22/2556/FUL outside of the proposed industrial element of this scheme.
- 8.73 The proposals are considered acceptable in design terms with a reduced impact on the surrounding area compared to earlier iterations of this scheme. The proposed heights are broadly acceptable, and generally in line with considerations outlined in the Village Planning Guidance for the area. They have been reviewed in the context of the existing one to three storey industrial buildings which, in general, are acknowledged to be of poor quality and do not contribute positively to the street scene.
- 8.74 The proposed four and five storey buildings ('Building F') towards the northern side of the site are similar in scale to Lockcorp House in relation to their height. This building was allowed on appeal on 18 June 2020 for a five-storey building comprising 15 affordable residential units (19/2789/FUL). The Lockcorp building would be located approximately 40m from the proposed five storey buildings. It is acknowledged that construction of this building has not yet commenced, however it provides a strong point of reference as to what may be considered acceptable in terms of height in this area. Whilst concerns regarding the height of these buildings have been raised by residents

in the area, both in the context of the current and previous application, it is considered that the taller buildings have been positioned within an area which would have the least possible impact on the character of the area, whilst also being setback from the river in order to respect this space. The taller buildings in this section of the proposed development comprise varying heights ranging from three to five storeys, which provides some variation and a gradual increase in height from the buildings surrounding the development, rather than an abrupt increase directly to five storeys. Furthermore, the external materials of the fourth storey element provides an improved relationship with the existing terraced properties along Gould Road and Crane Road compared to earlier iterations of the scheme. The proposal has the support of the Council's Urban Design team and, on balance, this element is considered to comply with Policy LP2.



Visualisation – Building F

- 8.75 As shown in the visualisation below, it is considered that the 'mews' design is appropriate and relates to the scale and grain of the local area, and this is in line with the Twickenham Village Plan guidance. The proposed 'entrance buildings' to the site on Edwin Road are considered to provide a gateway into the development, and also follow the established building line within the street. The rear gardens of the Mew's Houses are broadly in keeping with the size of gardens within the surrounding area, which are relatively limited in the case of Norcutt Road and Warwick Road.



Visualisation – ‘mews’ street

- 8.76 In relation to the density of development, the applicant has submitted a density capacity assessment of surrounding roads and adequately demonstrated that the scheme is in line with the local context and fits with the footprints and local grain of the area. In particular, it is noted that Norcutt Road has 103 units per hectare. Hamilton Road has 99 units per hectare, and the current proposal has 103 units per hectare. The proposed density would also be compliant with the London Plan Density Matrix guidelines for a site in this location with a PTAL 2 rating
- 8.77 The opening up of views towards the riverside compared to the existing situation is considered to be a positive feature. The basic townscape pattern of the surrounding streets is replicated, which is a positive townscape feature.
- 8.78 In relation to the proposed dormers, the dwellings effectively appear as 3 storey buildings, within a predominantly 2 storey area. However, the impact of scale is managed and overall these dwellings appear to fit the grain of the area, traditional in some respects but with some elements that ensure they are evidently modern. It is also evident that box dormers are fairly common in this area, particularly along Crane Road, and it could not be argued that the proposed dormers are out of keeping with these existing features of the area. The dormer windows would ideally be smaller to reflect an appropriate hierarchy of fenestration, however the windows are set relatively deep and on balance they are considered to be appropriate.
- 8.79 With regards to treatment at the River Crane end of the site, the river edge has been enhanced with the use of soft landscaping and general open space by the river. A self-binding gravel walkway runs the length of the river on the northern side of the site, which enhances opportunities for play and recreation in this area. The tree planting and shared surfacing approach is also considered a positive, as are the open views

towards the riverside in the mews street. The plans show space for a potential future pedestrian footbridge. However while there is safeguarded space for a new bridge across the Crane, no bridge is specifically proposed (separate planning permission would be required for this). The ownership of the land on the opposite side of the river is also currently unknown. The river, railway and land to the north is Metropolitan Open Land (MOL), while the Mereway Nature Reserve to the north of the river is also designated MOL as well as Public Open Space and Other Site of Nature Interest. Due to the separation distance and layout of the proposal which includes a buffer zone to the river, the proposed development is no considered to unduly harm the character and openness of these spaces to the north.



Buffer zone proposals



Visualisation – northern side of the site from River Crane (n.b footbridge does not form part of this application)

8.80 There is a wide variety of material finishes within the area surrounding the application site. However, most buildings use brick as the main material while some have a painted or rendered finish. The applicant proposes a mixture of brick, metal, charred timber and stone which appear to fit comfortably within the context. In particular,

various different brick types have been chosen from the local context, the variety of which would serve to break down the visual massing. The stone and metal provide further variety and also add reference to the site's industrial past. It is noted from the applicant's Design & Access Statement that these materials have been chosen to give identity to each building and give the appearance that different parts of the development have been constructed over time. As with the earlier scheme, the Council's Urban Design team reviewed this aspect and raised no concerns with the proposed materials.

- 8.81 The industrial element of the scheme, which is an addition compared to the previous submission for this site, is located at the southern end of the site, providing a frontage onto Edwin Road and would bear a relationship with the existing commercial uses, create a grouping of commercial land uses. The industrial use of the southern part of the site has been dictated by the need to be accessible to the local road network. as displayed in the visualisations below, the building is set back from the public highway and has been designed to take queues from the existing industrial buildings on site.



Visualisation – Edwin Road street scene including proposed industrial building



Visualisation – entrance to site on Edwin Road, including proposed industrial building

- 8.82 The pitched roof form provides a standard industrial approach, giving clear legibility of its use, is characteristic of its surrounding and is the least impactful roof form when considering impacts on neighbouring land users. The use of painted brick and metal cladding references the existing industrial buildings opposite the site. Functional windows, rooflights and loading doors provide access and natural light to the interior spaces. These are set out in a consistent rhythm along the façade.
- 8.83 There are no design issues with these proposals which are within scale with their surroundings and include pitched roof elements and raise no objection subject to conditions to secure full details of the proposed materials, fenestration, roofs and roof plant, landscaping and lighting. The final choice of materials will be important to the overall appearance and should be secured by condition if planning permission is granted. Officers recommend the consideration of the use of Green Walls fronting the public footway.
- 8.84 In light of the above, the scheme is generally compliant with Development Guidance in the Twickenham Village Plan, relevant Local Plan Policies: LP1, LP2, LP5, LP8, LP13, LP16, LP39, and associated SPD guidance. The proposals are also considered to accord with emerging policies 15, 28, 31 and 44 of the Publication Version Local Plan. Had the application been otherwise acceptable, conditions would have been applied to secure further details relating to material types and palettes, fenestration, green roofs and solar PV panels, landscaping and lighting.

Issue v- Residential Amenity

- 8.85 Policies D3 and D14 of the London Plan, policies LP8, LP10 and LP39 of the Local Plan and policy 46 of the emerging Local Plan require all development to protect the amenity and living conditions of new, existing, adjoining and neighbouring properties. In doing so, schemes should ensure good standards of daylight and sunlight remain in existing properties (having regard to the BRE guidance); unacceptable overlooking should not be caused; proposals should not result in a visually intrusive or overbearing impact or sense of enclosure, and developments should not cause harm to the reasonable enjoyment of the use of house and gardens due to traffic, noise, light or other forms of pollution.
- 8.86 The minimum distance guideline of 20 metres between habitable rooms within residential development is for privacy reasons, a lesser distance may be acceptable in some circumstances – for example where there is an established pattern of development. These numerical guidelines should be assessed on a case-by-case basis since privacy is only one of many factors in site layout design. Where principal windows face a wall that contains no windows or those that are occluded (e.g. bathrooms), separation distances can be reduced to 13.5 metres.
- 8.87 The policies recognise there will be some impact from any new development, the test is one of harm and a judgement needs to be made as to whether this would be unreasonable or not.
- 8.88 As per the design section above, the residential element of the current application is very similar to that considered in the context of planning application reference 19/0646/FUL where no objection was raised on neighbour amenity grounds and this matter did not result in a reason for refusal. The main difference between the current and refused scheme is the inclusion of a 883sqm of industrial floorspace and 117sqm of affordable workspace and a slightly reduced residential offering comprising 97 residential units compared to the 116 considered in the context of the other applications. There is subsequently no reason why an alternative conclusion relating to the acceptability of the neighbour amenity side of the scheme would be taken. The following assessment of the residential element of the scheme reflects that of 22/2556/FUL.

Overlooking/Privacy

- 8.89 With regard to the new Building B Industrial unit, this building does not contain any fenestration above ground floor to the rear or side elevations which could overlook neighbouring properties. As such, no objections are raised to this aspect of the proposal with regard to privacy impacts.
- 8.90 Under the current application, the commercial building and a number of the units within the proposed mews street have been removed since 19/0646/FUL. The rear gardens of properties within the mews street remain located adjacent to the neighbouring properties which face Norcott Road to the east and Crane Road to the west. Setbacks from the rear boundary of the site are varied and range from approximately 4m to 6.5m along Norcott Road and approximately 4.5m to 6.2m along Crane Road. This

compares to 19/0646/FUL where the range was from 4m to 9m along Norcott Road and approximately 3m to 6.2m along Crane Road. Whilst some of the larger rear garden spaces along Norcott Road have been removed, no gardens have been reduced beyond the minimum 4m proposed under the previous scheme. Furthermore, and in accordance with the previous scheme, the rear elevations of the terrace houses have generally been designed so that the upper floor window openings are limited in size, with the introduction of obscure glazing to bathrooms and bedrooms in many instances.



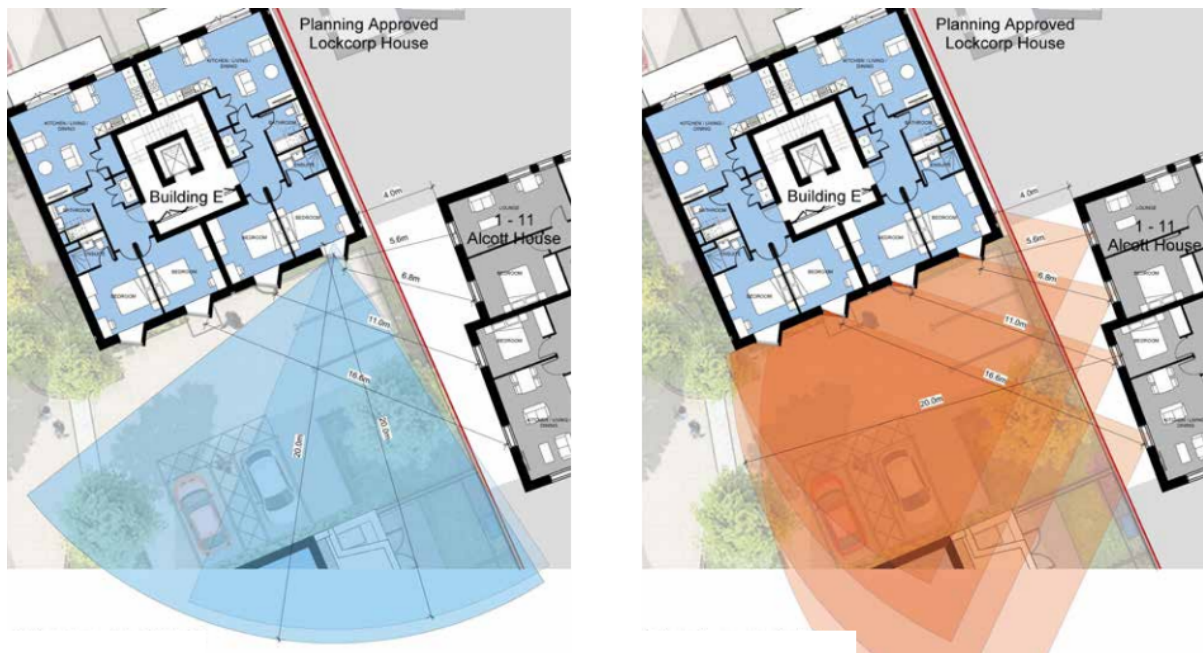
Distance between buildings and private gardens

- 8.91 Any dormer windows in the rear elevation are setback within the roof in order to reduce any overlooking potential. Furthermore, pitches have been introduced to the roofs of dwellings within the mews to reduce overlooking by oblique windows. In relation to Crane Road, as noted below, these properties have slightly larger gardens which reduces the potential for overlooking habitable rooms.
- 8.92 The windows serving apartment blocks across the site have been appropriately designed to avoid overlooking other properties within the development. The scheme highlights that a minimum of 13.5m between blank walls or bathrooms windows and a minimum of 20m has been provided between habitable rooms and existing houses

surrounding the development, as per the requirements of Policy LP8.

