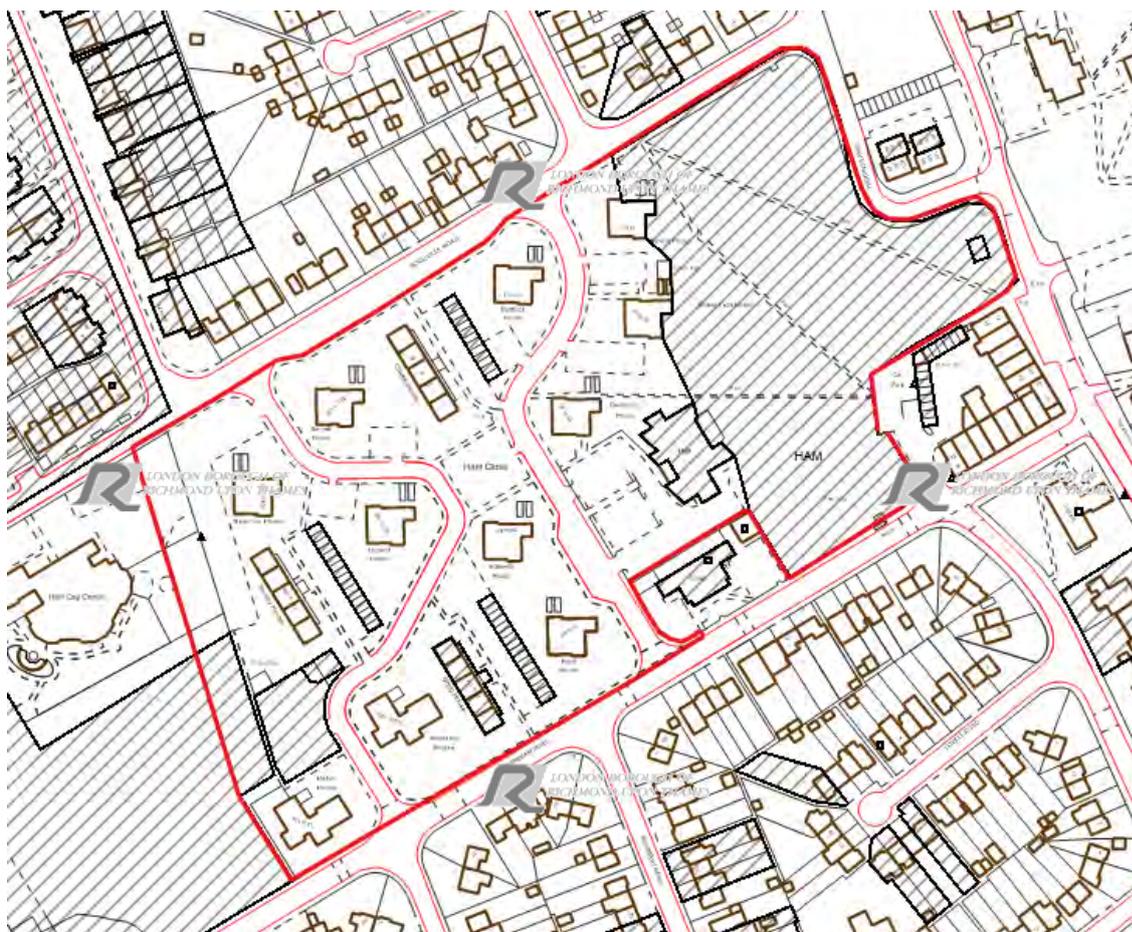


<b>APPLICATION NUMBER</b>	<b>22/1442/FUL</b>
<b>ADDRESS</b>	Ham Close, Ham Village Green, Car Park to East of Ham Village Green, and part of Woodville Day Centre site and St Richards Church of England Primary School Site, Ham.
<b>PROPOSAL</b>	<p>Demolition of existing buildings on-site and change of use of land within Ham Close, the Woodville Day Centre and St Richards Church of England Primary School and the existing recycling and parking area to the east of Ham Village Green for a phased mixed-use redevelopment comprising:</p> <ol style="list-style-type: none"> <li>a. 452 residential homes (Class C3) up to 6 storeys (with plant above)</li> <li>b. Community/Leisure Facility (Class F2) of up to 3 storeys in height (with plant above)</li> <li>c. Maker labs (sui generis) of up to 2 storeys</li> <li>d. Basement car park</li> <li>e. Provision of on-site cycle, vehicle and servicing parking</li> <li>f. Provision of amenity space and playspace</li> <li>g. Site wide landscaping and alterations to Ham Village Green, and</li> <li>h. New pedestrian, vehicle and cycle accesses and internal routes and associated highways works</li> </ol>
<b>APPLICANT</b>	Hill Residential
<b>AGENT</b>	Mr Jon Turner
<b>CONTACT OFFICER</b>	Ms Grace Edwards
<b>APPLICATION RECEIVED</b>	04.05.2022
<b>WARD</b>	Ham, Petersham, Richmond Riverside Ward

