



Application reference: 19/3053/FUL HAMPTON WICK WARD

Date application received	Date made valid	Target report date	8 Week date
10.10.2019	19.11.2019	14.01.2020	EOT to be agreed

Site:

217 Kingston Road, Teddington, TW11 9JN,

Proposal:

Erection of a detached building comprising 7 self contained flats and a single family dwelling with associated access, parking and landscaping.

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

APPLICANT NAME

C/O Agent
217 Kingston Road
Teddington
TW11 9JN

AGENT NAME

Mr Bryan Staff
Wigglesworth House
69 Southwark Bridge Road
London
SE1 9HH

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

Consultations:

Internal/External:

Consultee

14D POL
LBRUT Transport
14D Urban D
LBRuT Trees Preservation Officer (North)
LBRUT Environmental Health
LBRUT Non-Commercial Environmental Health
LBRuT Ecology
Environment Agency

Expiry Date

23.12.2019
23.12.2019
23.12.2019
23.12.2019
23.12.2019
23.12.2019
23.12.2019
30.12.2019

Neighbours:

91 Kingston Road, Teddington, TW11 9JP, - 11.12.2019
8 Munster Road, Teddington, TW11 9LL, -
10 Munster Road, Teddington, TW11 9LL, - 11.12.2019
6 Munster Road, Teddington, TW11 9LL, - 11.12.2019
4 Munster Road, Teddington, TW11 9LL, - 11.12.2019
2 Munster Road, Teddington, TW11 9LL, - 11.12.2019
Flat B, 204A Kingston Road, Teddington, TW11 9JD - 11.12.2019
Flat A, 204A Kingston Road, Teddington, TW11 9JD - 11.12.2019
204 Kingston Road, Teddington, TW11 9JD, - 11.12.2019
Flat 1, 200 Kingston Road, Teddington, TW11 9JD, - 11.12.2019
200 Kingston Road, Teddington, TW11 9JD, - 11.12.2019

Maisonette First And Second Floor,198 Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 198 Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 194 Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 192A Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 190 Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 196 Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 192C Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 192B Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 192 Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 Flat,196 Kingston Road,Teddington,TW11 9JD, - 11.12.2019
 7 Holmesdale Road,Teddington,TW11 9LJ, -
 5 Holmesdale Road,Teddington,TW11 9LJ, -
 3 Holmesdale Road,Teddington,TW11 9LJ, -
 219C Kingston Road,Teddington,TW11 9JN, - 11.12.2019
 219B Kingston Road,Teddington,TW11 9JN, - 11.12.2019
 219D Kingston Road,Teddington,TW11 9JN, - 11.12.2019
 219A Kingston Road,Teddington,TW11 9JN, - 11.12.2019
 219 Kingston Road,Teddington,TW11 9JN, -
 213 Kingston Road,Teddington,TW11 9JN, - 11.12.2019
 215 Kingston Road,Teddington,TW11 9JN, - 11.12.2019
 9 Holmesdale Road,Teddington,TW11 9LJ, -
 Midsummer House,60A Munster Road,Teddington,TW11 9LL, - 11.12.2019

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

<u>Development Management</u>	
Status: GTD	Application:65/0479
Date:06/08/1965	Erection of double portable garage.
<u>Development Management</u>	
Status: REF	Application:17/0433/FUL
Date:18/10/2017	Demolition of the existing Victorian detached property and the erection of a replacement 2 storey building with basement and accommodation in the roof to facilitate the provision of 7 no. flats (6 x two and 1 x one bed) with associated parking, cycle and refuse stores and hard and soft landscaping works and boundary treatment.
<u>Development Management</u>	
Status: REF	Application:17/1658/FUL
Date:18/10/2017	Demolition of the existing Victorian detached property and the erection of a new build comprising of seven flats (6 x 2 bed and 1x1 bed) and a new build to the rear comprising an 'eco' family dwelling (3 bed) including parking and landscaping and associated works.
<u>Development Management</u>	
Status: VOID	Application:17/0243/VOID
Date:31/07/2017	Demolition of the existing Victorian detached property and the erection of a new build comprising of seven flats (6 x 2 bed and 1x1 bed) and a new build to the rear comprising an 'eco' family dwelling (3 bed) including parking and landscaping and associated works.
<u>Development Management</u>	
Status: REF	Application:17/3507/DEMPN
Date:09/11/2017	Proposed Demolition of the Property
<u>Development Management</u>	
Status: GTD	Application:17/4093/DEMPN
Date:12/12/2017	Proposed Demolition of the Property
<u>Development Management</u>	
Status: REF	Application:18/2033/FUL
Date:21/08/2018	Construction of a two-storey detached building to the front of the site comprising 7 self-contained flats (4x2 bed, 3x1 bed) including basement and lightwells to the site frontage and a part single storey; part two-storey (including basement) detached dwellinghouse (1x2

bed) including study room to the rear of the site with associated hard and soft landscaping, refuse/recycling storage, cycle storage, car parking, boundary treatment and vehicular/pedestrian access.

Development Management

Status: REF

Date:06/09/2018

Application:18/2200/FUL

Construction of a two-storey detached building to the front of the site comprising 7 self-contained flats (4x2 bed, 3x1 bed) including basement and lightwells to the site frontage with associated hard and soft landscaping, refuse/recycling storage, cycle storage, car parking, boundary treatment and vehicular/pedestrian access.

Development Management

Status: PCO

Date:

Application:19/3053/FUL

Erection of a two-storey detached building comprising 7 self contained flats and a single family dwelling with associated access, parking and landscaping.

Appeal

Validation Date: 26.04.2019

Construction of a two-storey detached building to the front of the site comprising 7 self-contained flats (4x2 bed, 3x1 bed) including basement and lightwells to the site frontage and a part single storey; part two-storey (including basement) detached dwellinghouse (1x2 bed) including study room to the rear of the site with associated hard and soft landscaping, refuse/recycling storage, cycle storage, car parking, boundary treatment and vehicular/pedestrian access.

Reference: 19/0068/AP/REF

Enforcement

Opened Date: 11.05.2018

Reference: 18/0218/EN/NAP

Enforcement Enquiry

Recommendation:

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

I therefore recommend the following:

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

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

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

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

This application has representations on file YES NO

Case Officer (Initials): SGS Dated: 11/4/2023

I agree the recommendation:

Team Leader/Head of Development Management/Principal Planner

Dated:

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

Head of Development Management:RDA.....

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

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

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

SUMMARY OF CONDITIONS AND INFORMATIVES

CONDITIONS

INFORMATIVES

19/3053/FUL

217 Kingston Road, Teddington, TW11 9JN

Proposal:

This application is for the erection of a detached building containing 7 self contained flats and a single family dwelling with associated access, parking and landscaping.

Site and Surrounds:

The application site consists of an empty parcel of land. The former Victorian detached dwellinghouse has been demolished and trees and vegetation removed. The previous building was designated as a Building of Townscape Merit (BTM). There are no BTMs in the immediate vicinity, the closest being No. 4 Holmesdale Road which is not directly in the setting of this plot.

The site is adjacent to a protected tree (TPO) which sits to the rear of no.4 Munster Road. The site is in a Critical Drainage Area and an Area Susceptible to Surface Water Flooding.

Hampton Wick Railway station is approximately 0.6 metres (on foot) from the subject site. The site is not within a Controlled Parking Zone (CPZ). The site is in the Broom Road and Kingston Road Character Area 8 in the Hampton Wick & Teddington Village Planning Guidance SPD. The CA83 Wick Road Conservation Area has been recently been designated on 20.02.2019 circa 22m to the south of the site. The area is predominantly residential in character although there is a parade of shops opposite the site.

Site History:

- **65/0479** Erection of double portable garage. Granted permission 06/08/1965
- **17/0433/FUL** Demolition of the existing Victorian detached property and the erection of a replacement 2 storey building with basement and accommodation in the roof to facilitate the provision of 7 no. flats (6 x two and 1 x one bed) with associated parking, cycle and refuse stores and hard and soft landscaping works and boundary treatment. Refused permission 17/10/2017.
 1. Loss of Heritage Asset: The proposal would result in the unjustified loss of a Building of Townscape Merit and its replacement with a building which, by reason of its prominent siting, massing, height and discordant design, would be obtrusive and out-of-keeping with the scale, character and design of surrounding properties and detrimental to the street scene and the visual amenities of occupants of neighbouring houses. The proposal would thereby be contrary to policies CP7 of the Core Strategy, Policies DM HD 3, DM DC1 of the Development Management Plan, Policy LP1, LP4 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents: Small and Medium Housing Sites.
 2. Character and Appearance: The proposed development, by reason of the area of site coverage by buildings and hardsurfacing, design, height, width, depth, scale and bulk of new buildings, would be a visually intrusive and incongruous form of overdevelopment detrimental to the appearance and character of the street scene and area in general. The proposal is therefore considered contrary to, the Local Development Framework, in particular, Policy CP7 of the Core Strategy, Policies DM HD 3, DM DC1 of the Development Management Plan, Policy LP1, LP4 of the

Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents.

3. **Amenity:** The proposed development, by reason of the area of site coverage by buildings and hardsurfacing, design, height, width, depth, scale, bulk and mass of buildings would result in a visually intrusive, dominant and overbearing form of overdevelopment that would be detrimental to the residential amenities of the occupants of adjoining properties and in particular, No. 215 Kingston Road, Teddington by way of loss of outlook, loss of natural light and a sense of enclosure. The proposal is therefore considered to be contrary to, the Local Development Framework, in particular, Policy CP7 of the Core Strategy, Policies DM DC 1 and DM DC 5 of the Development Management Plan, Policy LP8 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Document: Small and Medium Housing Sites.
 4. **Parking and Highways:** The proposed development, by reason of the narrow access and restricted manoeuvring space, lack of disabled parking space; unsatisfactory siting of refuse/recycling facilities, unsegregated pedestrian access and no passing area, would represent an inconvenient and unsafe form of development and in all likelihood would detract from the free flow of traffic and pedestrian safety on the adjoining highway. The proposal is therefore considered contrary to, the Local Development Framework, in particular, Policies DM TP6 and DM TP8 of the Development Management Plan, Policy LP45 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents: Front Garden Parking and Other Off-Street Parking Standards.
 5. **Trees and Biodiversity:** The proposed development, by reason of the siting, design, height, width, depth, scale and bulk would result in the significant pruning of a protected mature tree to the rear of No.4 Munster Road and would be detrimental to the amenity value of the tree, wildlife habitat and movement and site biodiversity. The proposal is therefore considered contrary to, the Local Development Framework, in particular, Policies DM DC 4 and DM OS 5 of the Development Management Plan, Policies LP15, LP16 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents.
 6. **Standard of Accommodation:** The proposed development, by reason of the internal layout and arrangements would result in a sub-standard level of accommodation for future occupiers of the flats by way of outlook and access to natural light. The proposal is therefore considered to be contrary to, the Local Development Framework, in particular, Policy CP7 of the Core Strategy, Policy DM HO4 of the Development Management Plan, Policy LP35 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents.
- **17/1658/FUL** Demolition of the existing Victorian detached property and the erection of a new build comprising of seven flats (6 x 2 bed and 1x1 bed) and a new build to the rear comprising an 'eco' family dwelling (3 bed) including parking and landscaping and associated works. Refused permission 17/10/2017
 1. **Loss of Heritage Asset:** The proposal would result in the unjustified loss of a Building of Townscape Merit and its replacement with a building which, by reason of its prominent siting, massing, height and discordant design, would be obtrusive and out-of-keeping with the scale, character and design of surrounding properties and detrimental to the street scene and the visual amenities of occupants of neighbouring houses. The proposal would thereby be contrary to policies CP7 of the Core Strategy, Policies DM HD 3, DM DC1 of the Development Management

Plan, Policy LP1, LP4 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents: Small and Medium Housing Sites.