- 8.93 The apartments in Building F are located flush to the shared boundary with 58A Crane Road. A roof terrace is located above the section of building adjacent to the properties on Crane Road. This section of building is 3-storeys in height with a flat roof, while the larger 4-storey element is set a minimum distance of 6.5m to the shared boundary to the south extending to a maximum of 11m. There are no windows located to the southern elevation in the section of building located adjacent to Crane Road, while the windows for the 4-storey section are setback from the boundary. Overlooking from the roof terrace would generally occur over the roofs of these properties and would be further mitigated by planting to the edge of the terrace. Should the application be considered acceptable overall, this planting and boundary treatment will be secured by condition.
- 8.94 In relation to Gould Road, Nos. 4-12 adjoin the south and west boundaries of the application site. These properties are separated from Building F by the existing dwelling at No. 2 Gould Road which forms part of the application site. There are windows located to the first, second and third floor of Block F which are orientated toward the rear gardens of these properties. The proposed building is separated by approximately 14m from the eastern boundary of No. 4 Gould Road. Concerns were raised by the Council in relation to potential overlooking of the adjacent rear gardens of properties along Gould Road as result of proposed balconies included in earlier iterations of the scheme. Balconies have now been removed from the western elevation of Block F and replaced these with Juliet balconies to mitigate overlooking to the rear gardens of Nos. 4-12 Gould Road. Although this does leave the proposed windows, the existing boundary fencing along the common boundary with No. 2 Gould Road is a mitigating factor. On balance, it is considered that this will not lead to a level of overlooking which could unacceptably harm the occupier's enjoyment of their rear garden spaces.
- 8.95 Building G has been designed to avoid all overlooking to the rear of the Gould Road houses by being 1.5 storeys and utilising roof lights and a dormer window that faces towards the river. As such, Building G is considered to be acceptable in terms of any overlooking impacts.
- 8.96 In relation to Building E, this is located near the eastern boundary of the site, close to Alcott House and Lockcorp House. Lockcorp House has been granted planning permission (19/2789/FUL) for the demolition of the existing B1 light industrial unit and construction of a new 5 storey building comprising 15 affordable residential units. works have not yet been commenced on this permission and a number of pre-commencement conditions were only recent discharged (19/2789/DD01). The building would have several windows facing the western elevation of Building E, however these are high level and secondary windows which would address a blank elevation of Building E. The windows on the north and south elevation are recessed or oriel and so would limit oblique views and inter-overlooking.
- 8.97 To consider Alcott House, this comprises a three-storey residential building. This building features bedrooms, lounges and kitchens to the west/north elevation near the

application site. There is the possibility of some harm linked to the siting of Building E when considering privacy and outlook, however the number of windows in this sensitive elevation has been limited and a window design has been employed that helps direct views into the application site. A close analysis of this relationship shows that the southern elevation of Building E would be located a minimum distance of approximately 6m from the habitable room windows to Alcott House. The rear elevation windows to Building E would serve bedrooms and whilst they would be located at an oblique angle, the proposal would fall well short of providing 20 metres separation distance between habitable room windows (the distance ranges between 5.6 and 16.6 metres). In order to reduce the potential privacy impact to existing occupiers, the applicant has shown oriel bay style windows on the southern elevation of Building E which direct views away from Alcott House. It is noted that the lounge windows at Alcott House are secondary windows serving the main kitchen/lounge, while one of the windows serves the second bedroom. Three of the windows located in the same position across all 3 floors serve a primary bedroom window. The nearest window to Building E is located 6.8m away. Given the combination of the oblique angle between the buildings and the proposed oriel style bay windows which direct views away from Alcott House, on balance it is considered that the overlooking impact to the west elevation windows to Alcott House will not be significantly harmful.



Overlooking angles from first/second floor between Building E and Alcott House

- 8.98 In summary, to ensure privacy, Building E has been designed to incorporate directional oriel windows facing away from Alcott House. This has been tested and modelled to ensure overlooking is not possible between buildings. Flank walls are also proposed along the east and west elevations and balconies located along the north elevation, away from adjoining dwellings.
- 8.99 To consider Building A and the west terrace, these are set at a minimum of 22 m from the rear of the houses on Crane Road. Views into the rear gardens will be mitigated through planting and enhanced boundary treatment and this is considered to be an acceptable arrangement.

Daylight and sunlight

- 8.100 A Daylight and Sunlight report was submitted as part of 19/0646/FUL by Point 2 Surveyors. This report concluded that the daylight, sunlight and overshadowing levels would not result in any further impact on surrounding properties, and in parts of the site will improve due to a slight reduction in the bulk and massing of parts of the development, particularly in relation to properties along Norcutt Road. As such, it was considered that the proposal would have an acceptable impact on daylight and sunlight levels to properties in the surrounding area, in compliance with Policy LP8.
- 8.101 A new Daylight and Sunlight report has been prepared by Point 2 Surveyors as part of the current application. This assesses the levels of sunlight and daylight within the proposed development as well as how it impacts the surrounding residential properties. It is noted that the level of light to the surrounding properties is already substandard in some cases due to the existing buildings on the site, which range from 3 to 5 storeys in height. These benefits include an increase in Vertical Sky Component (VSC) between 1% and 765%, an increase in NSL of between 1% and 150%, an increase in Winter APSH of between 4% and 100% and an increase in Annual APSH of between 1.2% and 62%. The daylight and sunlight analysis demonstrated that 478/483 (99%) of the windows assessed for VSC would adhere to the Building Research Establishment (BRE) Guidelines. In terms of NSL, 246/248 rooms (99%) will adhere to the BRE criteria. Finally, 126/127 (99%) of the rooms relevant for sunlight will adhere to the BRE Guidelines for APSH.
- 8.102 When considering the Sun on Ground analysis on the 21st of March, it was noted that all of the surrounding amenity areas with the exception of one (Lockcorp House, 75 Norcutt Road), would meet the BRE Guidelines. (73 Norcutt Road) will experience a reduction in the area that sees at least two hours of direct sunlight from 46% to 3%. However, there was noted to be a much larger area which would receive direct sunlight for between 30-120 minutes demonstrating that a large proportion of the area will receive some direct sunlight, albeit below the 2-hour target. This area would also experience good levels of direct sunlight during the summer months, and no objections are raised on this basis.
- 8.103 As part of neighbour consultations, a letter response from Rights of Light Consulting dated the 4th October 2022 was received. This letter outlined the concerns of their client regarding the daylight and sunlight impacts of the proposed development on their property 4 Gould Road. Point 2 Surveyors completed an inspection of their property on the 18th October 2022 and have subsequently updated their model based on the measurements taken. Following their inspection, it was also noted that they needed to update their modelling of the external envelope of 2 Gould Road. The revised analysis demonstrated that the property would remain BRE compliant for VSC with only one room experiencing a moderate alteration in NSL (32%).
- 8.104 In considering the gains made to sunlight and daylight, and the limited overall differences made to the current application since 19/0646/FUL was reviewed and considered to be acceptable with regard to daylight and sunlight impacts, no further objections are raised to the current proposal in this regard.

Bulk, massing and visual intrusion

- 8.105 The existing relationship between the industrial buildings on the site and the neighbouring properties is acknowledged, which in some cases include buildings built hard against the adjoining boundary. No objections were raised to the proposal with regard to bulk and massing impacts of proposed buildings under 19/0646/FUL.
- 8.106 With regard to the new Building B Industrial unit, the bulk of this building would be separated from the rear boundaries of neighbouring properties on Norcutt Road by between 5.75m to 8.5m aside from a single storey element which extends toward the boundary. The proposed industrial unit would be approximately 10.5m in height at the ridge and 7.5m at the eaves, and the single storey element to the rear would be 3m in height. There is an existing building which forms part of the site which sits in an existing location to the proposed building, although without any separation to the residential properties to the rear of it. Whilst the proposed building would be taller than the existing, the setbacks from the boundary outlined above are considered to result in a similar level of impact to the existing situation in terms of bulk and dominance. The single storey element would sit lower than the existing building against the boundary line and just above the existing boundary fence heights, and this element is therefore not considered to appear unduly intrusive or dominant.
- 8.107 As explored in the section above, the proposed mews street features setbacks from the rear boundary of the site which are varied and range from approximately 4m to 6.5m along Norcutt Road and approximately 4.5m to 6.2m along Crane Road. For the majority of these dwellings along Norcutt and Crane Road, existing industrial buildings are constructed hard against their rear boundaries. Given the existing situation and the separation created by the proposed and existing rear gardens, which are generous in the case of Crane Road, it is not considered that the proposed buildings within the mews street would result in an unreasonable level of bulk or visual intrusion on the properties within the adjoining streets. A similar relationship applies when considering the impacts arising from Building A.
- 8.108 Aside from the exclusion of the 175sqm commercial element (replaced by the proposed industrial building) all other elements of the scheme remain the same as 19/0646/FUL. To summarise the conclusions made under the previous application:
- In relation to Building F, this is located hard against the boundary of No. 58A Crane Road. The four-storey element is separated from the shared boundary by between approximately 6.5m to 11m, while the three-storey element is located against the party wall of No. 58A. Noting the existing onsite situation which includes a part 2/part 3 storey building against this boundary, it is not considered that this part of the proposal would be unreasonable. There would be a single storey element (with roof terrace above) located beside the rear garden of No. 58A, however this would also replace an existing single storey element in the same location and therefore is not considered a material worsening of the existing situation.
 - In relation to Nos. 4-12 Gould Road, the applicant has made minor alterations to the massing of the adjacent Building F in order to reduce the visual bulk of this part of the development. Since the application was first submitted, the parapet height of the roof terrace has been reduced slightly, while the material treatments of the fourth floor and roof profile have been lightened to reduce the visual impact and

'top heavy' appearance on adjoining properties and the street. The bulk of the building (excluding the open balconies) is separated by approximately 12m from the eastern boundary of No. 2 Gould Road. Although Building F would be 4 storeys in height, taking into account the lightening of the upper storey along with the separation distance from Nos. 4-12 Gould Road, it is not considered that the proposal would appear dominant or visually intrusive from these properties.

- There are also 4 two-storey dwellings located directly to the north of Nos. 4-12 Gould Road (Building G). Although these properties have limited separation from the properties on Gould Road due to the rear gardens being approximately 2m in depth, the elements closest to these properties are single storey in height. The two storey roof elements of the buildings are separated from the shared boundary by approximately 6.5m, and noting these distances it is not considered that the bulk and massing of Building G could be considered visually intrusive or dominant in relation to Nos. 4-12 Gould Road.
- In relation to Building E, this building is located a minimum distance of approximately 5m distance from the habitable room windows of the approved plans for Lockcorp House directly to the east of the site. Given the height and proximity of Building E to these windows, the proposal would be considered to appear visually intrusive and reduce the outlook enjoyed by the occupiers of these units.
- Building E would not directly address any opposing elevation of Alcott House and there is reasonable separation between the two buildings such that an acceptable outlook will be preserved.

8.109 Whilst the proposed development would appear visually intrusive to some occupiers of Lockcorp House; on balance the windows where the outlook is impacted are either secondary/dual aspect or high-level openings intended to provide light rather than outlook. As only a limited number of occupiers would be impacted, given the relatively minor scale of the harm arising, on balance this is not considered to warrant the refusal on this planning application on these grounds. In light of the above it is considered that the proposal broadly complies with Policy LP8 of the Local Plan. Minor harm arising from this arrangement should accordingly be weighed into the planning balance.

Noise assessment

8.110 The applicant has submitted an acoustic report prepared by Cass Allen. A noise survey was undertaken to determine the amount of noise existing in the vicinity of the application site, and to subtract this from the overall predicted noise levels created by this application. It was concluded that the proposed development has been assessed in accordance with and deemed to be compliant with relevant local planning guidance with regard to noise subject to the adoption of appropriate noise mitigation measures. It was also noted that the site is suitable for the development in terms of noise levels and there is no noise-related reason why planning permission should not be granted.

8.111 A Health Impact Assessment was also submitted by Trium Environmental Consulting Ltd. This report assessed the impact of noise and neighbourhood amenity in relation to the proposed scheme. The types of measures to be included in the scheme in order to minimise noise both during and post construction were identified (such as a Construction Management Plan), and it was concluded that the health impacts would be appropriate subject to the implementation of appropriate mitigation measures.

- 8.112 Given the existing lawful use of the site and the operations which could take place from it, it is not considered that there will be a material worsening of the existing situation in relation to noise levels emitted from the site.
- 8.113 The application proposal and supporting documents has been reviewed by the Council's Environmental Health officers. No objections were raised subject to the report by Cass Allen being secured by condition and imposing several other conditions as part of any approval recommendation, including for mechanical noise control and a noise protection scheme.
- 8.114 Had the application been considered acceptable overall, the noise criteria and mitigation scheme recommended in the report, along with other conditions recommended by the Environmental Health Officer, would be secured accordingly.

Issue vi Transport

- 8.115 As set out in the Framework, significant development should be focused in locations which are or can be made sustainable, and it requires safe and suitable access to be achieved for all users, to create places which minimise the scope for conflicts between pedestrian, cyclists and vehicles, for any significant impacts on the highway network or safety to be mitigated to an acceptable degree (para. 105, 110 and 112) and for development only to be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Further, developments should give priority first to pedestrians and cycle movements; address the needs of people with disabilities, create places that are safe, secure and attractive, allow the efficient delivery of goods and enable charging of plug-in and other ultra-low emission vehicles (para. 112). This is reflected in Policies T7, LP44 and emerging policy 47, which recognise any impact on the local or strategic highway networks should be mitigated through the provision of, or contributions towards, necessary and relevant transport improvements.
- 8.116 The London Plan (T6) expects car free development to be the starting point for all developments that are well located, with developments elsewhere designed to provide the minimum necessary parking (car lite). Policies T6.1-T6.5 set out the maximum car parking standards (as summarised in Table 55), the necessary Blue Badge holders parking requirements, and infrastructure requirements for elective vehicles (20% active and 80% passive). Parking design and management plans should demonstrate how car parking will be designed and managed, with parking leased rather than sold. An absence of local on-street parking controls should not be a barrier to new development, and the London Plans suggest boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets. Car club spaces may be considered appropriate in lieu of private parking, and should have active charging facilities.
- 8.116 Locally, policy LP45 requires 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.
- 8.117 Policy LP44 of the Local Plan requires new development to not have a severe impact on the operation, safety or accessibility to the local road network. Policy LP45 requires new development to make provision for the accommodation of vehicles in order to

provide for the needs of the development, whilst 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.

- 8.118 Policy LP24 of the Local Plan: requires all developments to provide adequate refuse and recycling storage space and facilities, in line with SPD on Refuse and Recycling Storage Requirements.

Parking

- 8.119 The Local Plan states that the parking requirements of the site need to be provided in accordance with the London Plan. The area has a PTAL of 2 and the site is within Controlled Parking Zone (CPZ) West Twickenham (WT) which operates between 08.30 and 18.30, Monday - Saturday. Paragraph 11.2.3 of the Local Plan states: *In general, it is expected that in PTAL areas of 0-3 the standards should be met. In PTAL areas of 4-6, parking provision at a level lower than the standard may be appropriate where this can be demonstrated as acceptable, taking account of local characteristics, availability of sustainable modes of travel and public transport provision, and availability of on-street parking spaces.*
- 8.120 The applicant proposes 83 off-street vehicular parking spaces for residents of 97 dwellings, an allocation of 0.86 spaces per dwelling. Table 10.3 of the London Plan (2021) states that the maximum off-street vehicular parking standard for residential developments with a PTAL of 2 is 0.75 spaces per dwelling for 1-2 bedroomed dwellings and up to 1 space per dwelling for 3+ bedroomed dwellings. The applicant would need to provide up to 81 off-street vehicular parking spaces to comply with these standards, as such the applicant has provided a surplus of two spaces. This exceeds the maximum standard and as the exceedance is minor, on balance, it does not warrant a reason for refusal. As per above, the site is also located in a CPZ. Therefore, subject to the applicant entering into a legal agreement with the Council which will precludes all residents of the development from obtaining permits to park on the street within any controlled parking zone or any Council-controlled car park within the Borough of Richmond, the Council holds no objection to the proposed off-street vehicular parking for residents.
- 8.121 The applicants propose 18 off-street vehicular parking spaces for the E(g)(iii) industrial processes and Class E(c) or E(g) land use. Table 10.4 of the London Plan (2021) states that the maximum off-street vehicular parking standard, which the applicant would have to meet, for a site with a PTAL of 2 in Outer London would be up to one space per 100m² of gross internal area floorspace, a total of up to 10 off-street vehicular parking spaces in this instance. The applicant has proposed a surplus of 8 spaces against this standard, this exceedance is not considered to be acceptable. The Council's Transport Officer has suggested they reduce the number of vehicular parking spaces for employees and replace the bays lost with dedicated bays for parking service vehicles. However, it was also noted this could be secured through a vehicular parking management plan which could be secured via a pre-occupation condition. No objections are raised to the proposed employment parking on this basis.
- 8.122 As with the residential occupants, the applicant will be expected to enter into a legal agreement with the Council whereby all occupants of the commercial land uses are

precluded from obtaining vehicular parking permits to park in any controlled parking zone or Council-controlled car park in the Borough of Richmond.

- 8.123 A car club parking bay would be located on Edwin Road, which would need to be secured as part of a S106 legal agreement. As the site is within a CPZ, a Traffic Management Order under the Road Traffic Regulation Act 1984 would also be required to reallocate the CPZ bay space as a car club bay. The costs of the TMO would need to be reimbursed via the S106 legal agreement were the application to be recommended for approval.

Cycle parking

- 8.124 Policy LP44 of the Local Plan seeks the provision of appropriate cycle access and sufficient, secure, cycle parking facilities. Parking standards are set out in the London Plan
- 8.125 202 residential cycle parking spaces and 12 employment spaces are proposed. As part of this, a total of 196 residential long stay cycle parking spaces would be provided, which would be accommodated within the boundary of each property; either within the garages or designated cycle lockers for mews houses or cycle stores within the apartment buildings. Sheffield stands are proposed within the public realm to provide 6 short stay residential cycle spaces. For the employment uses, 10 long stay spaces are to be provided within a secure and sheltered store. Sheffield stands are proposed within the public realm to provide 2 short stay employment cycle spaces. The proposed cycle parking is in accordance with standards set out in the London Plan.
- 8.126 The applicant has provided off-street cycle parking for the residential town houses on the eastern side of the proposed street in individual lockers. These are 0.9m wide and 2m long. They would fit two bicycles to enable the dwellings to comply with the minimum standards set out in the London Plan (2021).

Access to the Development

- 8.127 The main vehicular, pedestrian, and cycle access to the development is proposed to be from the northern side of Edwin Road; an unclassified urban road serving mainly residential land uses. This would involve the relocation of the existing bell-mouth access and the installation of dropped kerbs and tactile paving and lining on Edwin Road. The new access would be about 2-3m eastwards from the location of the existing access.
- 8.128 Therefore, a Traffic Management Order would need to be secured to extinguish one CPZ bay east of the access and replace this with 1.5m of double yellow lines to protect the visibility from the junction. This would need to be secured as part of a S106 legal agreement.

Transport, servicing and construction

- 8.129 A Construction and Demolition Management Plan prepared by London Square was submitted with the application. This sets out the type of construction and demolition to occur as part of the proposed development, how this will be managed throughout the process, and provides details of key matters such as air quality during the construction phase, noise controls, vibration, pollution and temporary lighting.

- 8.130 The Council's Highways officer reviewed the Construction and Demolition Management Plan and confirmed it is satisfactory for the purposes of this application. Should the application be considered acceptable, a detailed plan would be secured by condition.

Pedestrian and vehicular access and network

- 8.131 The introduction of public access to the River Crane as well as a potential future pedestrian footbridge would be a welcome introduction to the wider pedestrian network. However, in relation to connectivity to the Craneford Way playing fields to the north of the River Crane, whilst rights of way are proposed through the site and alongside the Riverwalk along with safeguarded space for a new bridge across the Crane. No bridge is specifically proposed (separate planning permission would be required for this) nor any public access to it, it is concluded that this cannot be given weight as a benefit of the scheme..
- 8.132 Vehicular access to and egress from the residential part of the site would be from a restructured vehicular access bell-mouth access on the northern side of Gould Road. The applicant will need to enter into an agreement with the Council under S278 of the Highways Act 1980 to reconstruct the crossover as a bell-mouth to make sure that the carriageway and footway of the private access road north of the access tie into it safely.
- 8.133 All but the largest vehicles would use the accesses to the proposed internal vehicular parking courts to turn around and would also egress the site from the crossover access on the northern side of Gould Road. Very large vehicles like refuse HGVs and pantechnicons would have to drive through the site, and southwards into the part of the site proposed for Class E(g)(iii) and Class E(c) land uses and would egress the site from a second bell-mouth access and egress on to the northern side of Edwin Road. 8.134 The internal roads and footways would be privately maintained. In the northern part of the proposed development, where most of the blocks of flats are located, the applicant proposes footways that are 1.8m wide and are separate from the carriageway, which would be 4.8m wide. This meets the minimum carriageway needed to make sure that a car can pass a heavy goods vehicle (HGV) safely.
- 8.135 In the middle of the proposed development, town houses are proposed to be located on the western and eastern sides of the access road. The houses on the eastern side of the road have front yard perpendicular parking spaces that are immediately east of a carriageway which is 4.8m wide. West of this, there is a pedestrian area which is demarcated from the main carriageway running line by a flush kerb and a metal drainage channel. Therefore, vehicles could use this area to pass each other and to park, thereby increasing the risk of vehicle-pedestrian collisions. The applicant would be required to put in appropriate measures to make sure that this over-runnable strip of 2m on the western side of the road is always kept free of parked vehicles. Therefore, it has been requested that a vehicle parking management plan be secured via a pre-commencement condition, which would need to confirm that the Estate Management Company would retain the pedestrian over-runnable area on the western side of what will technically be a shared space area.
- 8.136 The applicant's vehicle tracking drawing shows that a refuse HGV with dimensions of 10.4m x 2.5m would enter the site via the reconstructed vehicular access on the northern side of Gould Road and would egress the site via the reconstructed vehicular

access and egress on to the northern side of Edwin Road. To do this, the vehicle would have to be able to drive through the area allocated for Class E(g)(iii) and Class E(g) or E(c) land uses. The applicant has not clarified how this transition would be managed i.e. who would be allowed to pass through the area allocated for commercial use from the residential area and who would not, and how this would be enforced. The Council's Transport Officer advised that this would need to be explained as part of the Parking Management Plan to be secured as a pre-commencement condition.