2. **Character and Appearance:** The proposed development, by reason of the area of site coverage by buildings and hardsurfacing, design, height, width, depth, scale and bulk of new buildings, would be a visually intrusive and incongruous form of overdevelopment detrimental to the appearance and character of the street scene and area in general. The proposal is therefore considered contrary to, the Local Development Framework, in particular, Policy CP7 of the Core Strategy, Policies DM HD 3, DM DC1 of the Development Management Plan, Policy LP1, LP4 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents.
3. **Affordable Housing:** In the absence of a binding agreement to secure the appropriate level of affordable housing contribution, the proposal is considered contrary to, the Local Development Framework, in particular, Policy CP15 of the Core Strategy, Policy DM HO6 of the Development Management Plan, Policy LP36 of the Local Plan (Publication Version for consultation) and Supplementary Planning Guidance on Affordable Housing (Adopted and draft).
4. **Amenity:** The proposed development, by reason of the area of site coverage by buildings and hardsurfacing, design, height, width, depth, scale, bulk and mass of buildings would result in a visually intrusive, dominant and overbearing form of overdevelopment that would be detrimental to the residential amenities of the occupants of adjoining properties and in particular, No. 215 Kingston Road, Teddington by way of loss of outlook, loss of natural light and a sense of enclosure. The proposal is therefore considered to be contrary to, the Local Development Framework, in particular, Policy CP7 of the Core Strategy, Policies DM DC 1 and DM DC 5 of the Development Management Plan, Policy LP8 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Document: Small and Medium Housing Sites.
5. **Parking/Highways:** The proposed development, by reason of the narrow access and restricted manoeuvring space, lack of disabled parking space; unsatisfactory siting of refuse/recycling facilities, unsegregated pedestrian access and no passing area, would represent an inconvenient and unsafe form of development and in all likelihood would detract from the free flow of traffic and pedestrian safety on the adjoining highway. The proposal is therefore considered contrary to, the Local Development Framework, in particular, Policies DM TP6 and DM TP8 of the Development Management Plan, Policy LP45 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents: Front Garden Parking and Other Off-Street Parking Standards.
6. **Trees and Biodiversity:** The proposed development, by reason of the siting, design, height, width, depth, scale and bulk would result in the significant pruning of a protected mature tree to the rear of No.4 Munster Road and would be detrimental to the amenity value of the tree, wildlife habitat and movement and site biodiversity. The proposal is therefore considered contrary to, the Local Development Framework, in particular, Policies DM DC 4 and DM OS 5 of the Development Management Plan, Policies LP15, LP16 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents.
7. **Standard of Accommodation Proposed:** The proposed development, by reason of the internal layout and arrangements would result in a sub-standard level of accommodation for future occupiers of the flats by way of outlook and access to

natural light and insufficient amenity space for occupiers of the proposed dwelling. The proposal is therefore considered to be contrary to, the Local Development Framework, in particular, Policy CP7 of the Core Strategy, Policy DM HO4 of the Development Management Plan, Policy LP35 of the Local Plan (Publication Version for consultation) and the aims and objectives of the Supplementary Planning Documents.

- **17/3507/DEMPN** Proposed Demolition of the Property. Refused permission 09/11/2017
- **17/4093/DEMPN** Proposed Demolition of the Property. Granted permission 12/12/2017
- **18/2200/FUL** Construction of a two-storey detached building to the front of the site comprising 7 self-contained flats (4 x 2 bed, 3 x 1 bed) including basement and lightwells to the site frontage with associated hard and soft landscaping, refuse/recycling storage, cycle storage, car parking, boundary treatment and vehicular/pedestrian access. Refused permission 05/09/2018.
 1. **Character and Appearance:** The proposed development, by reason of site coverage, layout, unsatisfactory siting, design, depth, width, scale, bulk and mass of the rear outrigger and roof terraces would result in an overbearing, unsympathetic, visually intrusive, incongruous form of overdevelopment that would be detrimental to the appearance, form and proportion of the site, the relationship with the adjacent and surrounding properties, topography of the site, visual amenities from the neighbouring properties and general character and appearance of area. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP1, LP8, LP39, LP45 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Small and Medium Housing Sites (2006), Design Quality (2006) and Front Garden & Other Off-Street Parking (2006).
 2. **Neighbouring Amenity:** The proposed outrigger, by reason of its combined siting, design, height, depth, scale, bulk and mass would result in a visually intrusive, dominant and overbearing form of overdevelopment that would be detrimental to the residential amenities of nearby occupants in particular, No. 215 Kingston Road, by way of loss of outlook, sense of enclosure and visual intrusion. In the absence of satisfactory daylight/sunlight assessment, the scheme is considered to adversely impact on the daylight/sunlight currently benefitting no. 215 Kingston Road. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP1, LP8 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Small and Medium Housing Sites (2006).
 3. **Parking and Highways:** The proposed development, by reason of unsatisfactory and restricted access and parking layout would provide sub-standard refuse, recycling, cycle and car parking spaces and manoeuvre/turning area facilities that would adversely impact on parking, the free flow of traffic and pedestrian and vehicular safety on the surrounding roads. In the absence of satisfactory sightlines and the potential increase in vehicular movements to and from the site, the scheme would adversely impact on pedestrian, cyclist and highway safety. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP44, LP45 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Front Garden and Other Off-street Parking Standards (2006) and Refuse and Recycling Storage Requirements (2015).
 4. **Trees:** The proposed development, by reason of the siting, layout, design and lack of soft landscaping would result in the significant pruning of a protected mature tree to the rear of No.4 Munster Road which would be detrimental to the

amenity value of the tree, wildlife habitat and movement and site biodiversity. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP16 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Small and Medium Housing Sites (2006) and Front Garden & Other Off-Street Parking (2006).

5. Standards of Accommodation: The proposed development, by reason of the unacceptable layout represents over-intensification and over-development of the site that would result in sub-standard living conditions and environment, to the detriment of the amenities of future occupiers by way of poor outlook, access to daylight/sunlight, visual intrusion, overbearing and sense of enclosure resulting in a negative living condition and environment. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP1, LP35 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Design Quality (2006), Residential Development Standards (2010) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).
 6. Affordable Housing: In the absence of a legal agreement to secure an appropriate contribution towards off-site affordable housing, the scheme fails to address the recognised housing need and will be contrary to, in particular policy LP36 of the Adopted Local Plan (2018) and Supplementary Planning Document: Affordable Housing (2018).
- **18/2033/FUL** Construction of a two-storey detached building to the front of the site comprising 7 self-contained flats (4 x 2 bed, 3 x 1 bed) including basement and lightwells to the site frontage and a part single storey; part two-storey (including basement) detached dwellinghouse (1 x 2 bed) including study room to the rear of the site with associated hard and soft landscaping, refuse/recycling storage, cycle storage, car parking, boundary treatment and vehicular/pedestrian access. Refused permission 21/08/2018 Appeal Dismissed 12/07/2019
 1. Character and Appearance: The proposed development, by reason of site coverage, layout, unsatisfactory siting, design, depth, width, scale, bulk and mass of the rear outrigger and roof terraces to the frontage property and rear dwellinghouse would result in an overbearing, unsympathetic, visually intrusive, incongruous form of overdevelopment that would be detrimental to the appearance, form and proportion of the site, the relationship with the adjacent and surrounding properties, topography of the site, visual amenities from the neighbouring properties and general character and appearance of area. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP1, LP8, LP39, LP45 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Small and Medium Housing Sites (2006), Design Quality (2006) and Front Garden & Other Off-Street Parking (2006).
 2. Neighbouring Amenity: The proposed outrigger to the frontage building, by reason of its combined siting, design, height, depth, scale, bulk and mass would result in a visually intrusive, dominant and overbearing form of overdevelopment that would be detrimental to the residential amenities of nearby occupants in particular, No. 215 Kingston Road, by way of loss of outlook, sense of enclosure and visual intrusion. In the absence of satisfactory daylight/sunlight assessment, the scheme is considered to adversely impact on the daylight/sunlight currently benefitting no. 215 Kingston Road. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP1, LP8 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Small and Medium Housing Sites (2006).
 3. Highways and Parking: The proposed development, by reason of unsatisfactory and restricted access and parking layout would provide sub-standard refuse, recycling, cycle and car parking spaces and manoeuvre/turning area facilities that

would adversely impact on parking, the free flow of traffic and pedestrian and vehicular safety on the surrounding roads. In the absence of satisfactory sightlines and the potential increase in vehicular movements to and from the site, the scheme would adversely impact on pedestrian, cyclist and highway safety. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP44, LP45 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Front Garden and Other Off-street Parking Standards (2006) and Refuse and Recycling Storage Requirements (2015).

4. Trees: The proposed development, by reason of the siting, layout, design and lack of soft landscaping would result in the significant pruning of a protected mature tree to the rear of No.4 Munster Road which would be detrimental to the amenity value of the tree, wildlife habitat and movement and site biodiversity. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP16 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Small and Medium Housing Sites (2006) and Front Garden & Other Off-Street Parking (2006).
5. Standards of Accommodation: The proposed development, by reason of the unacceptable layout and insufficient private amenity space represents over-intensification and over-development of the site that would result in sub-standard living conditions and environment, to the detriment of the amenities of future occupiers by way of poor outlook, access to daylight/sunlight, visual intrusion, overbearing and sense of enclosure resulting in a negative living condition and environment. The scheme would therefore be prejudicial to the aims and objectives, in particular, policies LP1, LP35 of the Adopted Local Plan (2018) and the Supplementary Planning Document: Design Quality (2006), Residential Development Standards (2010) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).
6. Affordable Housing: In the absence of a legal agreement to secure an appropriate contribution towards off-site affordable housing, the scheme fails to address the recognised housing need and will be contrary to, in particular policy LP36 of the Adopted Local Plan (2018) and Supplementary Planning Document: Affordable Housing (2018).

The Inspector's Report (IR) upheld aspects of the character and design, standards of accommodation and neighbour amenity reasons for refusal and also supported the affordable housing reason for refusal.