- 8.137 The applicant has submitted a Stage 1 Road Safety Audit of the internal roads with their transport assessment. The Auditor pointed out that a number of trees are proposed within the forward visibility envelopes for motorists driving north along the access road past the town houses and south along the access road past the flats. The Council's Transport Officer agreed that trees are within the forward visibility envelopes at locations 2,3, and 4 on the plan attached with the Road Safety Audit. The applicant responded that the location of these trees can be reviewed as part of a Stage 2 Road Safety Audit which would need to be secured as a pre-commencement condition. A Stage 2 Road Safety Audit would also need to be submitted as part of the S278 agreement technical approval process, but this document could only consider road safety issues on the highway, not those identified on private roads. The applicant would need to provide details of the trees, in particular the length of the trunk and how high the foliage would be from ground level. If it were to be higher than 0.6m from ground level, the Council's Transport Officer accepted that a motorist would be able to see a motorist, pedestrian, or bicycle travelling in the opposite direction.
- 8.138 The applicant's vehicle tracking drawing for refuse vehicles shows the nearside overhang and wheels of the vehicle touching the over-rollable areas for pedestrians at certain points and colliding with trees. Regarding the issues the Auditor identifies on the highway (see locations 5,6,7, and 8 on the plan provided with the document), the applicant's Road Safety Auditor is correct to note that the current Traffic Management Order allows some on-street vehicular parking which would be within the visibility splay of the site's access junction with Edwin Road. However, this is an existing problem at an existing junction, which would not see a significant increase in vehicular use because of the proposed development. Therefore, the Council's Transport Officer does not consider this is a major road safety issue at the access junctions that the site has to Gould Road or Edwin Road.
- 8.139 In addition to their Stage 1 Road safety Audit, the applicant has submitted a technical note which sets out why, in their opinion, the road network close to the site is not suitable to accommodate large numbers of HGV trips safely, and that, as a result, a residential-led mixed use development might reduce the risk of collisions on the highway because of the forecast reduced number of HGV trips, in comparison to, for example, a B2 or B8 land use-led scheme. They argue that one of the reasons Greggs ceased major operations at the site in 2018 was because of the unsafe access to and egress from the site via the local road network, and that the existence of HGVs on the roads near the site has led to damaged footways and kerbs, concerns about the safety of other road users, and damage to parked vehicles.
- 8.140 The Council's Transport Officer advised that whilst it is true that a residential-led scheme would result in a lower number of HGV trips to and from the site than an

employment-led scheme, and that Greggs ceased major operations at the site approximately one year after the Council implemented a CPZ on roads surrounding the site, there is no evidence to say when the highway defects the applicant identifies were caused, the type of vehicle that caused them, or whether the evidence of vehicular collisions causing damage to the highway were caused by the design of the highway or by bad driving by individuals. For example, a photograph that identifies two Greggs liveried HGVs having to reverse to accommodate one another because of the narrow width of the usable carriageway, could be down to poor vehicle scheduling or manoeuvring rather than the number of HGVs using the road network. Therefore, Officers are unable to agree with the applicant that this site is unsuitable for an employment-led development because Officers do not consider that it is the fact that the local road network is unsuitable for HGVs. It should also be noted that refuse vehicles and pantechnicons would also have to use the local road network if a residential-led mixed use development were to be built.

- 8.141 As such, whilst the development is considered to have an acceptable impact on the wider pedestrian and vehicular network, it is not considered that an alternative scheme containing a higher level of industrial space would not be possible here.
- 8.142 It is noted that the applicant would also need to enter into a s106 legal agreement to secure for public rights of access for pedestrians and cyclists as part of any approval. This would include pedestrian and cyclist access to the River Crane walk.

Trip Generation

- 8.143 The site has been vacant since 2018. Therefore, it has not been possible for the applicant to conduct vehicle turning counts, and pedestrian and cycle counts at the site accesses and egresses to obtain baseline trip generation data for the current land use. Instead of this method, the applicant has used a site on the TRICS database that they consider to be similar in nature. The current Greggs site has 7,371sqm GIA of B2 floorspace, has a PTAL of 2, and has 31 off-street vehicular parking spaces. Rather than complete a general TRICS analysis, the applicant has selected one site, a food production facility in Brent, north-west London, which has 6,100sqm of B2 GIA floorspace. The one key difference between the two sites is that the site in Brent has 156 vehicular parking spaces, whereas Greggs has 31. Therefore, the baseline for car trips would be higher because employees could drive to the site, safe in the knowledge they would be able to park their car on it, and the baseline for car trips is likely to be slightly distorted. Also, judging by the distribution of person and car trips throughout the day, these both peaked between 06.00 and 07.00, 16.00 and 17.00, and 17.00 and 18.00 at which points they were much higher than at any other times. This indicates that the site had set shift patterns, which the Greggs may not have.
- 8.143 Because of the lack of comparability of the two sites, the Council's Transport Officer has obtained a general person trip rate calculation from TRICS for sites of B2 land use in Greater London. This gave results for 7,371m² of B2 general industrial floorspace. None of the sites from which the average trip rate was obtained had a PTAL of higher than 3 and all of the sites were in areas with high levels of household car ownership.
- 8.144 Based on the TRICS multi-modal analysis, the current site would be expected to create 13 x two-way car trips in the AM weekday peak hour and 14 x two-way car trips in the

PM weekday peak hour. However, if the mid-level super output area workplace travel to work data were to be used from the Census of 2011, 39% of people who work in this area of Twickenham would commute to work by car as the main driver. If this mode share is replicated to this application, the current land use creates 60 x two-way car trips in the AM weekday peak hour and 37 x two-way car trips in the PM weekday peak hour. Therefore, the Council's Transport Officer noted the existing site could be estimated to create a total of 113 vehicular trips in the AM weekday peak hour and 57 x two-way vehicular trips in the PM weekday peak hour.

- 8.145 Regarding trips generated by the proposed residential land use, the applicant has used TRICS to demonstrate that the residential land use would create 68 two-way person trips in the AM weekday peak hour and 43 x two-way person trips in the PM weekday peak hour. If the travel to work mode share dataset from the Census of 2011 for the MSOA of Richmond 014 is used, when residents who are not in employment and residents who work mainly from home are discounted, 30% of residents commute to work by car as the main driver. If this mode share percentage is used, the proposed residential land use would be likely to create 20 x two-way vehicular trips in the AM weekday peak hour and 13 two-way vehicular trips in the PM weekday peak hour. Thirty-five percent of residents of this MSOA commute by surface rail and 8% commute by bus.
- 8.146 Regarding servicing trips for the residential land use, the Council's Transport Officer has used TRICS to conclude that this aspect would create 2 x two-way servicing trips in the AM weekday peak hour and 4 x two-way servicing trips in the PM weekday peak hour, and that all but one of these trips would be completed by light goods vehicles. Given the recent growth in home-shopping and in the amount of takeaway food delivered to dwellings since March 2020, it is difficult to use TRICS to estimate the likely number of service trips accurately because most surveys are older than this.
- 8.147 Therefore, the Council's Transport Officer confirmed the residential aspect of the proposed development would not have a significant impact on the local or strategic transport network.
- 8.148 Regarding the impact of the proposed 883m² of Class E(g)(iii) land use proposed, the applicants have provided TRICS trip generation analysis which shows that this aspect of the development would create 18 x two-way person trips in the AM weekday peak hour, of which 7 would be car trips, and 12 x two-way trips in the PM weekday peak hour, of which 5 would be car trips. Regarding HGV trips, the proposed Class E use would generate 1 x two-way HGV trip at the AM weekday peak hour and 1 x two-way HGV trip at the PM weekday peak hour. Therefore, the Council's Transport Officer confirmed this land use would not have a significant impact on any part of the transport network.
- 8.149 Therefore, all of the land uses are likely to create 30 two-way vehicular trips at the AM weekday peak hour, a net decrease of 83 x two-way vehicular trips, and 28 two-way vehicular trips in the PM weekday peak hour, which reflects a net decrease of 29 x two-way vehicular trips.

Refuse and Waste

8.150 Policy LP 24 of the Local Plan, the Council's Residential Development Standards SPD and the council's Refuse and Recycling Storage SPD requires that secure storage be provided on-site for refuse and recycling bins.

8.151 The Council's Transport Officer noted the applicant has provided vehicular tracking drawings which show that demonstrate that all service vehicles that need to access the site would be able to enter and exit it safely in forward gear. Refuse vehicles and rigid HGVs would need to exit the site through the employment land use area. A condition can be included as part of any permission which requires that service vehicles would be able to exit the site through this area for the whole life of the development.

8.152 The Council's Waste Officer also reviewed the application and noted:

Industrial unit:

- An industrial unit of 1,000m² floor space would be expected to generate 5,000L of general waste per week, therefore requiring suitable and sufficient storage for 5 x 1100L bins, plus additional storage for at least one stream of suitable recycling.
- The industrial building is divided in to two sections, if each is to have its own private waste facilities then the 5 x bins should be apportioned and 4 x bins for the private unit and 1 x bin for the affordable unit, based on the distribution of floor space.

Houses:

- All houses must be provided with space to store 2 x 55L boxes for dry recycling and 1 x 23L food waste recycling box.
- Houses of up to 2 beds require 240L of general waste storage
- Houses of 3 beds or more require 360L of general waste storage

Apartments:

- The waste SPD states: 'For large residential developments, additional storage space should be considered for redundant bulky household goods, such as fridges/freezers, furniture, cookers, IT equipment etc.' Therefore, space for temporary storage of bulky waste whilst awaiting collection would be supported.
- Whilst not a current SPD requirement the Council is committed to roll in a communal food waste recycling service – therefore provision of space for an additional 240L wheelie bin within each communal waste store would be strongly supported.
- The push route between any bin store with communal bins should be hardstanding, smooth and free of any steps or steep slopes.
- Dropped kerbs must be provided at every point where required along the push route.
- Bin stores should be accessible to collectors at all times using either a FB1 or FB2 lock
- Any surface traversed by the refuse collection vehicle must be suitable to withstand a 26 tonne GVW vehicle.

- 8.153 Following discussions with the Council, the applicants provided waste storage in keeping with all of the above requirements. On review of the amendments, the general location of proposed waste storage for houses is broadly acceptable in that it would be visible and accessible to collection crews.
- 8.154 In light of the above, the proposal is generally acceptable with regard to waste and refuse storage.