1. Character and Design: The IR States that "the space between the two buildings would be dominated by car parking with minimal amenity space for the occupiers of the frontage building and little scope for landscape measures. The appellant has referred to Paragraph 123 of the National Planning Policy Framework (the Framework) that encourages the efficient use of sites. But the central part of the site would have a cramped layout and appearance that would not reflect the urban design quality and site layout considerations set out in Policy LP1. There would also be conflict with Paragraph 127 of the Framework and with the Council's Supplementary Planning Document on Small and Medium Housing Sites (2006) both of which promote visually attractive layouts with appropriate and effective landscaping."
2. Standards of Accommodation: The IR sets out that "The appellant points out that the shared amenity space would be in accordance with the Council's Supplementary Planning Document on Residential Development Standards (2010) which states a minimum of 5 sqm of private outdoor space for 1-2 person dwellings plus an extra 1 sqm should be provided for each additional occupant. Nonetheless, this stipulation is for a minimum provision and the shared amenity space would not

be in accordance with Policy LP35 that requires amenity space to be functional and of a sufficient size to meet the needs of the likely number of occupiers.” Additionally, the level of outlook of bedrooms 2 & 6 was not deemed satisfactory. The IR outlines that “the second bedrooms to flats 2 and 6 on the ground and first floor levels would face on to the flank wall of the main part of the terraced house at 215 Kingston Road at a distance of only about 2m. Whilst there would not be a requirement for obscured glazing given the featureless nature of the facing wall, these windows would be north facing and the rooms they serve would have poor levels of daylight and outlook. In this respect the proposal would have a poor design quality contrary to Policy LP1 considerations that include the space between buildings.

3. Neighbour amenity: The IR outlined that “the house at 215 Kingston Road is set at a slightly lower level than the appeal site. The inner rear wall windows facing the outrigger are located close to the boundary with the appeal site and serve a kitchen at ground floor level and bedrooms for the two floors above. The appellant has submitted a daylight, sunlight and overshadowing report that concludes that adjoining occupiers would not be adversely affected by the proposed development in relation to these considerations. In respect of daylight, there would be a reduction in the vertical sky component for the nearest windows at no.215 but this is classified as negligible. The comparison is to the former building at the site that had a square footprint without an outrigger adding to the overall depth. The report does not assess the windows at no.215 most likely to be affected by sunlight loss due to their north-easterly orientation. Notwithstanding these conclusions, given the proximity and massing of the main part of the frontage building to the south of the nearest windows at no. 215, and the massing of the outrigger beyond this, my findings are that the proposal would result in an unneighbourly and overbearing effect. The impact would be contrary to Policies LP1 and LP8 in relation to protecting the amenity and living conditions for occupants of adjoining and neighbouring properties”.
4. Affordable Housing: The IR concluded that the “the proposal is not accompanied by a legal agreement to make a contribution to affordable housing and would thereby be contrary to Policy LP36.”

In addition, the following pre-application advice relates to this proposal site.

- **17/P0236/PREAPP** on the demolition of existing property and erection of new build for 7 flats (6 x 2 bed, 1 x 1 bed) with new build eco home to rear (3 bedroom) including landscaping, parking and associated works. 28.07.2017
- **16/P0129/PREAPP** Conversion of existing single – family dwelling to 7 self contained flats and to erect a new family dwelling. 24.05.16
- **15/P0033/PREAPP** Conversion of the existing family dwelling, fronting Kingston Road, to six x two bed self-contained flats with extensions and modifications and a new build to the rear comprising two single-family dwellings with associated car parking and works. 04/02/2015
- **13/P0285/PREAPP** Conversion of existing dwelling house to apartments or demolition of existing dwelling and replace with two semi detached town or refurbish existing dwellinghouse. All 3 options include provision of new single storey detached dwelling in rear garden. 19/12/2013

Public and Other Representations:

Public consultation was undertaken to notify surrounding residents about the proposed development. Objections were received from eight neighbouring properties. These are summarised as follows:

Neighbour Amenity

- Overlooking and loss of privacy.
- Overshadowing and loss of daylight/sunlight.
- Noise, light spillage and disturbance from the intensity of use generated by future occupants.
- Inappropriate landscaping to screen the development.

Character & Design

- Poor siting and design.
- Inappropriate backland development.
- Overdevelopment of the site.
- Negative impact on the character of the street scene.

Highways and Parking

- Insufficient parking.
- Detrimental impacts on highway safety.
- Inadequate vehicular access to the site for vehicles.
- Increase in traffic levels leading to noise and disturbance.

Green Infrastructure/biodiversity

- Loss of biodiversity including local birdlife and resultant negative environmental impacts.

Flood Risk/Sustainable Urban Drainage

- Adverse impacts on flooding and drainage.

Inaccurate drawings

- The site plan omits the rear of 7 Holmesdale Road.

External consultees

The Environment Agency – the proposal falls outside their remit to comment, but it is pointed out that the site no longer falls within Floodzone 2. This is confirmed by the 2021 Richmond Strategic Flood Risk Assessment.

Internal Consultees

Environmental Health (Housing) – no comments.

Ecology – On the basis of the appeal decision refusal on ecology grounds may be difficult to sustain, however there will need to be mitigation for the loss of soft open habitat from the construction of the eco home. This must be provided in the form of extensive wildflower planting with brown features (for invertebrates). Conditions will be required for landscaping, green roof details, external lighting, excavations, biodiversity policy and measures to ensure net gain.

Trees – No objection subject to conditions.

Urban Design – increased soft landscaping represents an improvement. Conditions required for materials and landscaping.

Transport – Objection – parking shortfall not justified and inadequate access arrangements.

Housing Policy – Affordable Housing contribution required subject to review.

Lead Local Flood Authority – Following submission of additional information, no objection subject to conditions

Amendments:

- The site plan has been corrected.
- Design alterations were made to the frontage building.
- The parking area was amended.
- Fire safety and drainage information have been supplied.

Reconsultation

Seven neighbours who previously objected have reiterated their objections.

Transport – see below under Transport.

Main Planning Policies & Guidance:

The following policies and guidance are relevant to the current proposal:

National Planning Policy Framework (2021):

- Paragraph 11 Presumption in favour of sustainable development.
- Paragraph 119 Making Effective Use of Land
- Paragraph 126 Achieving Well-Designed Places

London Plan (2021):

- GG2 Making the best use of land
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D10 Basement development
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- T5 Cycling
- T6 Parking

Adopted Local Plan (2018):

- LP1 Local Character and Design Quality
- LP8 Amenity and Living Conditions

- LP10 Local Environmental Impacts, Pollution and Land Contamination
- LP11 Subterranean Developments and Basements
- LP12 Green Infrastructure
- LP15 Biodiversity
- LP16 Trees, Woodlands and Landscape
- LP20 Climate Change Adaptation
- LP21 Flood Risk and Sustainable Drainage
- LP22 Sustainable Design and Construction
- LP24 Waste Management
- LP34 New Housing
- LP35 Housing Mix and Standards
- LP36 Affordable Housing
- LP39 Infill, Backland and Backgarden Development
- LP44 Sustainable Travel Choices
- LP45 Parking Standards and Servicing

Supplementary Planning Documents/Guidance (SPD/SPG):

- Small and Medium Housing Sites (2006)
- Design Quality (2006)
- Front Garden & Other Off-Street Parking (2006)
- Residential Development Standards (2010)
- Sustainable Construction Checklist (2011)
- Affordable Housing (2014)
- Refuse and Recycling Storage Requirements (2015)
- Good Practice Guide on Basement Developments (2015)
- Hampton Wick & Teddington Village Planning Guidance SPD (2017)

Professional Comments:

Key planning considerations with any potential application

- Principle of Development
- Character and Design
- Basement Development
- Housing Mix
- Residential Standards for Future Occupants
- Amenity Space
- Affordable Housing
- Community Infrastructure Levy
- Sustainability
- Highways and Parking
- Waste
- Trees and Ecology
- Flood Risk and Sustainable Urban Drainage
- Residential Amenity of Neighbouring Occupants
- Fire Safety

Principle of Development

The NPPF sets out that “*planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.*”

Local Plan Policy LP34 supports new residential development where this is appropriate. It outlines that “the Council will exceed the minimum strategic dwelling requirement, where this can be achieved in accordance with other Local Plan policies.”

Policy LP39 states all infill, backgarden and backland development must reflect the character of the surrounding area and protect the amenity and living conditions of neighbours by;

- Retaining plot widths and similar spacing between dwellings
- Retaining appropriate garden space for adjacent dwellings
- Respecting local context in terms of building heights
- Enhance street frontage
- Reflecting materials and local character
- Retaining and re-provide important features important to character, appearance and wildlife e.g. trees and landscape
- Resulting in no unacceptable adverse impacts on neighbours including loss of privacy
- Provide adequate servicing, recycling, refuse and cycle storage
- Resulting in no adverse impact on neighbours in terms of visual impact, noise or light from vehicle access or car parking
- Protecting neighbouring amenity

The applications 17/1658/FUL and 17/0433/FUL were refused on 17/10/2017. The unjustified loss of a Building of Townscape Merit (BTM) formed an in principle objection. This BTM has been subsequently demolished under 17/4093/DEMPN, together with the removal of on-site trees and vegetation. Given the BTM has been demolished this in principle objection is no longer applicable. The subsequent applications 18/2033/FUL (dismissed on Appeal on 12/07/19) and 18/2200/FUL (refused on 05/09/18) were not unacceptable on the grounds of an in principle objection to a C3 use on this site. The site was previously in residential use. The character of the surrounding area is also residential. There remains no in principle objection to a C3 residential use here subject to the policies in the Local Plan, NPPF and London Plan being met as well as the relevant supporting guidelines. A detailed assessment of the scheme against the key related policies and guidance is set out below.

Heritage, Character and Design

The NPPF sets out that “*good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*”

Local Plan Policy LP1 states “*new development must be of a high architectural quality based on sustainable design principles. Development must respect local character and contribute positively to its surrounding based on a thorough understanding of the site and its context. In addressing design quality, the Council will have regards to the following “compatibility with local character including relationship with existing townscape and frontages, scale, height, massing, proportions and form; sustainable development and adaptability, subject to aesthetic considerations; layout and access; space between buildings and relationship to the public realm; and detailing and material.”* Additionally, Policy LP39 states all infill, backgarden and backland development must reflect the character of the surrounding area.

The Council does not wish to encourage a particular architectural style or approach but expects each scheme to be justified as a result of a sound understanding of the site and its context. The Small and Medium Housing Sites SPD and the Design Quality SPD design

guidance in the Borough for new developments. The Design Quality SPD outlines that *“new development should complement and enhance the character”* of an area. *“A sense of harmony can be achieved through the use of similar design elements such as materials and fenestration.”* Additionally, *“in areas where there is a strong sense of character through the use of particular materials new development should be based on a similar palette.”* The Small and Medium Housing Sites SPD sets out that *“a strong building line ties together individual buildings to create a sense of place.”* The *“type, colour and texture of materials create a sense of cohesion.”*

The Broom Road and Kingston Road Character Area is described in the Hampton Wick and Teddington SPD. The Kingston and Broom Road area is *“characterised by residential streets of houses built in pairs or small groups that are well maintained and smart in appearance. Holmesdale and Munster Roads and King Edward’s Grove (formerly Cornelius Road) had been laid out by 1896 with a few detached and paired semidetached houses on Holmesdale Road. By 1915 the roads, including King Edward’s Grove and Atbara Road, were fully built.”* Dominant Materials and Features Characteristic include *“red brick, render, wooden casement windows, window leading, clay roof tiles, red brick boundary walls and street trees.”*

The Wick Road Conservation Area lies to the south of the site. As such its wider setting must be taken into account. LP3 Designated Heritage Assets sets out that *“the Council will require development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Development proposals likely to adversely affect the significance of heritage assets will be assessed against the requirement to seek to avoid harm and the justification for the proposal.”*

The Wick Road Conservation Statement sets out that *“the dwellings along Kingston Road, due to their height, have a greater status than the majority of the dwellings within the conservation area and incorporate half basements with steps up to the front doors giving a 2 and a half storey height. All of these dwellings overlook the grounds of Normansfield house and gardens opposite. The development of Conifers Close adds an interesting dimension to the area with its development of apartments in an Art Deco style which incorporates large chimney breasts, a stucco façade and Crittall windows, which are still in situ.”*

The application is set away from the conservation area by circa 22m and therefore it is not in the immediate visual line from Kingston Road. The front façade of the proposed semi detached dwelling is traditional in character serving to complement the neighbouring buildings. The bay windows, detailing around the fenestrations and overall character set out harmonise and complement with the existing buildings along the street. In terms of the visual appearance, it is not considered that the proposal would adversely impact on its character of the street.