Construction Management Plan

- 8.155 On review of the information submitted, it is noted that construction vehicular trips will peak at 24 per day between September 2024 and March 2025. Construction vehicles would get to the site from the A316 Chertsey Road via Meadway, Gould Road, and Edwin Road, and exit onto Gould Road. Vehicles would travel one way through the site in a northerly direction. The applicant has also provided vehicular tracking drawings which show that all construction vehicles can enter and exit the site safely in forward gear. The Council's Transport Officer reviewed the information and noted that the applicant would need to suspend a small number of CPZ parking bays to ensure this happens. The applicant would need to commit to making site deliveries and collections between 09.00 and 15.30 only due to the close proximity of schools and the need to keep children walking to and from them safe. Subject to this happening, the Council's Transport Officer raised no objections to the proposed construction.

Issue vii Air Quality/Pollution

- 8.156 The NPPF requires developments to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, considering the presence of Air Quality Management Areas. Further, opportunities to improve air quality or mitigate impacts should be identified, such as traffic and travel management and green infrastructure provision and enhancement (para. 186). This is reflected in both the London Plan (SI1) and Local Plan (LP10), which also require:
- An Air Quality Assessment
 - Schemes to demonstrate they will not lead to future deterioration, create new areas that exceed limits or create unacceptable risk or high levels
 - Developments to be at least Air Quality Neutral and include mitigation where necessary
 - Where it can be demonstrated that emissions cannot be further reduced by on-site measures, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development
 - Measures to protect the occupiers of the new development from existing sources
 - Development to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance
- 8.157 The entire borough is identified as an Air Quality Management Area (AQMA) due to exceedances of the NO₂ and PM₁₀ objectives. The development will introduce new residential exposure an area of potentially poor air quality. An assessment is required to determine the air quality conditions that future residents will experience. The proposed development will also generate additional traffic on local roads, which may

impact on air quality at existing residential properties along the affected road network. The main air pollutants of concern related to road traffic emissions are NO₂ and fine particulate matter (PM₁₀ and PM_{2.5}).

- 8.158 An Air Quality Assessment was undertaken to support the application and has been reviewed by the Environmental Health Officer. The AQA sets out that the air quality conditions for future residents of the proposed development have been shown to be acceptable, with concentrations well below the air quality objectives throughout the site. The effects of emissions from locomotives on the adjacent rail line have been shown to be 'not significant'.
- 8.159 The AQA advises that pollutant concentrations will be well below the objectives at all existing receptors on the opening of the development, with or without the proposed development, and that the emissions from the traffic generated by the proposed development will have a negligible impact on air quality conditions at all existing receptors along the local road network. The overall operational air quality effects of the proposed development are also therefore judged to be 'not significant'.
- 8.160 When considering the potential for emissions from the proposed buildings, during the operational phase, the use of non-combustion methods and air source heat pumps for heating and cooling are welcome and there is no objection to the scheme on air pollution grounds on this basis. Whilst this element of the scheme is acceptable, the car trip generation exceeds the air quality neutral benchmark derived for an average development in Outer London. Mitigation is therefore required and justified to make the scheme acceptable in planning terms. As per the previous application a contribution will be required arising from the residential element of the scheme and the commercial element of the scheme will attract a charge of £10 per 10m³ together with an amount derived from the Defra Emissions Factor Toolkit. These monies would be secured via a legal agreement and would be directed to the Council's Air Quality Action Fund as set out in the Adopted Air Quality SPD.
- 8.161 Measures to mitigate dust emissions would be required during the construction phase of the development in order to minimise effects upon nearby sensitive receptors. The site has been identified as a High-Risk site during demolition and earthworks, Medium Risk during construction.
- 8.162 Measures to mitigate dust emissions will be required during the construction phase of the development in order to minimise effects upon nearby sensitive receptors. The site has been identified as a High-Risk site during demolition and earthworks, Medium Risk during construction.
- 8.163 The GLA's SPG on The Control of Dust and Emissions During Construction and Demolition (2014b) describes measures that should be employed, as appropriate, to reduce the impacts, along with guidance on what monitoring should be undertaken during the construction phase. The control of dust during the construction phase would be controlled using a Construction Environmental Management Plan (CEMP) which would be secured by condition if planning permission is granted. As the site is at Medium Risk during construction, the CEMP will incorporate monitoring of particulate matter (PM₁₀).

8.164 In addition to the matters and mitigation outlined above, the Environmental Health Officer has also requested that car and cycle parking is carefully considered with air quality in mind and that measures are taken to ensure that future residents are precluded from obtaining a permit for any existing or future CPZ. These matters are considered further in the transport section of this report. Conditions would also be applied to ensure that deliveries during the construction phase do not take place during pick up/drop off time for nearby schools and nurseries to reduce compromised air quality due to congestion. In addition, mitigation against the development's impact on air quality would be required in the form of a Travel Plan, car club membership, electric vehicle charging points, the provision of high-speed broadband to encourage home working, and a service and delivery plan to manage deliveries. The mitigation measures are all intended to reduce emissions through encouraging less polluting forms of transport and would either be secured by condition or through a legal agreement. With the use of conditions and/or a legal agreement to secure appropriate mitigation the development proposals would be considered to accord with London Plan policy SI1, Local Plan policy LP10 and the advice contained in the NPPF. The development proposals are considered to comply with emerging Policy 53 of the Publication Version Local Plan.

Issue viii Flood Risk

- 8.165 Policy LP 21 aims to guide development to areas of lower flood risk and sets an intention to 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.
- 8.166 The very northern part of the site is in Flood zones 2 and 3b due to its proximity to the River Crane and the risk of flooding is therefore considered to be likely. Future development in Flood zone 2 would only be considered if the Sequential Test has been applied in accordance with national policy and guidance. The Exception Test would be required for more vulnerable development. A Flood Risk Assessment is required for all development proposals. However, it is noted that the area of the site which is proposed for residential and industrial development is within the area of the site which falls under Flood zone 1. The site is not within a critical drainage area but is subject to groundwater flooding.
- 8.167 The applicant has submitted a Flood Risk Assessment by Waterman Infrastructure & Environment Ltd. This report indicates that the site is at low risk of fluvial, tidal and pluvial flooding, and groundwater and artificial sources. Tests of the ground conditions confirmed they are unsuitable for discharge to ground, however surface water could be discharged to the River Crane via pumped discharge. In order to restrict this runoff, storage would be provided in the sub-layer of the proposed permeable paving located below the access road and parking areas. Treatment would be provided by the green roof and permeable paving to ensure that the quality of surface water discharged to the River Crane is acceptable. Untreated flows from the site would be discharged by gravity to the Thames Water combined sewer network. This would be at an appropriate rate calculated using the water consumption method.

- 8.168 In line with the Council's requirements, it is noted that no basement development for self-contained units is proposed. It is further noted that as part of the report, it was noted that after further testing the vast majority of the site is determined to be within Flood zone 1 due to its low probability of flooding, aside from a small low-lying area of approximately 34sqm to the northeast of the site, and as such the sequential test required by Policy LP21 is passed by default and the exception test is not required.
- 8.169 The Council's Highways Asset Co-ordinator reviewed the application and raised no objections to the application in light of the above methods for run-off to the river, and subject to Environment Agency approval.
- 8.170 The Environment Agency was consulted regarding the application, and no objections were raised on the grounds of flooding subject to an informative advising the applicants to apply for a Flood Risk Activity Permit from them following any approval of the planning application.
- 8.171 Having sought clarification regarding run off rates and exceedance routes, the LLFA raises no objection to the planning application subject to conditions to secure the detailed design of the proposed drainage system and its future management together with a pre-occupation condition to secure evidence of the drainage scheme's implementation.
- 8.172 Overall the report demonstrates the development is at a relatively low level of flood risk, and that surface water runoff can be managed to ensure that flood risk is not increased elsewhere. As such the proposal is considered to comply with Policy LP21 and emerging policy 8 from the Publication Version Local Plan. Any required further details would have been managed by conditions should permission be granted.

Issue ix Trees and Ecology

- 8.173 Trees make an important contribution to the character and quality of urban environments and can help mitigate and adapt to climate change, and therefore should be retained wherever possible (para. 131). The NPPF expects developments to be visually attractive because of ... effective landscaping, with appropriate measures in place to secure long term maintenance (para. 130 and 131). Under the London Plan, policies G5 - G7 and D8 require development proposals to, wherever possible, retain existing trees of value, and if planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by an appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy. Further, major developments should contribute to the greening of London, through high quality landscaping. The above policies are reflected in LP16 of the Local Plan, which also requires:
- Adequate protection throughout the course of development
 - New landscaping to be suitable for location in terms of height and root spread.
- 8.174 Policy 42 of the emerging plan reflects the requirements of adopted policy.

- 8.175 The NPPF sets the overall expectation for biodiversity (para. 179 and 180), which is reflected in G5, G6, D3 and S117 of the London Plan, including protecting sites of value, minimising impact, the requirement for green roofs; achieving an urban greening factor target of 0.4 for developments that are predominantly residential or 0.3 for predominantly commercial; biodiversity net gain, and supporting improvements to the waterway. Policy D8 encourages vegetation and increased biodiversity in the public realm. Similarly, the Local Plan (LP15) seeks to protect and enhance the borough's biodiversity, for developments to create new habitats and connect with wider ecological infrastructure, and sets the expectation for net gain to be achieved. Weighted priority in terms of their importance will be afforded to protected species and priority species and habitats. Further, policy LP17 is prescriptive with the requirement for roofs over 100m² to include >70% green / brown roof provision, with a minimum substrate depth of 85mm and maximum of 30% hard surface, unless it can be demonstrated this is not feasible. If significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 8.176 The OSNI designated land to the north denotes that the area has been identified as having the potential to have enhanced biodiversity. It is therefore noted that the promotion of nature conservation should be treated as integral to development of the site.
- 8.177 The applicant submitted an Ecology report by Richard Graves Associates, which incorporated a phase 1 Habitat survey. This report reviews biodiversity within and near the site and it is noted that the existing site comprises mostly buildings and hardstanding, with very limited vegetation cover. It concludes that the proposed development seeks to protect and enhance the wildlife corridor created by the river to the north of the site by avoiding excessive light, enhancing the riverside edge landscape, providing nesting opportunities for bird life and roosting opportunities for local bats. A package of ecological enhancements to achieve Biodiversity Net Gain has been incorporated into the scheme and includes green roofs, soft planting beds and habitat creation in the form of bat and bird boxes and hibernaculum. Overall, the proposed development would result in a biodiversity net gain of 100%. The total habitat creation, taken from those used in the Urban Greening Factor (UGF), would be 0.44. This is policy compliant.
- 8.178 The Environment Agency was consulted on the application. Following an initial request for amendments to the application, as with the previous application, it was advised that its initial objection could be removed. This was due to the applicants reducing the hard standing and parking provision adjacent to the river and further increasing ecology and soft landscaping, providing a supplementary, external lighting report and a revised biodiversity net gain reports and calculations. The removal of the objection is subject to a condition to secure a scheme for the provision and management of a 5 metre wide buffer zone alongside the River Crane. This would provide an enhanced natural corridor beside the river which would provide habitat for wildlife.
- 8.179 The buffer zone referred to above would also maintain the existing "dark corridor" which is located on the site's northern boundary and serves to support a variety of

protected species by providing shelter, commuting and foraging habitat. No lighting is proposed within this buffer and a submitted Lighting Strategy shows that the illuminance from the apartments, houses and the riverside car park would not significantly impact upon the 'Dark Corridor' and would provide some betterment over and above the existing conditions. The proposed mitigation would be secured by a legal agreement should planning permission be granted. It is noted that this area is currently hard landscaped, and the introduction of green soft surfacing serving wildlife habitats along the riverside is a significant improvement and meets the Council's policies for enhancing biodiversity and nature conservation interests.