Objections have been made relating to a negative impact on the character of the street scene. As noted above, the previous schemes 17/0433/FUL and 17/1658/FUL were refused on the basis of the loss of the BTM which has since been demolished which is no longer applicable in this case. In the refusals 18/2033/FUL and 18/2200/FUL there was no objection to the front elevation of the two storey semi-detached dwelling. The Inspector report for 18/2033/FUL also did not object to the front aspect of the building. It was stated that *‘the frontage building would broadly respect the local grain of development on Kingston Road and would be sympathetic to the character of the local area’*. Overall this aspect of the scheme is considered to be acceptable.

Turning to the rear outrigger of the proposed dwelling. Compared to the four past refusals, the rear outrigger has been sited further south on the rear elevation increasing the separation distance between it and No. 215. The first floor remains set back from the ground floor with an enclosed balcony. The pitched roof has been removed and the eaves height of the structure increased to contain a flat roof. The windows have also been altered so they are no longer aligned with the primary dwelling. It is acknowledged that the reorientation of the rear outrigger appears slightly unbalanced being out of alignment with the rest of the house. However, this element of the proposed building will, for the most part, not be visible from public viewpoints. The changes have sought to overcome concerns in the Inspectors report relating to the impact on No. 215. This aspect is considered below, however, bearing in mind the mainly hidden nature of the outrigger, no objection is seen in terms of design.

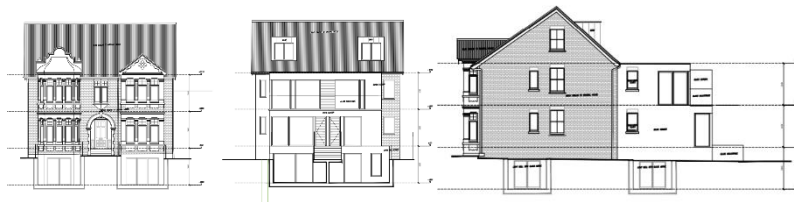


Figure 1. Proposed Front & Rear Elevations 19/3053/FUL 2 storey detached building (7 self-contained flats) (This Application)

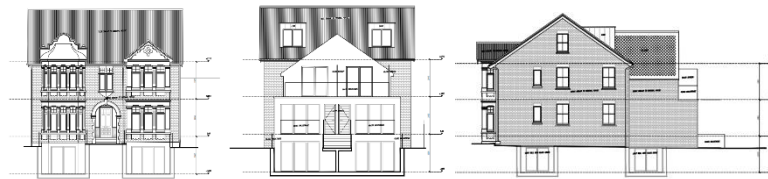


Figure 2. Proposed Front & Rear Elevations 2 Storey detached Dwelling Refused Scheme 18/2200/FUL

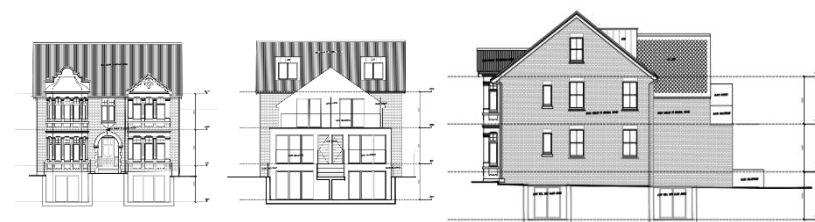


Figure 3. Proposed Front & Rear Elevation Appeal Scheme 18/2033/FUL

Turning to the dwelling at the back of the house, the house would be low-lying being partly submerged and would have a green roof. Its bespoke design would be appropriate to its siting to the rear of the site and would constrain the building's perception from adjoining dwellings. The house would not adversely affect the character of the area and its limited scale would respect the factors for assessing backland development set out in Policy LP39.

Looking at the case history, the rear dwelling did not feature in 17/0433/FUL. As noted above, 17/1658/FUL objected to both buildings in the context of the loss of the BTM. There was no design objection to the rear dwelling in the refusal 18/2033/FUL, with which the Inspector

report concurred. This aspect of the scheme did not feature in 18/2200/FUL. The design of the rear house has not been materially altered in terms of its height and design since 17/1658/FUL and 18/2033/FUL. It has been further set back to the east along with being closer to the border with the rear garden of 9 Holmesdale Road. The revised layout is not considered to significantly alter the character and appearance of the house or its relationship with neighbouring properties. As such this element of the proposal is considered acceptable.

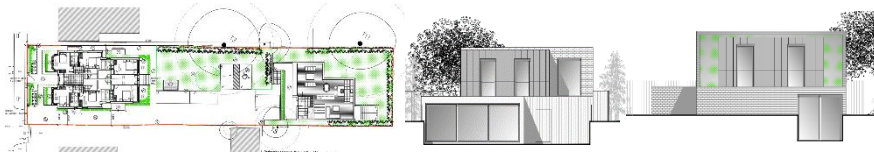


Figure 4. Proposed Rear Elevations Single Family Dwelling 19/3053/FUL (This Application)

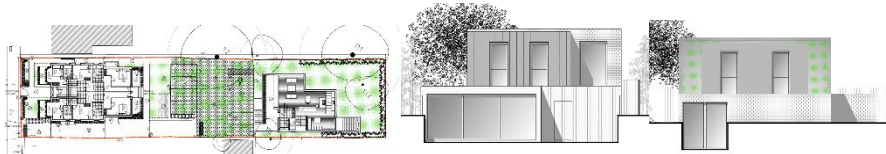


Figure 5. Proposed Ground Plan, Front & Rear Elevation Single Dwelling House Appeal Scheme 18/2033/FUL

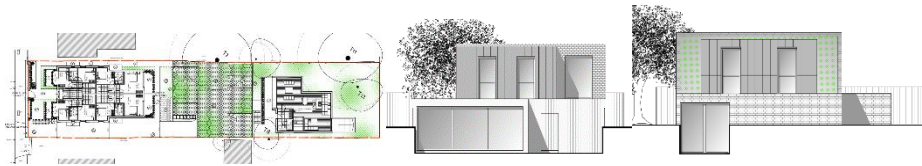


Figure 6. Proposed Ground Plan, Front & Rear Elevation Single Dwelling House 17/1658/FUL

The design of the scheme relates not just to the 2 dwellings on the site, but also the layout of the plot as a whole, which under LP1 and LP39 in particular, should respect the spacing between dwellings and retain appropriate garden space for the use of occupants. Objections have been received stating that the development would have poor siting and overdevelopment of the site.

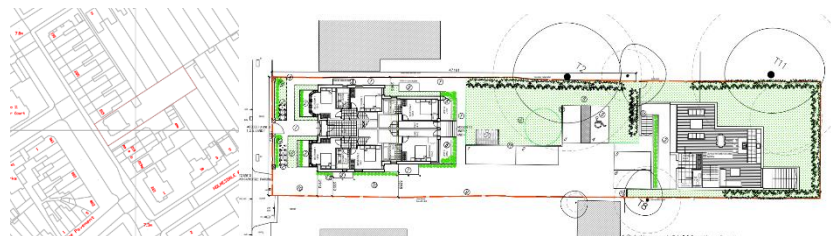


Figure 7. Site Plan

The area context illustrates that the neighboring property adjacent to the south, No. 219 contains a residential backland development. The terraced properties to the north of the site are noted to be relatively large in size with the presence of rear outriggers. The spacing

between dwellings itself would be tolerable given the site's immediate context. Both properties would have access to a dedicated rear garden for amenity use. In terms of the ratio of built form alone with amenity space, the proposal would not be out of keeping with the surrounding area as noted above.

Turning to the planning history, poor topography of the site and its cramped layout were stated as a 'character and design' reason for refusal in 18/2200/FUL and the subsequent Appeal scheme 18/2033/FUL a view supported in the Inspector report which stated that "the space between the two buildings would be dominated by car parking with minimal amenity space for the occupiers of the frontage building and little scope for landscape measures.

The central amenity space in this application has been significantly increased and the number of parking spaces has been reduced to 5 compared to the previous refusals which had higher levels of car parking. The orientation of the green space has been altered so that there is dedicated amenity space area to the north which is an improvement. The amount of soft landscaping to the rear is approximately trebled compared to the previous proposal and it is considered that the previous reason for refusal has been adequately addressed.

Basement development

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

1. not extend beneath a maximum of 50% of the existing garden land or more than half of any other undeveloped garden area (this excludes the footprint of the original building);
2. Demonstrate the scheme safeguards the structural stability of the existing building, neighbouring buildings and other infrastructure, including related to the highway and transport; a Structural Impact Assessment will be required where a subterranean development or basement is added to, or adjacent to, a Listed Building.
3. use natural ventilation and lighting where habitable accommodation is provided;
4. include a minimum of 1 metre naturally draining permeable soil above any part of the basement beneath the garden area, together with a minimum 200mm drainage layer, and provide a satisfactory landscaping scheme;
5. demonstrate that the scheme will not increase or otherwise exacerbate flood risk on the site or beyond, in line with policy LP 21 Flood Risk and Sustainable Drainage;
6. demonstrate as part of a Construction Management Statement that the development will be designed and constructed so as to minimise the impact during construction and occupation stages (in line with the Local Environmental Impacts, Pollution and Land Contamination policy of this Plan)

The size of the basement would not extend more than 50% of the site. A Construction Management Plan has been prepared by Midco Holdings Limited, May 2018. An updated Basement Impact and Flood Risk Assessment has been prepared by Byrne Looby Jan 2023. It shows that, with the use of best practice methods, the construction and excavation of the basements will have a negligible impact on neighbouring properties. Soakway cells will mitigate the impact of the basement development on surface water drainage. The LLFA has not raised any concerns regarding the basement on flood risk grounds. The proposed

basements for the front and rear properties are considered to be acceptable. A Structural Stability Report and Drainage Report would be required through use of an appropriate condition prior to commencement.

The proposed basement aspect of the scheme in respect to both developments did not explicitly form part of the reasons for refusal 17/0433/FUL, 17/1658/FUL or 18/2200/FUL nor were they upheld as a reason to dismiss the Appeal in 18/2033/FUL. However, the number of lightwells on the front property facing Kingston Road were not considered to positively contribute towards the overall design and layout of the site. The design of the basement elements reflect a very similar form of development compared to the above refusals with no notable material changes (18/2200/FUL & 17/0433/FUL front property basement only/18/2033/FUL & 17/1658/FUL basements for front and rear dwellings). Additional landscaping details would be required, were the Council to be minded to approve this application, to demonstrate that the lightwells were well screened and that they did not degrade the visual aesthetic of the site as a whole.

Housing Mix

Local Plan Policy LP35 states that *“development should generally provide family sized accommodation, except within town centres where a higher proportion of small units would be appropriate. Generally, the housing mix should be appropriate to the location.”*

The proposed housing mix comprises of the two storey detached building comprising of 7 self contained flats is unit 1: 2 bed 4 person, unit 2: 2 bed 4 persons, unit 3: 1 bed 2 persons; unit 4: 1 bed 2 persons, Unit 5: 2 bed 3 persons, Unit 6: 2 bed 3 persons and unit 7: 1 bed 2 persons. The single dwelling at the rear is a 2 bed 4 persons unit.

The No. 4, 2 bedroom units in the front dwelling and the dwelling at the rear could be occupied by small families. It is also noted the surrounding context comprises flatted accommodation of similar unit sizes. As such, there is no objection to the provision of smaller units in this location. In terms of the housing mix, this aspect of the scheme is deemed acceptable.

Residential Standards for Future Occupants

Policy LP 35 (B) requires new housing to comply with the Nationally Described Space Standard (2015) (NDSS). No objection was seen to the previous scheme and all the proposed units are either the same or marginally larger than previously proposed.

The single residential dwelling meets the adequate space standards. However it is noted that were this application to be supported a condition would be applied to restrict the conversion of the study to a separate bedroom.

Turing to the reason for refusal of the previous schemes, the standards of accommodation were not deemed acceptable in all 4 past refusals in particular it was considered that unit 2 and unit 6 owing to their northerly presence and proximity to no.215, would result in the future occupiers having sub-standard levels of outlook and access to daylight/sunlight given sole windows to the habitable rooms (bedrooms) would be from the northern side elevation.

This is a view that was upheld in the Appeal of 18/2033/FUL. The Inspector report outlines that “the second bedrooms to flats 2 and 6 on the ground and first floor levels would face on

to the flank wall of the main part of the terraced house at 215 Kingston Road at a distance of only about 2m. Whilst there would not be a requirement for obscured glazing given the featureless nature of the facing wall, these windows would be north facing and the rooms they serve would have poor levels of daylight and outlook. In this respect the proposal would have a poor design quality contrary to Policy LP1 considerations that include the space between buildings.”

Additional windows on the rear wall have been incorporated to serve the bedrooms in unit 2 and unit 6. This would result in the flank windows not being the primary source of light bordering no. 215. It is considered that this specific matter has been addressed.

Amenity Space

The requirements of Policy LP35 Housing Mix and Standards and the Residential Development Standards SPD continue to apply to external amenity space. The Inspector's Main Modifications removed the detailed private amenity space standards in LP35 (C) to ensure flexibility in implementation and set out that regard should be had to the Residential Development Standards SPD as appropriate. Policy LP35 states that amenity spaces should be: “D a. private, usable, functional and safe; b. easily accessible from living areas; c. orientated to take account of need for sunlight and shading; d. of a sufficient size to meet the needs of the likely number of occupiers; and e. accommodation likely to be occupied by families with young children should have direct and easy access to adequate private amenity space”.

The current Residential Development Standards SPD was adopted in March 2010 and sets out general guidance on amenity space. It seeks *“a minimum of 5 sqm of private outdoor space for 1-2 person dwellings plus an extra 1 sqm should be provided for each additional occupant.”*

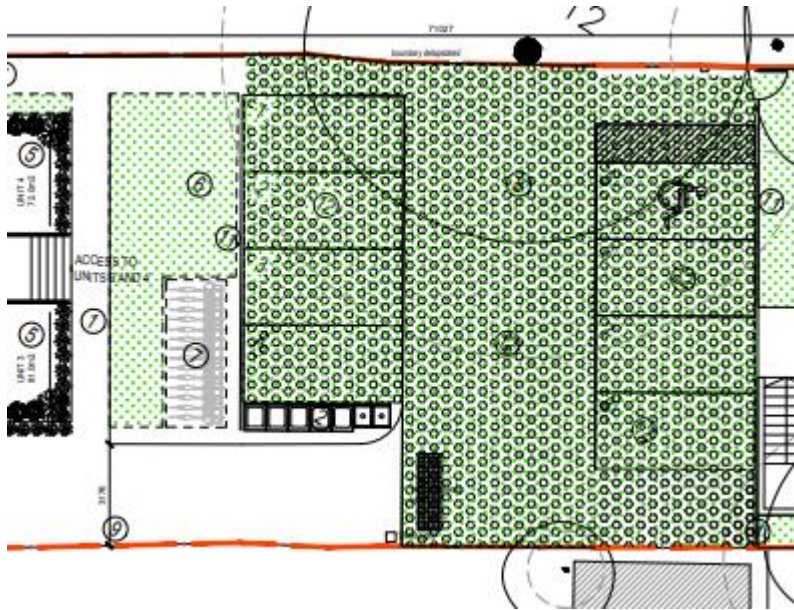
In terms of the proposed property fronting Kingston Road, three of the four past refusals refer to the unacceptable standards of the external environment being a reason for refusal. 18/2200/FUL refers broadly to the ‘sub-standard living conditions and environment.’ 18/2033/FUL and 17/1658/FUL, go further to refer specifically to ‘insufficient private amenity space’ under the Standard of Accommodation reason for refusal. This view was upheld by the Inspector in the 18/2033/FUL Appeal. The Inspector report sets out that “The appellant points out that the shared amenity space would be in accordance with the Council’s Supplementary Planning Document on Residential Development Standards (2010) which states a minimum of 5 sqm of private outdoor space for 1-2 person dwellings plus an extra 1 sqm should be provided for each additional occupant. Nonetheless, this stipulation is for a minimum provision and the shared amenity space would not be in accordance with Policy LP35 that requires amenity space to be functional and of a sufficient size to meet the needs of the likely number of occupiers.”

The outdoor amenity space in particular for 18/2033/FUL and 17/1658/FUL was dominated by parking spaces, without a clear defined amenity provision for occupants. Private amenity space is not provided for units 1, 2 & 7. Units 3, 4, 5 and 6 benefit from private rear terraces. Only 2 (units 5 & 6) of the 4, 2 bedroom units which should be tailored for small families have private outdoor spaces. In terms of quantum circa 140m² of amenity space would be provided. It is considered that the amenity provision is acceptable, given the reorientation of the car

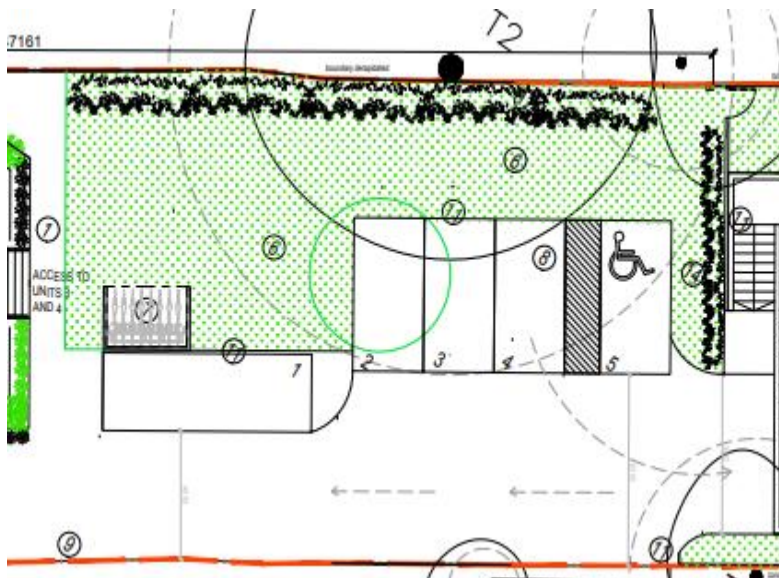
parking spaces. A landscape condition will be necessary to ensure that the quality of the space would be to an acceptable standard.

The independent dwelling at the rear exceeds the amenity space requirements and there is no objection to this aspect of the scheme. The self contained dwelling at the rear contains a rear garden and a large terrace on the first floor. In terms of amenity space provision the above standards are achieved. This aspect did not feature as a grounds for refusal in the 4 previous refused schemes.

Parking and amenity areas – appeal scheme



Parking and amenity areas – current scheme



Affordable Housing

Local Plan Policy LP36 states some form of affordable housing contribution will be expected on all new housing sites. The Council will seek the maximum reasonable amount of affordable housing when negotiating on private residential schemes, further details are set out in the Affordable Housing SPD. The contribution that would be sought would be discounted to represent 8% affordable housing, given the proposal is for two units created predominantly by conversion.

Under LP36 the Council require affordable housing contributions where it is viable to do so. Viability evidence (by S106 Management) was submitted which states that the Land Value Benchmark is £2,040,000, meaning that the scheme is not viable to deliver Section 106.

An independent review was undertaken by Bespoke Property Consultants to ensure that the assumptions and values of the applicant's viability and S106 evidence are appropriate and correct. The Council's assessors Bespoke advise that the scheme shows a residual site value of £1,128,000 which is above the benchmark land value by £648,000 without any allowance for affordable housing or S.106 contributions. This suggests that the scheme is viable and could support additional affordable housing or S.106 contributions.

The Council's calculator has been used to assess the maximum commuted sum payable for affordable housing. A review was undertaken by the Council's assessors (Bespoke) (September 2020) which found proposed scheme is viable – a contribution of £99,000 is payable, as that is the surplus. To accord with Policy LP36, this amount should be secured via a legal agreement (note that monitoring and legal fees relevant to this application are likely to be added to this sum when the legal agreement is finalised).

Community Infrastructure Levy

Mayoral Community Infrastructure Levy (CIL)

The estimated amount of Mayoral CIL for this development is £54,584.00. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

Richmond Community Infrastructure Levy (CIL)

The estimated amount of Richmond CIL for this development is £182,251.18. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed.

Sustainability

All development that results in a new residential dwelling or unit including conversions, reversions, change of use and extensions that create one or more new dwellings need to meet the following standards: 35% reduction in CO2 emissions over Building Regulations (2013);

submit energy statement; achieve National water standards - 110 l/p/d; and Submit Sustainable Construction Checklist.

Policy LP 10 stipulates that *“the Council will seek to ensure that local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land.”*

Policy LP 20 sets out that *“new development, in their layout, design, construction, materials, landscaping and operation, should minimise the effects of overheating as well as minimise energy consumption.”*

Policy LP 22 also emphasises that new residential development will be required to incorporate water conservation measures to achieve maximum water consumption of 110 litres per person per day.

The proposal is accompanied by an Energy Strategy Report (November 2019). A Sustainable Construction Checklist (January 2016) has been supplied by the applicant. The applicant has confirmed that the total water consumption will be less than 110 litres/head/day. The supplied information confirms that the application will achieve 35% reduction in CO₂ emissions beyond Building Regulations 2013. The development on these grounds could appear acceptable subject to appropriate conditions. Considering the above, the proposal is considered to provide a sustainable form of development and therefore complies with Policies LP 10, LP 20 and LP 22 of the Local Plan. It is noted that sustainability was not cited in the past 4 reasons for refusal.