- 8.180 The Council's ecologist initially raised concerns regarding the impact of a footpath and associated street furniture running through the buffer zone as it was questioned whether a buffer zone with integrated play areas could be true habitat creation. However, following negotiations, the applicants agreed to a contribution as part of any approval to provide coir rolls which would become part of the river system (over time with sedimentation) and link up with other channel habitats along the River Crane.
- 8.181 71 trees are proposed to be planted and form part of the landscaping scheme and will form green corridors along the riverside and streets. A mix of native and non-native specimens have been proposed based on the recommendations of the applicant's ecologist. Planting areas are proposed along the boundary and within the car park of the industrial building. The range of species has been increased a to provide more variety and larger canopy cover and to provide greater resilience to disease.
- 8.182 The submitted Arboricultural Impact Assessment and Method Statement identifies 2 category B trees and all other groups and individuals as C category which is a conclusion that the Tree Officer concurs with. Acceptable tree protection measures and construction mitigation methods have been proposed to protect the existing trees. Appropriate soil planting volumes have been proposed.
- 8.183 The proposal involves the introduction of 644m² of green living roofs, along with the introduction of new and additional trees throughout the site. This would create a habitat for a variety of plants, birds, animals and invertebrates. The extent of green roofs are limited by the extent of pitched and mansard roofs that have been proposed to offer a varied roofscape. Given that 200m² was considered acceptable in the context of the previous application, the increased green roofs that form part of the current application are considered to be acceptable and the quantum is justified. The Council subsequently raises no objection to the development proposals based on Policy LP17.
- 8.184 In addition to the measures outlined above, £65,000 would be secured through a legal agreement to provide coir rolls and the Mereway Nature Reserve River Restoration Project pursuant to Local Plan policy LP18A whereby development adjacent to river corridors within the borough will be expected to contribute to improvements and enhancements to the river environment.
- 8.185 Based on the assessment above, there is considered to be an improvement in biodiversity across the site, and as a consequence of the location adjacent to the OSNI, overall the proposal is considered to offer significant enhancements. With the use of conditions recommended the development proposals represent an appropriate response in respect of existing trees and proposed trees. In summary the proposals

meet the requirements of Policies LP15, LP16 and LP17 and are considered to accord with emerging policies 38 and 39 of the Publication Version Local Plan. Should the application be found to be acceptable overall, conditions could be applied to ensure the relevant ecological protections and enhancements together with the landscaping scheme are carried forwards.

Issue x Land Contamination

- 8.186 All sites should be suitable for its proposed use, taking account of ground conditions and any risks arising from contamination, (NPPF Para. 183), which is reflected in policy LP10, which considers potential contamination risks and the need to remediation and mitigation.
- 8.187 Given the site's past and current uses, there is a strong likelihood that the site incorporates contaminated land. The various past industrial land uses include gravel pits, electricity works, garage services, tanks and distribution, and the current bakery.
- 8.188 In line with the Council's requirements, a Phase 1 Environmental Assessment and a Phase 2 Geoenvironmental Investigation by AP Geotechnics were submitted in support of the application. Various potential contaminants were identified through both on and off site uses. The Phase 2 Environmental Site Investigation included an assessment of potential contamination in soils, groundwater and from ground gases. The report concluded that the subsoil currently onsite is unsuitable for the proposed residential end use, although it is noted that no asbestos was identified in any of the various samples, as was raised as a concern in some of the objection comments
- 8.189 The Council's Scientific Officer reviewed the application and advised that, given the sensitivity of the proposed development, a standard contaminated land condition DV29F would be recommended to be applied to any planning permission granted in order for further monitoring and investigation to take place and to remediate the site. Should the application be considered acceptable overall this would have been secured by condition.

Issue xi Sustainability

- 8.190 The Framework expects developments to comply with development plan policies on local requirements, and for developments to take into account landform, layout, building orientation, massing and landscaping to minimise energy consumption. (Para. 157).
- 8.191 Development needs to be resilient to the future impacts of climate change. Policies LP20 and LP22 sets out necessary credentials to be achieved, including; meeting water consumption; BREEAM excellent for non-residential uses; zero carbon standards; for developments to follow the Energy Hierarchy (lean, clean, green); to meet the cooling hierarchy and for developments to contribute towards the Mayor of London target of 25% of heat and power to be generated through localised decentralised energy (DE) systems by 2025 – including connecting to DC networks where feasible; make an assessment of the provision of on-site decentralised energy networks and CHP, and where feasible provide onsite DE and CHP. Where it is not feasible, provision should be made for future connection.

8.192 The above is reflected in London Plan policies GG3, GG6, SI2, SI4 and SI5 which also add the additional requirements:

- 'be seen' (monitor, verify and report on energy performance) in the energy hierarchy;
- for onsite reductions of at least 35% beyond 2013 Building Regulations of which 10% and 15% is achieved through energy efficiency measures for residential and non-residential developments respectively;
- where it is demonstrated zero carbon cannot be fully achieved on site for any shortfall to be provided by cash in lieu to the boroughs carbon offset fund;
- for the cooling hierarchy to be followed to reduce the potential for internal overheating and reliance on air conditioning systems;
- Whole Life-Cycle Carbon Assessments
- Water consumption of 105 litres or less per head per day and BREEAM excellent for water category and use of smart metering, and water saving and recycling measures.

8.193 Whilst policies 3, 4, 5 and 6 of the Publication Version Local Plan reflect a number of existing Development Plan requirements, there are a number of new requirements. The emerging requirements are listed below:

- Sustainable Construction Checklist
- Net-zero with minimum 60% on-site reduction; with a maximum of 40% to be offset at a rate of £300/t
- Provide assessment of on-site DEN including microgeneration such as solar technologies
- Achieve four-star rating under BRE Home Quality Mark
- Part G of National water standards – 110 l/p/d
- Meet London Plan Energy Hierarchy
- Provide Energy Strategy
- No gas boilers after 2024
- Adopt to climate change, minimising the effect of overheating and meeting the London Plans Cooling Hierarchy
- Meeting Part O, overheating mitigation requirements, and F, ventilation requirements, of Building Regulations.
- Target of on-site renewable of 40% of building footprint
- Energy efficiency targets <39 kWh/m²/yr (zero carbon hub full fabric first energy efficiency standard)
- Connect to existing Decentralised Energy Network (DEN) or one in the vicinity of the site.
- Provide assessment of on-site DEN including microgeneration such as solar technologies
- BREEAM Non-domestic New Construction 'Outstanding',
- BREEAM Non-domestic Refurbishment and Fit-out 'Outstanding', where applicable
- BREEAM Domestic Refurbishment 'Outstanding' (Domestic refurb only)
- Follow principles of circular economy
- How a scheme complies with climate change policies during design, construction

and operation of the development.

- Demonstrate the fullest construction to minimising greenhouse gas emissions on site.
- Promote an ambitious use of available roof space to deliver multi-functional benefits.

8.194 As per Policy LP22(A), completed Sustainable Construction Checklists for both the commercial and residential components of the development were submitted with the application. The commercial element provided a score of 63 which represents a B rating, indicating that the proposal would help to significantly improve the borough's stock of sustainable developments. The residential element provided a score of 61.5 (A rating) which suggests that the proposal would make a major contribution towards achieving sustainable development in Richmond.

8.195 An Energy Strategy has been submitted in support of the residential elements of the scheme. Sustainable technologies incorporated into the scheme include centralised air source heat pumps with reverse cycle heat pumps in each of the apartments; individual air source heat pumps serving the townhouses; high efficiency mechanical ventilation with heat recovery 'high efficiency lighting'; submetering of mechanical plant; time-clock and temperature zone control of heating; and weather compensated control of heating. The industrial units would also make use of air source heat pumps, mechanical ventilation and high efficiency lighting together with enhanced air tightness and insulation to increase the sustainability credentials of the building.

8.196 It has been demonstrated that the proposed development would meet Building Regulations compliance through energy efficient measures alone and then further reductions are achieved through the use of air source heat pumps and PBV's to exceed the 35% improvement target. It has been shown that site emissions provide a 71% improvement on combined building regulations L1 and L2 target emissions (for both residential and industrial buildings). In accordance with the policy requirements, further reductions to meet zero carbon homes would be met by way of a payment in lieu due to limitations at roof level for the placement of additional PV cells or other renewable technologies. Should the application be considered acceptable overall, a contribution to the Council's Carbon Offset Fund of £90,630. (788 tonnes over 30 years) would be secured via a legal agreement. This amount is in accordance with the Council's policy guidance.

8.197 A BREEAM Pre-Assessment has been submitted with the application and achieves a score of 'Excellent' as required by the Council's policy guidance. This includes a reasonable margin so that this remains the case if some credits are lost at later stages. This accords with the requirement as set out within Local Plan Policy LP22

8.198 Based on the assessment above, and with a carbon offset contribution together with a condition to limit potable water consumption arising from the residential units, the development proposals achieve the policy requirement aimed at the pursuance of sustainable development. The development proposals are also considered to be in broad compliance with emerging policies 3, 4, 5 and 6 of the Publication Version Local Plan.

Issue xii Playspace

- 8.199 Where developments generate an estimated child yield of 10 children or more, appropriate and adequate provision of dedicated on site play space (following a benchmark of 10sqm per child) should be provided, as set out in policies S4, LP30 and LP31, which is publicly accessible, stimulating, accessible, integral, provides greening, and is overlooked. This is reflected in policy 37 of the Publication Version Local Plan, a material planning consideration. Consideration will also be given to existing provision within reasonable walking distance from the site, and where the assessment of existing facilities demonstrates sufficient and high-quality provision, on site provision may not be required.
- 8.195 The proposal comprises 576 sqm of dedicated on-site play space for 0 to 5 year olds located at the Riverside and on the roof terrace. The application documents note that an assessment of local play areas has been undertaken and it is considered that there is sufficient existing provision within nearby play areas. The riverside strip covers the 0 to 4 year olds and part of the 5-11 year olds. In relation to the remainder of junior children (5 to 11 years) and senior children (12+ years), it is expected that their playspace would be provided in larger play areas off site. The applicant has offered financial contributions to facilitate this. All 3 bed houses are provided with gardens which reduces the overall playspace policy requirement to 77m² under Richmond guidelines.
- 8.196 A legal agreement would be required to secure a contribution of £27,335 for the provision of play areas off-site. Furthermore, with a significant amount additional people arising from this development, and the high likelihood that an already at-capacity Kneller Gardens and surrounding associated spaces (Crane Valley / DNR pathway, Mereway) would be the main public open space destination, a commuted sum of £21,790 would be required to be spent in the two years following occupation of the development on projects that improve accessibility, increase available facilities and build capacity for activities / health and well-being / social cohesion for existing and new residents. This would also need to be secured within the legal agreement.

Issue xiii Health & Wellbeing

- 8.197 Policy GG3 of the London Plan requires the impacts of development on health and wellbeing of communities to be considered and any negative impacts appropriately mitigated. Policy LP30 requires major developments to be accompanied with a Health Impact Assessment (HIA), that assesses the health impacts of the development, identifying mitigation measures for any potential negative impacts. This is reflected in policy LP28 and the NPPF.
- 8.198 A Health Impact Assessment has been submitted in support of the planning application. It correctly identifies the seven closest GP practices to the site, but a review by NHS South West London advised that it incorrectly assumes that these practices have surplus capacity to absorb the additional demand from the proposed development. It was noted that the correct ratio for the seven practices is 1 FTE GP per 2,206 patients, which is above the recommended benchmark of 1:1800. Three of the seven GP practices are part of the East Twickenham Partners Primary Care Network.