Highway and Parking

Vehicular Parking & Access

LP 45 Parking Standards and Servicing sets out that *“the Council will require new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car based travel including on the operation of the road network and local environment, and ensuring making the best use of land”*.

The site has a PTAL rating of 2 (bordering on 3 given the level of public transport accessibility). The Local Plan states that 1 space should be provided per unit in PTAL 2-3 areas. There are 8 units in total. The proposal provides 5 spaces which do not achieve the recommended standard. Objections have been received setting out that there is insufficient parking. A Transport Statement (October 2019) has been supplied.

A parking survey was not initially provided, but one has now been received. This demonstrates an on-street parking stress of 71-72%. Policy LP45 states that developers may only provide fewer parking spaces, including car free schemes, if they can demonstrate as part of a Transport Statement or Transport Assessment with supporting survey information and technical assessment that there would be no unacceptable adverse impact on on-street parking availability, amenity, street scene, road safety or emergency access in the surrounding area, as a result of the generation of unacceptable overspill of on-street parking in the vicinity. Although generally it is expected that in PTAL areas of 0-3 the standards should be met, it is noted that the on-street parking stress is some way below the normal threshold of 80%. In

those circumstances it is considered acceptable to allow a lower number of spaces, subject to a legal agreement that in the event of the creation of a Controlled Parking Zone covering the site within the next 5 years, residents would not be eligible for parking permits.

Concern has been expressed as to whether safe access and egress could be obtained in and out of the site in line with the Council's Front Gardens and Other Off Street Parking SPD (2005). Objections have been received setting out that there would be detrimental impacts on highway safety arising from the development especially in relation to access and egress to the site.

Turning to the four refused applications, constrained access, lack of maneuvering/turning space was cited as a reason for refusal in these (as opposed to lack of parking spaces). However, it is noted that the 'highways and parking' reason for refusal was not upheld by the Inspector in 18/2033/FUL. The Inspector report noted that "The location of the parking area centrally within the site between the two buildings would be appropriate given the expediency of providing a significant building to the frontage. The low volume and low speed of traffic using the access road should not adversely affect pedestrian safety and the proposed traffic light system to give preference to vehicles entering the site would enable any conflict with vehicles leaving the site to be resolved.". In those circumstances it is not considered that a refusal based on the adequacy of the access could be sustained.

Cycle provision

LP 44 promotes sustainable transport modes. It states that "the Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment." Table 6.3 Cycle Parking minimum standards sets out the requirement for 13 spaces for this scheme. These are provided in the private amenity area. As such, this aspect of the scheme is deemed acceptable.

Waste

Policy LP24 sets out that "all developments, including conversions and changes of use are required to provide adequate refuse and recycling storage space and facilities." Policy LP24 and the Refuse and Recycling Storage Requirements SPD encourages any refuse to be sited to the rear of the application site to avoid any visual clutter at the front of the site.

A waste storage guidance is set out in the Refuse and Recycling Storage Requirements SPD, the location of the bin storage area provides access for kerb collection. The recommended dimensions in the Refuse and Recycling Storage Requirements SPD are:

7 self contained units:

- Recycling capacity: 2x 360 litre bins
- Refuse storage: 70 litre per bedroom- 770 litre bins

2 bed self contained dwelling house:

- Recycling: 55 litre bin
- Refuse capacity: 240 litre bin

Two areas for waste and refuse storage are proposed at the front of the property to serve both the self contained flats and the residential unit at the rear. The waste areas do have the potential to adequately serve both the front development and the rear dwelling. Servicing would take place from Kingston Road. Were this application to be acceptable full details of the size and appearance of the waste and recycling enclosures would be required by a condition. The proposed refuse and recycling storage area meet the requirements of Policy LP24 and the Recycling Storage Requirements SPD.

It is noted that the 4 previous refusals did identify refuse and recycling as a reason for refusal. This was not upheld by the Inspector in 18/2033/FUL who set out that the refuse and recycling aspects could be secured by a condition. It is considered that this previous reason for refusal has been adequately addressed.

Trees and Ecology

Policy LP 16 sets out that the Council will “*resist development which results in the damage or loss of trees.*” Furthermore, the Council will work “*to ensure development protects, respects, contributes to and enhances trees and landscapes.*”

The Sycamore (T2) tree located to the rear of no.4 Munster Road is considered to be of important local amenity and worthy of protecting given that it is a Tree Preservation Order (TPO). The Sycamore has been assigned a BS 5837:2015 B category rating and is of significant stature, providing important screening and wildlife habitat as previously confirmed.

The latest submission compared to the previous refusal is more sympathetic towards the neighbouring trees with retention of soft ground within the root protection area of T2 and T11. This is largely attributed to the increased provision of amenity space along this border and the reduction in car parking. Some works are still however proposed within the RPA of T2 (Sycamore) including; parking bays and some soft landscaping. Within the RPA of T11 are part of a basement for the rear property and soft landscaping). The protection of the mature tree to the rear of No.4 Munster Road would be adequately taken into account in the revised design of this proposal. Subject to appropriate conditions including: a tree protection plan and details of hard/soft landscaping the Council have no objection to the proposal.

Turning to the past four refusals it is noted that the car parking arrangements were less sensitive to the trees with car parking taking up a large proportion of the amenity space.

It is noted that the ‘tree’ reason for refusal was not upheld in the Appeal 18/2033/FUL, the Inspector report setting out that “a hard surfaced area for parking and manoeuvring would cover almost half the root protection area for the sycamore. There is the potential for root severance and soil compaction that would be harmful to the tree’s health. However, the AR proposes a porous surface using the No-Dig Method in accordance with BS 5837 recommendations. This should ensure protection for tree roots. Any conflict with Policy LP16 that requires the protection of existing trees which deliver amenity and biodiversity benefits would not be so great as to warrant dismissal of the appeal on this issue.”

Due to the revised layout and the increase in the amenity space provision, the revised proposal is deemed acceptable in regard to trees. It is considered that the above reason for refusal has been adequately addressed.

Policy LP12 outlines that development should “ensure all development proposals protect, and where opportunities arise enhance, green infrastructure.” Policy 15 sets out that “the Council will protect and enhance the borough's biodiversity, in particular, but not exclusively, the sites designated for their biodiversity and nature conservation value, including the connectivity between habitats.”

An objection has been received on the grounds of green infrastructure and biodiversity. This including audio recording of birds. The site is not subject to any ecology designations and as noted above there is no in principle objection to the site being brought forward for housing. The site is vacant and were the application to be acceptable, prior to commencement an ecological appraisal/assessment would be required to ensure that any habitats and species that currently reside on the site are identified, and that harm is avoided, and where appropriate mitigated and enhanced in line with LP15.

Flood Risk and Sustainable Urban Drainage

Policy LP 21 Flood Risk and Sustainable Drainage sets out that “all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere.”

The application site has been confirmed to be located in Flood Zone 1 and is subsequently at low risk of fluvial flooding. Consideration of the Sequential or Exceptions Test is therefore not required. The potential for ground and surface water flooding needs to be considered.

The development will have an impact on drainage pathways as the site currently benefits from free infiltration of rainwater. The applicant proposes to manage runoff via sustainable drainage systems including infiltration and green features such as green roof. The applicant has evidenced that a suitable infiltration rate is available.

The greenfield, brownfield and proposed runoff rates have been provided. The applicant is proposing a discharge rate of 2 l/s which is acceptable and the run off rates include an allowance for climate change. An existing sewer connection is proposed to be utilised. The applicant has confirmed that the exceedance flows on site will drain to the garden and then infiltrate into the ground. The existing foul and stormwater sewer on Kingston Road will be connected to.

Whilst surface water drainage will be impacted by the proposed development, the overall drainage area will not be reduced. The SUDS system will reduce the risk of surface water ponding or flooding within the site. Maintenance tasks to ensure the continued viability of the drainage system have been provided by the applicant and are acceptable in principle. The long-term maintenance of the proposed drainage system can reasonably be secured by condition.

The applicant has clarified that there will be 1.3 metres clearance between the proposed soakaway cells and the groundwater level. The basement is subsequently unlikely to impact groundwater flow paths.

It is noted that objections were received that the development would result in impacts on flooding and drainage. It should also be noted that flood risk matters were not a reason for refusal in the context of the previous four refusals. An updated site-specific Flood Risk Assessment (FRA) by Byrne Looby has been submitted (January 2023). It has been demonstrated that the site will not flood as a result of the 1 in 30 year rainfall event; there will

be no flooding of buildings in the 1 in 100 year event; and that site flows in the 1 in 100 year event will be suitably managed. Following the measures set out in the FRA, and with the use of appropriately worded conditions, it is considered that the development would be acceptable in flood risk terms.

Residential Amenity of Neighbouring Properties

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

1. ensure the design and layout of buildings enables good standards of daylight and sunlight to be achieved in new development and in existing properties affected by new development; where existing daylight and sunlight conditions are already substandard, they should be improved where possible;

4. Ensure that proposals are not visually intrusive or have an overbearing impact as a result of their height, massing or siting, including through creating a sense of enclosure;

5. Ensure there is no harm to the reasonable enjoyment of the use of buildings, gardens and other spaces due to increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours or vibration or local micro-climatic effects.

Objections were received in terms of overlooking, loss of privacy, overshadowing and loss of daylight/sunlight upon neighbouring properties.

Front Dwelling - No. 215 Kingston Road North

No. 215, the rear outrigger of the neighbouring property No. 215 to the north contains 1 ground floor flank window serving a utility room and 1 first floor flank window serving a habitable space. On the rear wall of the main building there are 3 windows, one on each of the ground, first and second floors. On the rear wall of the outrigger is a glazed panelled doors and 1 rear window.

In terms of flank windows facing No. 215 the proposal would contain 2 obscure glazed bathroom window and one obscure glazed bedroom windows on the ground floor. On the first floor the proposal would contain 1 kitchen window, 1 obscure glazed bedroom window and 1 obscure glazed bathroom window. On the second floor the property would contain 1 flank bedroom window. Given the windows would be obscure glazed, it is not considered that they would generate privacy issues on no. 215. The ground and first floor contain rear roof terraces, which are to be screened by glass balustrades which could be obscured to avoid unreasonable loss of privacy.

The projection of the proposal would not extend beyond No. 215's rear outrigger. No. 215 does not have flank windows on the main dwelling. These are on its rear outrigger as noted above. The development's rear outrigger has been set further in from No. 215 (circa 2.4m) from the boundary compared to the refused schemes. This is an improvement and compares to the relationship between the other properties in the terrace containing No 215 (195-215). It

is not considered, given the revised design that the development would be overbearing on No. 215's flank windows.

View including adjoining terrace:



Turning to the previously refused schemes, it was considered that the rear outrigger of the development would cause overshadowing as well as being visually intrusive due to its size on 215 Kingston Road in 18/2200/FUL and 18/2033/FUL. 17/1658/FUL and 17/0433/FUL also refused the application on the same grounds, though not specifying the rear outrigger.