- 8.199 A s106 contribution would therefore be required to mitigate the adverse impact on local healthcare services. The HUDU Planning Contributions Model calculates a s106 primary healthcare requirement of £94,210. The contribution would be used to provide additional capacity for the East Twickenham Partners Primary Care Network PCN, which could include investment at St John's Health Centre which accommodates The York Medical Practice.
- 8.200 Should the application be recommended for approval the planning obligation referenced above would need to be secured through a legal agreement to ensure compliance with London Plan policy GG3, Local Plan policies LP28 and LP30 and emerging policies 51 and 55 from the Publication Version Local Plan.

Issue xiv Fire Safety

- 8.201 Policies D5 and D11, D12 require all developments to achieve the high standards of fire safety, be resilient from fire, and expects Fire Statements to detail and demonstrate:
- Suitable positioned unobstructed outside space for appliance and assembly points
 - Features to reduce the risk of life and injury
 - Construction to minimise fire spread
 - Suitable and convenience means of escape of all building users, with suitably designed stair cores, and provision of at least one lift per core that is a suitably sized fire evacuation lift.
 - Evacuation strategy
 - Equipment for firefighting

The above is reflected in emerging policy 44, a material planning consideration.

- 8.202 The applicant has prepared a Fire Safety Statement to outline the approach and provisions relating to fire safety for the development. It is concluded that the fire strategy satisfies the requirements of The London Plan Policy D5 and D12.
- 8.203 The Statement was reviewed by the Council's independent fire safety consultants, Fire Compliance Management Services (FCMS). Following revisions to the original report this was accepted by FCMS who raised no objection to the approval of this application.
- 8.204 In light of the above, the proposed fire safety measures are considered to comply with Policies D5 and D12 of the London Plan.

Issue xv Archaeology

- 8.207 Policy LP7 of the Local Plan and policy 33 of the emerging Regulation 19 Local Plan states that 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. The necessary measures to safeguard archaeological remains will be taken. The Greater London Archaeological Advisory Service (GLAAS) are the borough's archaeological advisors and will generally be consulted with regard to planning applications involving archaeological matters.

8.208 GLAAS were consulted as part of the application. A letter of response dated the 12th of September 2022 advised that that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. The GLAAS has advised that the site is not located within the revised APA boundary for the River Crane. The site has been developed throughout the 20th century, which will have removed any earlier archaeological remains.

8.209 On this basis, there is considered to be no risk of harming to archaeological interests and had the application been recommended for approval, no further archaeological work would be required

Issue xvi Water Resources and Infrastructure

8.205 LP 23 requires major residential development to ensure that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve the development, and evidence to be provided to demonstrate such.

8.206 A Utilities Connections Report has been submitted and Thames Water has confirmed there is sufficient capacity for foul and surface water discharge and water supply, and therefore raise no objection.

Issue xvii Heads of Terms and S106 Legal Agreement

8.207 The following Heads of Terms would be required as part of any approval of the application:

- Delivery of 29 units of affordable housing
- Early and late stage viability review mechanism to maximise amount of affordable housing provision
- Secure tenure mix of 7 affordable rental units and 22 shared ownership
- 117sqm of affordable workspace
- Contribution towards off-site play space (£27,335 Indexed)
- Play space maintenance fee
- Contribution to public open space (£21,790)
- Contributions to cater for the uplift to local GP (£94,210)
- Initial payment towards Richmond's carbon offset fund (£90,630) and post-construction review and further payment if required;
- Contribution to Richmond's Air Quality Action Fund ((£18,585)
- Contribution towards in-river channel works and the Mereway Nature Reserve River Restoration Project. (£65,000)
- Local Employment Agreement for the construction and operation stages
- Public right-of-way agreement through the site to allow pedestrians and cyclists to access and use the riverside walkway
- Restriction on resident eligibility to car parking permits in the CPZ
- Provision of 5 years of free car club membership to residents of the development.
- Provision of car club bay on Edwin Road and funding of Traffic Management Order
- S278 agreement prior to development for any highway works as required
- Agreement of detailed layout and fit out of wheelchair accessible units with the Local Planning Authority

- Use of low-transmittance glass (or other light attenuation solution) to glazing facing the River Crane, details to be approved by Local Planning Authority
- Monitoring Fee
- Legal Fees

8.208 The above mitigation measures have been included as reasons for refusal on the basis that there is no binding S106 Agreement between the Council and the applicants. This is different to 19/0646/FUL which included a completed Unilateral Undertaking to secure the relevant heads of terms save for affordable housing which could not be secured due to the need to include early and late-stage viability reviews for Affordable Housing which would have required a bi-lateral agreement with the Council

9. Other Material Considerations

Local Finance Considerations

9.1. 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.

9.2. *The site is liable for Community Infrastructure Levy (CIL), for Borough CIL and Mayoral CIL as follows:*

9.3. The estimated amount of Mayoral CIL for this development is £947,553.09 in accordance with the Mayor's CIL 2 Charging Schedule (MCIL2) that took effect on 1st April 2019. The actual amount of CIL can only be confirmed once all relevant details are approved, and any relief claimed.

Richmond Community Infrastructure Levy (CIL)

9.4. The estimated amount of Richmond CIL for this development is £2,819,127.78. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

Community Infrastructure Levy (CIL) estimate	
Mayoral CIL	£947,553.09
Borough CIL	£2,819,127.78

9.5. The total CIL Liability is therefore £3,766,680.87. The actual amount of CIL can only be confirmed once all relevant details are approved, and any relief claimed.

10. PLANNING BALANCE AND CONCLUSION

10.1 The development plan is the starting point for decision-making as set out in Section 38(6) of the Town and Country Planning Act. Where a planning application conflicts with an up-to-date development plan permission should not usually be granted unless material considerations indicate or warrant a different decision being take

- 10.1 The scheme is for the redevelopment of the Greggs and No. 2 Gould Road site containing a mixture of warehouses, cold storage area, a large commercial oven, office and administrative buildings and plant material.
- 10.2 The application is for the Demolition of existing buildings (with retention of a single dwelling) and redevelopment of the site to provide 97 residential units and 883 sqm industrial floorspace (Use Class E(g)(iii)) and 117sqm of affordable workspace (Use Class E) with associated hard and soft landscaping, car parking and highways works and other associated works. The previous refused application, 19/0646/FUL, involved 116 residential units and 175sqm commercial floorspace (Use Class B1) . Therefore, the current proposal has reduced the amount of housing and increased the amount of employment floor space. The following paragraphs provide a brief summary of the key planning considerations for these schemes:
- 10.3 **Land Use** – The site is currently authorised for employment use and the proposal would result in a significant reduction in the amount of employment floorspace which is clearly contrary to policy LP 42. The revised proposal does not adequately address the reason for refusal as raised under 19/0646/FUL, and there remains an in-principle objection in relation to employment policies which do not permit change of use to a predominately residential use on this protected employment site. Furthermore, the amount of affordable workspace is inadequate and in the absence of a binding legal agreement its delivery is not secured
- 10.4 **Design and Siting** – The existing buildings on the site are not considered to be of any design merit and do not contribute positively to the area. As per the previous application, a new mews style residential street is proposed through the site with access from the existing entrances on Edwin Road and the corner of Gould Road and Crane Road, with 3 storey dwellings proposed to face either side of this street. Apartment style buildings are also proposed near the northern side of the site, ranging between 3 and 5 storeys in height. The main difference with the previous application is the introduction of an industrial building at the southern end of the site, providing a frontage onto Edwin Road, which would bear a relationship with the existing site and surrounding commercial uses, create a grouping of commercial land uses. On this basis, the proposal is generally considered consistent with the NPPF, London Plan policies and LP1 of the Local Plan.
- 10.5 **Affordable Housing** – 29 affordable units are proposed which would equate to 30% of all housing units on the site, and 24% by habitable room. This application does not reflect the tenure split sought by the Council for larger homes, particularly for rent. The tenure split proposed is 7 (24%) affordable rent and 22 (76%) shared ownership. A Financial Viability Statement (by DS2) has been submitted to accompany the application to demonstrate that it cannot deliver a policy compliant level of affordable housing. The FVA confirms the number of affordable housing provision has been maximised. However, by reason of a shortfall in affordable rental units, the proposal does not provide an appropriate tenure split. Moreover, in the absence of a legal agreement securing early and late stage reviews the affordable housing contribution cannot be considered to be maximised.
- 10.6 **Residential Development Standards** – All apartments will comply with national space standards, and although 16.4% are single aspect, none of these units are north facing

The report identifies that 5 apartments would not contain external amenity spaces, however these relate only to single bed dwellings where there is likely to be less need for providing external amenity space compared to larger dwellings. Furthermore, although the rear gardens of some properties remain small, they meet the minimum requirements for Policy LP35. Broadly speaking the proposal would provide a good standard of residential accommodation.

- 10.7 **Playspace** – The proposal comprises 576 sqm of dedicated on-site play space for 0 to 5 year olds located at the riverside and on a roof terrace. A Unilateral Undertaking would be required to secure a contribution of £27,335 to the provision of play areas off-site. A further sum of £21,790 would be required to be spent in the two years following occupation of the development on projects that improve accessibility, increase available facilities and build capacity for activities / health and well-being / social cohesion for existing and new residents.
- 10.8 **Accessibility** – All of the units are able to achieve the M4(2) requirement for step free access as the proposal includes lifts. 10% of the units will be wheelchair accessible. The Council's Specialist Housing Occupational Therapist reviewed the application, including its suitability for wheelchair users, in relation to the Council nominated housing units. Following negotiations, it was advised that the units would comply with M4(3).
- 10.9 **Residential Amenity** – It is not considered that the proposal would result in undue levels of visual intrusion, noise and disturbance, loss of privacy or daylight and sunlight to residential neighbours. Building E would be considered to have some impact in terms of visual intrusion and reduce the outlook to occupiers of units at Lockcorp House, however on balance, given the relatively minor scale of the harm arising, on balance this is not considered to warrant the refusal.
- 10.10 **Air Quality** - The AQA has demonstrated that pollutant concentrations would be well below the objectives at all existing receptors on the opening of the development, with or without the proposed development, and that the emissions from the traffic generated by the proposed development would have a negligible impact on air quality conditions at all existing receptors along the local road network. An appropriate contribution would be required to be made to the Borough's Air Quality Action Fund (AQAF) through a Section 106 agreement as per the policy requirement.
- 10.11 **Flood Risk** – The very northern part of the site is in Flood Zones 2 and 3b due to its proximity to the River Crane, however the area of the site which is proposed for residential and industrial redevelopment falls under Flood Zone 1. The applicants have submitted flood reports which demonstrate that the development is at a relatively low level of flood risk, and that surface water runoff can be managed appropriately, in compliance with relevant policy guidance. The area of the site being developed for habitable uses has a low probability of flooding, and as such the sequential test required by Policy LP21 is passed by default and the exception test is not required. Furthermore, surface water, groundwater, and sewer flooding have been reviewed by the Environment Agency, Lead Local Flood Authority and Thames Water, and confirmed as acceptable.