The Inspector report upheld this view in the Appeal 18/2033/FUL. It set out that “the comparison is to the former building at the site that had a square footprint without an outrigger adding to the overall depth. The report does not assess the windows at no.215 most likely to be affected by sunlight loss due to their north-easterly orientation. Notwithstanding these conclusions, given the proximity and massing of the main part of the frontage building to the south of the nearest windows at no. 215, and the massing of the outrigger beyond this, my findings are that the proposal would result in an unneighbourly and overbearing effect. The impact would be contrary to Policies LP1 and LP8 in relation to protecting the amenity and living conditions for occupants of adjoining and neighbouring properties”.

The modified scheme has increased the degree of separation resulting in it being less overbearing on No. 215's flank windows. The removal of the pitched roof above the outrigger has reduced the mass. The front of the building previously on site was in line with No 215 and was approximately 11m in depth. The main part of the two building now proposed will be 8.5m deep compared to 10.5m in the case of the appeal scheme. The outrigger will project a further 4.9m beyond (not including the terrace) and the ground floor, 6.4m. Rear of the outrigger will be in line with that of No 215 (as with the appeal case).

It is considered that the combination of the reduced depth of the main building, the setting in of the outrigger and the removal of the pitched roof would significantly reduce the impact on the windows to No 215 in terms of being unneighbourly and overbearing and this aspect has now been acceptably addressed.

Relationship with 215 – appeal decision

On the second floor the property would contain 1 flank living room/kitchen window. No. 219 is located to the south. No. 219 C is sited at the rear to the south. No. 219 is a 'L' shaped bungalow and well set in from the application site. No. 219 does not contain flank windows which would face onto No. 217. Given the siting and area's context it is not anticipated that the development would generate privacy or overbearing impacts on these properties.

Rear Dwelling

The dwelling at the rear would be modest in height. It would not contain side facing windows. Were this application to be acceptable, a condition would be applied restricting the use of the flat roof as a roof terrace. As such privacy impacts are not anticipated. It is noted that amenity impacts arising from this aspect of the scheme were not a reason for refusal in any of the past above referenced refusals. There are no significant alterations to its design compared to these.

Additional Neighbouring Properties

An observation noted that the plot extends to border the rear garden of No. 9 Holmesdale Road. This is also the case for Nos 3 & 5 Holmesdale Road to the south. To the north the property connects to the rear gardens of Nos 2 – 10 Munster Road. The top of single dwelling at the rear of the property would be visible from the back of these rear gardens. The garden are long being circa 30m or over in length. The sites would be separated by a fence and landscaping. Given the size of the single dwelling which is modest, the degree of separation and area's context, it is not anticipated that this aspect of the scheme would give rise to adverse amenity impacts in terms of overlooking or its dominance.

Reflecting on the past 4 schemes, the development as a whole was not considered to adversely impact on either 219 or 219C or the above mentioned additional neighbouring properties given the site's layout and degree of separation.

Fire Safety

Policy D12(A) of the London Plan requires the submission of a Fire Safety Strategy on all planning applications.

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

Other Matters

An observation was received that the layout plan did not accurately depict the location of neighbouring properties, particularly No 9 Homesdale Road. This is now correctly shown.

Conclusion

A similar previous application was refused permission and dismissed on appeal. The reasons for the appeal being dismissed related to the area between the two proposed buildings being dominated by a parking area and lacking amenity space, the unneighbourly and overbearing impact on windows at the adjoining No 215 and the lack of an affordable housing contribution.

This revised scheme includes a significant increase in soft landscaping between the two proposed house providing an increased amount of amenity space and a corresponding reduction in the amount of hardsurfacing for parking. The proposed building on the frontage has been altered by reducing the depth of the main building as well as reducing the height and proximity of the outrigger to the boundary with No 215. An affordable housing contribution has been agreed, These measures are considered to have overcome the reasons for the previous appeal dismissal.

Recommendation

Approval subject to a S106 agreement to secure an affordable housing contribution of £99,000 and to restrict the issue of parking permits in the event of a CPZ being created within the next 5 years.

Conditions

Development begun within 3 years

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission. REASON: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

Approved drawings and documents

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

240 2 PL20 E01-C - front elevation – house

240 2 PL20 E02-C - rear elevation – house

240 2 PL20 E03-B – side elevations – house

240 2 PL20 P01-C - roof plan – house

240 2 PL20 S01-B - Section AA house received on 19 November 2019

195 PL20 E 02H – Side elevations

195 PL20 P00E - GF plan – house

195 PL20 P1D - LGF plan – house

240 PL20 P1J - LGF plan

195 PL20 P00K - GF plan

195 PL20 P01J - 1st F plan

240 PL20 P02I - 2nd F plan

240 2 PL10 P00H – Layout - received 23rd November 2020

195 PL20 P03 REV E - Roof plan – flats

240 PL20 E01 REV I - Front and rear elevations – flats - received 27th February 2020

240 PL20 P00 A3 00 26 – Fire Safety – House

240 PL20 P1 J 26 – Fire Safety – LGF

240 PL20 P00K 26 - Fire Safety GF

240 PL20 P01J 26 - Fire Safety – 1st F

240 PL20 P02I 26 - Fire Safety 2nd F - received 17 May 2021

Site Plan received 7th September 2021

Construction Method Statement

No development shall take place, including any works of demolition, until a Construction Management Statement (to include any demolition works) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Statement shall provide for: 1. The size, number, routing and manoeuvring tracking of construction vehicles to and from the site, and holding areas for these on/off site; 2. Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear; 3. Details and location of parking for site operatives and visitor vehicles (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction); 4. Details and location where plant and materials will be loaded and unloaded; 5. Details and location where plant and materials used in constructing the development will be stored, and the location of skips on the highway if required; 6. Details of any necessary suspension of pavement, roadspace, bus stops and/or parking bays; 7. Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such; 8. Details of any wheel washing facilities; 9. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips); 10. Details of measures that will be applied to control the emission of noise, vibration and dust including working hours. This should follow Best Practice detailed within BS5288:2009 Code of Practice for Noise and Vibration Control on Construction and Open Sites; Official 11. Details of any highway licenses and traffic orders that may be required (such as for licences for any structures / materials on the highway or pavement; or suspensions to allow the routing of construction vehicles to the site); 12. Details of the phasing programming and timing of works; 13. Where applicable, the Construction Management Statement should be written in conjunction with the Arboricultural Method Statement, and in accordance with British Statement 5837:2012 'Trees in relation to design, demolition and construction - recommendations', in particular section 5.5, 6.1, 6.2, 6.3 and 7; 14. A construction programme including a 24 hour emergency contact number; 15. See also TfL guidance on Construction Logistics Plans. It must be must demonstrated that meaningful consultation has taken place on the CTMP proposal with neighbours. REASON: In the interests of highway and pedestrian safety together with the amenity of the area.

CMS Noise and vibration

No development shall take place until a Construction Method Statement (CMS) for the ground works, demolition and construction phases of the development site to which the application refers, has been submitted to and approved in writing by the Local Planning Authority. Details shall include control measures for noise and vibration, including working hours, best practice and (noise and vibration levels). Approved details shall be implemented throughout the construction/demolition period. The CMS shall follow the Best Practice detailed within BS5288: 2009 Code of Practice for noise and Vibration Control on construction and open sites. The CMS should include an acoustic report undertaken by a suitably qualified and experienced consultant and include all the information below;

The CMS shall include the following:

1. Baseline Noise Assessment – undertaken for a least 24-72hours under representative conditions.
2. Noise Predictions and Significance Effects - Predictions should be included for each phase of the demolition, and construction, vehicle movements and an assessment (including proposed significance threshold limits) of the significance effect must be included (Annex E BS5288 2009 Part 1).

3. Piling- Where piling forms part of the construction process, a low vibration method must be utilised wherever possible and apply the good practice guidelines detailed in (Annex B BS5288 2009 Part 2).
4. Vibration Monitoring - All Piling activities undertaken near sensitive receptors must include continuous vibration monitoring and must include audible and visual alarms.
5. Proposed Noise & Vibration Mitigation Measures - see BS5288 part 1 &2
6. Proposed Noise Monitoring – Permanent/ Periodic noise and vibration monitoring must be undertaken for the duration of the demolition and construction phases which may result in a significant impact. The location, number of monitoring stations and the measurement data must be agreed with the Local Planning Authority prior to the start of construction.
7. Communication with residents, including organisational control, communication methods and auditing. REASON: To protect neighbouring amenity.

Basement impact assessment

The development hereby permitted shall not be carried out except in accordance with the measures set out in a basement impact assessment report to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction of the basement, including works of demolition and excavation. Should, during the course of construction and through monitoring, an occurrence be identified regarding structural, foundation or ground movement to neighbouring properties, the applicant shall immediately notify the Local Planning Authority to enable the relevant department within the Council to be notified. REASON: To safeguard the structural integrity of the building and neighbouring buildings and maintain the character and appearance of the locality.

Permeable paving

The paving of the hard surfaces of the development hereby permitted shall be carried out using permeable materials and shall be permanently retained and maintained as such. REASON: In order to ensure that the development minimises surface run-off.

Materials to be approved

Prior to the commencement of above ground development, details/samples of the materials of the external surfaces of the dwellings (including fenestration) shall be submitted to and approved in writing by the Local Planning Authority and retained as such thereafter. REASON: To ensure that the proposed development does not prejudice the appearance of the locality.

Window obscure glazed - Non openable

Any first floor and second floor windows located on the side elevations of the proposed dwelling hereby approved shall at no time be openable or glazed, otherwise than in obscured glass, below a minimum height of 1.7 metres (5'7") above the relevant floor level. REASON: To ensure that the proposed development does not prejudice the amenities of adjoining occupiers.

Refuse and waste

The building hereby approved shall not be occupied until arrangements for the storage and disposal of refuse/waste and recycling have been made in accordance with details to be submitted to and approved in writing by the Local Planning Authority. REASON: To safeguard the appearance of the property and the amenities of the area.

Refuse Storage

No refuse or waste material of any description shall be left or stored anywhere on the site other than within a building or refuse enclosure. REASON: To safeguard the appearance of the property and the amenities of the area.

Cycle parking

No building/dwelling/part of the development shall be occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof. REASON: To accord with this Council's policy to discourage the use of the car wherever possible.

Car parking spaces

No part of the development shall be occupied until the on-site car parking is made available to use. REASON: To accord with Council's policy to provide adequate on-site parking provision to serve the development and to safeguard the local road network.

Sight Lines

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), no wall, fence, hedge or other obstruction to visibility within any part of the areas defined hereunder which is under the control of applicant shall at any time exceed a height of 0.6m above ground level, as agreed by the Local Planning Authority: one area on each side of the proposed access, defined by:
 - i. The highway boundary.
 - ii. The edge of the proposed vehicular access.
 - iii. A line joining a point 2.4m from the intersection of the highway boundary, with a point 2.1m from that intersection measured along the edge of the proposed access.
REASON: To provide a suitable standard of visibility to and from the highway so that the use of the access does not prejudice the safety of pedestrians in the vicinity of the access.

Vehicle Access

Details of the changes to the vehicular access to the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with these details prior to occupation and retained in situ thereafter. REASON: In the interests of pedestrian and vehicular safety.