- 10.12 **Ecology & Trees** – There will be little loss of on-site habitat and the development would provide a 5m buffer zone in the form of a wildlife corridor beside the river, 71 trees and 644m² of green living roofs, along with other enhancements across the site. Overall, the proposed development would result in a biodiversity net gain of 100%. The total habitat creation, taken from those used in the Urban Greening Factor (UGF), this would be 0.44. In addition to the measures outlined above, £65,000 would be secured through a legal agreement to provide coir rolls and the Mereway Nature Reserve River Restoration Project.
- 10.13 **Transport** – The proposal does meet the maximum standard for on-site parking provision, however the discretion is minimal and no objections are raised to this subject to securing a vehicular parking management plan which could be secured via a pre-occupation condition. It has been demonstrated that the increase in traffic would not have a significant impact on any part of the transport network. 202 residential cycle parking spaces and 12 employment spaces would also be included as part of the development. The Council's Transport Officer has raised no objections subject to various conditions and legal agreement heads of term. However, the Transport Officer was unable to agree with the applicant's argument that this site is unsuitable for an employment-led development because of the unsuitability of the local road network for HGVs.
- 10.14 **Health & Wellbeing** – A s106 contribution of £94,210 would be required to mitigate the adverse impact on local healthcare services. The contribution would be used to provide additional capacity for the East Twickenham Partners Primary Care Network PCN.
- 10.15 **Sustainability** – It has been demonstrated that site emissions provide a 71% improvement on combined building regulations L1 and L2 target emissions (for both residential and commercial buildings). In accordance with the policy requirements, further reductions to meet zero carbon homes will be met by way of a payment in lieu due to limitations at roof level for the placement of additional PV cells or other renewable technologies. Should the application be considered acceptable overall, a contribution to the Council's Carbon Offset Fund of £90,630. (788 tonnes over 30 years) via a legal agreement.
- 10.16 **Summary** - The NPPF has at its heart the presumption in favour of sustainable development (paragraph 11) and requires the approval of development proposals that accord with an up-to-date development plan without delay. The presumption in favour of sustainable development requires proposals to achieve economic, social and environmental gains; as such an exercise has to be undertaken to weigh the benefits of the scheme against its disadvantages. The Council should grant permission unless any adverse impacts of doing so would 'significantly and demonstrably' outweigh the benefits, when assessed against policy. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making as set out in Section 38(6) of the Town and Country Planning Act. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted unless material considerations indicate or warrant a different decision being taken.

- 10.17 Paragraphs 10.4 – 10.16 identify the benefits of this proposed development, along with the harm. The environmental improvements of the scheme are not insubstantial, however, this is not considered to outweigh the significant harm to the borough that would result from the loss of employment and industrial floorspace. As demonstrated earlier in this report, the Borough is in chronically short supply of industrial land in particular, with demand for space significantly outstripping available supply. As the emerging Local Plan make clear the borough is unable to meet its own future needs for the provision of industrial land, relying on adjoining boroughs instead thus the loss of this site to that supply is significant notwithstanding the policy compliant nature of the scheme in other regards, including affordable housing. Officers do not consider that the benefits of the scheme outweigh the identified harm and there are no material planning considerations which would indicate the development plan policy should not be followed. As such, the proposal fails to overcome the reasons for refusal as set out under the previous application for this site (19/0646/FUL).
- 10.18 For the reasons set out above, this application falls to accord with the test under section 38(6) of the 2004 Act, as the proposal does not conform with all parts of the Development Plan and the benefits are not considered to be of sufficient weight to justify approval.

RECOMMENDATION: REFUSAL for the following reasons

1. The proposed development, by reason of its siting, size, scale and use, would result in a significant reduction in the amount of industrial floorspace at a site designated as Locally Important Industrial Land and Business Park and without adequate replacement floorspace would reduce employment opportunities within the locality contrary to the aims of the Council's employment policies. Furthermore, the amount of affordable workspace is inadequate and in the absence of a binding legal agreement its delivery is not secured. The proposal would therefore fail to comply with Policies E4 and E7 of the London Plan (2021), Policies LP40 and LP42 of the Local Plan (2018), Policies 21 and 24 of the Publication Version Local Plan, the Greater London Authority (GLA) Industrial Land Demand Study (2017), the GLA Industrial Land Supply and Economy Study (2015), and the Mayor of London's Land for Industry and Transport Supplementary Planning Guidance (2012).
2. The proposed on-site affordable housing provision, by reason of its inappropriate tenure mix, would fail to meet priority needs for affordable housing by providing excessive shared ownership units compared to rented affordable housing. Furthermore, without a binding obligation to secure early and late-stage viability reviews and the delivery of the number of proposed affordable housing units, the proposal fails to demonstrate the level of affordable housing proposed would be maximised within this development and therefore does not compensate adequately for the substantial loss of employment floorspace nor contribute fully to the identified need in the borough for affordable housing. The proposal therefore would fail to adequately contribute appropriately to the Borough's affordable housing stock. The proposal is therefore contrary to Policies H4 and H6 of the London Plan (2021), Policy LP36 of the Local Plan (2018), Policies 11 and 12 of the Publication

Version Local Plan, and the Affordable Housing Supplementary Planning Document.

3. By reason of an under-provision of on-site play space, and in the absence of a binding legal agreement securing an appropriate financial contribution for improvements to off-site play space provision and public open space, the application fails to comply with relevant policy guidance, in particular, Policy S4 of the London Plan (2021), Policy LP31 of the Local Plan (2018), Policy LP37 of the Publication Version Local Plan, and the GLA's Play and Informal Recreation SPG (2012).
4. In the absence of a binding legal agreement securing an appropriate carbon off-set contribution and contribution to the Borough's Air Quality Action Fund, the development has not demonstrated how the development would achieve a net zero carbon target, as required by the London Plan. Therefore, the application fails to comply with relevant policy guidance, in particular, SI 1 of the London Plan (2021), LP10 of the Local Plan (2018), and the Council's Air Quality SPD (2020).
5. In the absence of a binding legal agreement restricting future occupiers' eligibility for parking permits, provision of a car club bay, and free car club membership to residents of the development, the development would be detrimental to local parking conditions and impede the free flow of traffic on the narrow surrounding road network to the detriment of highways safety, other road users and pedestrians, and would not align with the Council's policies promoting the use of active and sustainable travel. As such, the application fails to comply with Policies LP44 and LP45 of the Local Plan (2018) and the Council's Transport SPD (June 2020).
6. In the absence of a binding legal agreement securing an appropriate contribution towards local healthcare services, the proposed development fails to mitigate the adverse impact on these services. As such, the application fails to comply with Policy GG3 of the London Plan (2021), Policy LP30 of the Local Plan (2018) and Policies 51 and 55 from the Public Version Local Plan.
7. In the absence of a binding legal agreement securing an appropriate contribution towards in-river channel works for river restoration, the proposed development fails to mitigate the adverse impact on river ecology and biodiversity. As such, the application fails to comply with Policy G6 of the London Plan (2021), Policy LP15 of the Local Plan (2018) and Policy 39 from the Publication Version Local Plan.

11.0 STANDARD INFORMATIVES

NS01 NPPF REFUSAL - Para. 38-42

In accordance with paragraphs 38-42 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

{b o} Providing a formal pre-application service

{b o} Providing written policies and guidance, all of which is available to view on the Council's website

{b o} Where appropriate, negotiating amendments to secure a positive decision

{b o} Determining applications in a timely manner.

In this instance:

{b o} The applicants did seek formal pre-application advice, however, the Council's recommendations for amendments were not followed, and the scheme was found to be contrary to policy and guidance, and therefore the application was subsequently refused. The Council is ready to enter into discussions, through the Council's formal pre-application service, to advise the applicants of relevant policy and guidance; and where possible assist in the preparation of a new planning permission. More information on the pre-application service and relevant fees can be found online at [www.richmond.gov.uk/pre-application for developers](http://www.richmond.gov.uk/pre-application-for-developers).

NS02 Decision Drawings

For the avoidance of doubt the Drawing Nos to which this decision refers are as follows:

GBT-ASA-ZZ-01-DR-A-0054-R51, GBT-ASA-ZZ-00-DR-A-0053-R51, GBT-ASA-ZZ-ZZ-DR-A-0057-R51, GBT-ASA-ZZ-03-DR-A-0056-R51, GBT-ASA-ZZ-02-DR-A-0055-R51, GBT-ASA-ZZ-ZZ-DR-A-0058-R51, GBT-ASA-ZZ-ZZ-DR-A-0059-R51, GBT-ASA-ZZ-ZZ-DR-A-0060-R51, GBT-ASA-ZZ-00-DR-L-0153-R7, GBT-ASA-BF-ZZ-DR-A-0592-R55, GBT-ASA-BF-ZZ-DR-A-0591-R52, GBT-ASA-BF-ZZ-DR-A-0593-R52, GBT-ASA-BF-ZZ-DR-A-0594-R53, GBT-ASA-BF-ZZ-DR-A-0460-R51, GBT-ASA-BF-ZZ-DR-A-0460-R51, GBT-ASA-BF-ZZ-DR-A-0462-R51, GBT-ASA-ZZ-ZZ-DR-A-0463-R51, GBT-ASA-ZZ-ZZ-DR-A-0464-R51, GBT-ASA-ZZ-ZZ-DR-A-0150-R51, GBT-ASA-BE-ZZ-DR-A-0560-R52, GBT-ASA-BAF-ZZ-DR-A-0452-R51, GBT-ASA-BAF-ZZ-DR-A-0454-R51, GBT-ASA-BAF-ZZ-DR-A-0453-R51, GBT-ASA-ZZ-ZZ-DR-A-0450-R52, GBT-ASA-ZZ-01-DR-A-0251-R54, GBT-ASA-BAF-01-DR-A-0571-R52, GBT-ASA-ZZ-00-DR-L-0151-R4, GBT-ASA-ZZ-00-DR-A-0254-R54, GBT-ASA-BAF-04-DR-A-0574-R52, GBT-ASA-ZZ-00-DR-A-0250-R58, GBT-ASA-BAF-00-DR-A-0570-R53, GBT-ASA-BB-00-DR-A-0455-R54, GBT-ASA-ZZ-00-DR-L-0150-R7, GBT-ASA-BG-ZZ-DR-A-0551-R51, GBT-ASA-BC-ZZ-DR-A-0552-R52, GBT-ASA-BC-ZZ-DR-A-0553-R52, GBT-ASA-BD-ZZ-DR-A-0554-R52, GBT-ASA-BC-ZZ-DR-A-0555-R52, GBT-ASA-BG-ZZ-DR-A-0550-R52, GBT-ASA-ZZ-00-DR-L-0161-R3, GBT-ASA-ZZ-05-DR-A-0255-R55, GBT-ASA-ZZ-02-DR-A-0252-R54, GBT-ASA-BAF-02-DR-A-0572-R52, GBT-ASA-ZZ-ZZ-DR-A-0451-R52, GBT-ASA-BAF-ZZ-DR-A-0350-R51, GBT-ASA-BAF-ZZ-DR-A-0351-R51, GBT-ASA-ZZ-03-DR-A-0252-R54, GBT-ASA-BAF-03-DR-A-0573-R52, GBT-ASA-ZZ-03-DR-L-152-R4, GBT-ASA-ZZ-00-DR-L-0160-R6, GBT-ASA-BB-02-DR-A-0457-R54, GBT-ASA-ZZ-00-DR-L-0160-R6, GBT-ASA-BB-02-DR-A-0457-R54, GBT-ASA-ZZ-ZZ-DR-A-0051-R51, GBT-ASA-ZZ-ZZ-DR-A-0052-R51, GBT-ASA-BF-ZZ-DR-A-0590-R52, received 4th May 2023.

BT-ASA-ZZ-00-DR-L-0001-R2; received 5th May 2023