Boundary Treatment

Notwithstanding the detail shown on the approved plans, the dwellings hereby approved shall not be occupied until suitable means of enclosure has been erected along the boundaries of the site to the satisfaction of the Local Planning Authority and in accordance with details to be approved in writing by the Local Planning Authority. Details to include position, design and materials. The development shall be implemented as approved, unless otherwise agreed in writing with the Local Planning Authority.

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

Drainage

Prior to commencement of groundworks (excluding site investigations and demolition), the applicant must submit a final detailed drainage design including drawings and supporting calculations (and updated SuDS Proforma) to the Local Planning Authority for review and approval, aligned with the Bryn Looby Basement Impact and Flood Risk Assessment Rev 4 (Jan 2023) and associated drawings. A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development.

Reason: To prevent the risk of flooding to and from the site in accordance with London Plan Policy SI 13 and its associated Sustainable Design and Construction SPG; the Non-Statutory Technical Standards for Sustainable Drainage Systems; Richmond Council's Local Plan Policy LP21 and the advice contained in the NPPF.

The development hereby permitted shall not be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies SI 12 and SI 13) along with associated guidance to these policies and Richmond Council's Local Plan Policy LP21.

No reduction in number of units

No alterations shall be made to the flats/ hereby approved nor shall they be occupied in any way which would result in a reduction in the number of residential units.

REASON: To ensure that the development continues to contribute to the housing needs of the Borough by the retention of dwellings of a variety of sizes and types.

Details of foundations, piling etc

No material start shall take place on the development hereby approved until written notice of the intention to commence work has been sent to the Development Control department of the Council. Such notice shall be sent to that department not less than 21 days prior to a material start on the development and shall give details of the intended method of constructing the foundations, including method and equipment for piling, if applicable. (See informative IE06 on this notice which gives advice on foundation construction that minimises nuisance to neighbours).

Reason: To ensure that the local planning authority has sufficient notice of the commencement of work and the methods of foundation construction to enable measures to be taken, if appropriate, to protect the amenities of neighbouring occupiers

Arb Method Statement

Prior to the commencement of development, an Arboricultural Method Statement (AMS), shall be submitted to and approved in writing by the Local Planning Authority. The AMS must:

(A) Be written in accordance with and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction - recommendations

- (B) Be written in conjunction with the scheme's specific method of construction (where applicable)
- (C) Outline any tree constraints and explain any impacts for both above and below ground.
- (D) Detail all tree protection (including plans)
- (E) Detail any special engineering for construction within the Root Protection Area.
- (F) Detail any facilitation pruning that may be required. The specification for tying back and/or pruning must be measurable and prepared by a suitably qualified Arboriculturalists or Arboricultural Contractor. All tree work must be undertaken in accordance with BS3998:2010 Tree work - Recommendations unless approved by the Councils Arboricultural Officer
- (G) Provide confirmation of the appointment of an Arboricultural Consultant for the duration of the development and a schedule of inspections too achieves an auditable monitoring and supervision programme, and a timetable for submission to the Local Planning Authority. The development shall not be implemented other than in accordance with the approved AMS.

REASON: To ensure that the retained and protected trees are not damaged or otherwise adversely affected by building operations and soil compaction.

Energy Reduction

The dwellings hereby approved shall achieve a 35% reduction in Carbon dioxide emissions beyond Building Regulations requirements (2013). REASON: In the interests of energy conservation in accordance with the Councils sustainability policies.

Water Consumption

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

Building Regulation M4(2)

The development hereby approved shall not be constructed other than in accordance with Building Regulation M4(2). REASON: In the interest of inclusive access in accordance with Council's policy to ensure homes meet diverse and changing needs.

Restriction-Alterations/extn

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no external alterations or extensions shall be carried out to the building(s) hereby approved. REASON: To safeguard the amenities of the occupiers of adjoining property and the area generally.

PV Panels

Prior to the occupation of the dwellings hereby approved, solar panels shall be installed to each property in accordance with the approved energy statement and in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to installation. The solar panels shall remain in situ thereafter. The details of the panels to be submitted shall include the design, technical specification and external finishes thereof. REASON: To accord with the Council's carbon reduction targets.

Outbuildings

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

Restrict – Use of roof

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no part(s) of the roof of the buildings hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto. REASON: To safeguard the amenities of the occupiers of adjoining property.

Details of balcony screening

External Illumination

Prior to installation, details of all external lighting - including locations, technical specifications and horizontal shall be submitted to and agreed in writing by the Local Planning Authority (there should be a lux level of 0.0 at the boundary line and perimeter of site) and thereafter constructed in accordance with these details. The details should accord with CIBSE guide LG6 and ILP/BCT Bat guidance note 8; there should be no upward lighting or lighting onto the open sky, buildings, trees and vegetation, or potential roost features. REASON: To safeguard the ecology of the site and neighbour amenity

Basement Construction Method Statement

The basement part of the development hereby permitted shall not be undertaken otherwise than in accordance with the piling details and method of foundation construction as detailed in the Planning Basement Construction Method Statement Project Number: 2019-354, Revision 00. Prepared by Elite Designers Ltd, dated 03 December 2019.

REASON: To protect the stability of the development and neighbouring properties and protect the amenities of neighbouring occupiers

Basement – no sleeping accommodation

The basement of the development hereby permitted shall not be used as sleeping accommodation, nor shall it be occupied other than in conjunction with the dwelling.

REASON: To reduce the risk and effects of flooding to the proposed development and future occupants.

External lighting

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

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

Hard and Soft Landscaping Works

There should be no net loss of soft landscaping and existing and proposed comparisons to be provided.

(A) No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These

details shall include proposed finished levels or contours; means of enclosure; car parking layouts; hard surfacing materials.

(B) Soft landscape works shall include planting plans; written specifications (including cultivation and establishment); details of the quantity, density, size, species, position and proposed planting programme together with an indication of how they integrate with the proposal and surrounding streetscape in the long term with regard to their mature size and maintenance. All species should be of native or non-native plants of known value for wildlife and include examples of seed/fruit bearing species, pollinator plants and those which attract night flying insects.

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

Excavations and CMS

Any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering/becoming trapped.

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

Biodiversity Net Gain

Prior to occupation, biodiversity net gain shall be submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with these details.

This should include bird (swift and house sparrow terraces) and bat bricks within the fabric of the buildings, stag beetle loggeries and invertebrate hotel/towers, Hedgehog gaps should be included (and created in existing boundaries) wherever possible.

Details for each aspect (including specific location, specific product/dimensions and construction method (including proposed aspect and height)) and proposed maintenance must be included on a plan and within a year rolling management plan to show commitment to biodiversity.

Reason: To enhance nature conservation interest.

Biodiversity Policy

A biodiversity policy for the site must be submitted to the Local Planning Authority and thereafter implemented in accordance with those commitments

Reason: To enhance nature conservation interest.

Mixed green and brown biodiverse roof

A mixed green (not sedum) and brown biodiverse roof with substrate of varying depths across the roof plate (between 50 - 80mm depth) and a mix of planted and bare areas.

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

Reason: To ensure the biodiversity benefits of the roof.

Fire Safety

The development must be carried out in accordance with the provisions of the submitted Planning Fire Safety Statement dated 17 May 2021 unless otherwise approved in writing by the Local Planning Authority. REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.

Informatives

NPPF APPROVAL - 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 application was amended following negotiations with the Council to ensure the scheme complied with adopted policy and guidance, and a decision was made without delay.

Composite Informative { \b Principal Policies:}

Where relevant, the following have been taken into account in the consideration of this proposal:- National Planning Policy Framework (2021):

- Paragraph 11 Presumption in favour of sustainable development.
- Paragraph 119 Making Effective Use of Land
- Paragraph 126 Achieving Well-Designed Places

London Plan (2021):

- GG2 Making the best use of land
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D10 Basement development
- D11 Safety, security and resilience to emergency
- D12 Fire safety
- H1 Increasing housing supply
- H2 Small sites
- H4 Delivering affordable housing
- T5 Cycling
- T6 Parking

Adopted Local Plan (2018):

- LP1 Local Character and Design Quality
- LP8 Amenity and Living Conditions
- LP10 Local Environmental Impacts, Pollution and Land Contamination
- LP11 Subterranean Developments and Basements
- LP12 Green Infrastructure
- LP15 Biodiversity
- LP16 Trees, Woodlands and Landscape
- LP20 Climate Change Adaptation
- LP21 Flood Risk and Sustainable Drainage
- LP22 Sustainable Design and Construction
- LP24 Waste Management
- LP34 New Housing
- LP35 Housing Mix and Standards
- LP36 Affordable Housing
- LP39 Infill, Backland and Backgarden Development
- LP44 Sustainable Travel Choices
- LP45 Parking Standards and Servicing

Supplementary Planning Documents/Guidance (SPD/SPG):

- Small and Medium Housing Sites (2006)
- Design Quality (2006)
- Front Garden & Other Off-Street Parking (2006)
- Residential Development Standards (2010)
- Sustainable Construction Checklist (2011)
- Affordable Housing (2014)
- Refuse and Recycling Storage Requirements (2015)
- Good Practice Guide on Basement Developments (2015)
- Hampton Wick & Teddington Village Planning Guidance SPD (2017)

{\b Reason for granting:}

The proposal has been considered in the light of the Development Plan, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission.

{\b Building Regulations:} The applicant is advised that the erection of new buildings or alterations to existing buildings should comply with the Building Regulations. This permission is NOT a consent under the Building Regulations for which a separate application should be made. For application forms and advice please contact the Building Control Section of the Street Scene department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411). If you alter your proposals in any way, including to comply with the Building Regulations, a further planning application may be required. If you wish to deviate in any way from the proposals shown on the approved drawings you should contact the Development Control Department, 2nd floor, Civic Centre, 44 York Street, Twickenham, TW1 3BZ. (Tel: 020 8891 1411).

{\b Damage to the public highway:} Care should be taken to ensure that no damage is caused to the public highway adjacent to the site during demolition and (or) construction. The Council will seek to recover any expenses incurred in repairing or making good such damage from the owner of the land in question or the person causing or responsible for the damage. BEFORE ANY WORK COMMENCES you MUST contact the London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ, Telephone 020 8891 1411 to arrange a pre-commencement photographic survey of the public highways adjacent to and within the vicinity of the site. The precondition survey will ensure you are not charged for any damage which existed prior to commencement of your works. If you fail to contact us to arrange a pre commencement survey then it will be assumed that any damage to the highway was caused by your activities and you will be charged the full cost of repair.

CIL liable

The applicant is advised that this permission results in a chargeable scheme under the Borough's and the Mayor of London's Community Infrastructure Levy

S106

Street Naming and Numbering

Plant Species

All plant species must have wildlife friendly qualities, there must have adequate planting beds/soil volume and the maintenance has to be appropriate. The RHS Plants for Pollinators is a good starting point.
<https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=2ahUKEwjV6by5gPTmAhU0kFwKHbK2CMcQFjABegQIAhAC&url=https%3A%2F%2Fwww.rhs.org.uk%2Fscience%2Fpdf%2Fconservation-and-biodiversity%2Fwildlife%2Fplants-for-pollinators-garden-plants.pdf&usg=AOvVaw3dQNXH9tw3HWQ3brOT2fBv>