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



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## 1. EXECUTIVE SUMMARY

- 1.1 The application site extends 4.2ha comprising 14no. residential blocks, consisting of 192 flats, surrounded by large areas of surface level parking, access roads and landscaping, including Ham Village Green. The site also includes Ham & Petersham Youth Club and Richmond MakerLabs. The scheme proposes the demolition of the existing buildings and their phased replacement with a mixed-use development comprising 452 dwellings; a community/leisure facility; Maker Labs; below ground level car parking; and landscaping.
- 1.2 Estate regeneration: Ham Close is specifically identified for redevelopment in the adopted Ham & Petersham Neighbourhood Plan (2018) and identified as one of a small number of opportunity sites and areas where significant improvement could be achieved. The estate regeneration would be delivered by Hill, a housebuilder, in partnership with Richmond Housing Partnership (RHP) who currently owns and manages the homes on the estate. RHP has been involved throughout the development of the scheme and has carried out extensive consultation with the existing residents. The objectives of the proposed estate regeneration are supported in principle which includes the significant investment into the estate, the delivery of additional affordable housing and addresses issues with existing housing stock. There is a clear explanation and justification for the proposed estate regeneration, which accords with local and regional policy guidance; existing RHP tenants are being made offers of a home on the new estate on the same terms as their existing tenancy, leaseholders have been made offers on a shared equity basis for new homes within the redevelopment, and the vast majority of residents who

choose to remain at the Ham Close estate will only need to move once.

- 1.3 Social Infrastructure: Whilst the scheme results in the loss of the existing Youth Club, the submission outlines the shortcomings of the existing community provision, and the scheme allows the opportunity to provide a purpose-built community centre and makers lab, including enhancement over and above the existing facilities in a fit for purpose and accessible format.
- 1.4 Open Space, Other Open Land of Townscape Importance (OOLTI) and Playing Fields: The site incorporates Ham Village Green, which is designated OOLTI and Public Open Space (POS), it also includes a strip of land to the west of the site which comprises OOLTI and forms part of the adjacent schools playing fields. The remainder of the site is largely open amenity grass. No built form is proposed on the Green, aside from path widening and additional planting. Whilst the current open space arrangement around the site will be lost, and Phase 1 (residential and the Maker Labs) being proposed on OOLTI and playing field, the scheme will provide an uplift in open space in the masterplan; the quality of the re-provided open space is deemed to be an upgrade, with the proposed linear park linking with the Village Green and providing for a variety of uses; and the scheme meets Sport England's exception policy.
- 1.5 Housing, including Affordable Homes: The scheme makes provision for 452 mixed tenure homes including 221 affordable homes, equating to 49% provision based on unit number of which 74% would be general needs rent and 26% would be intermediate rent. It has been demonstrated, through a Financial Viability Appraisal, that the maximum quantum of affordable housing would be achieved. Whilst it is regrettable that more, larger affordable homes are not proposed it is accepted that the proposed mix is based on preference of existing occupiers of Ham Close who need to be re-housed and is driven by overall scheme viability. The required accessible homes standards would be broadly met.
- 1.6 Design: The siting, scale and design is generally acceptable. The layout has sought to make the most efficient use of the site and has significant benefits including the linear park. The proposed basement parking strategy results in a layout that is pedestrian focussed, allowing for a more active ground floor environment. Building design largely responds to local character, however also developing a cohesive approach within the development itself. The proposed community centre and Makers Lab would be of high-quality design and appropriate to their use.
- 1.7 Heritage Assets: The development is not deemed to harm the significance of the immediate and wider setting of the adjacent Ham House and Ham Common Conservation Areas, and the number of listed buildings and Buildings of Townscape Merit located within them. The proposed development is considered to preserve the character and setting of the nearby heritage assets and make a positive contribution to local character and distinctiveness.
- 1.8 Amenity: Having regard to existing residents, the scheme is not deemed to cause unacceptable loss of privacy, and on balance, will not appear visually intrusive. However, minor harm has been identified with respect to light impact on some surrounding properties, which will be weighed against the scheme. With respect to future occupants' level of amenities, it is noted that several of the proposed separation distances could be described as "tight", and minor harm has been identified with respect to matters of outlook, sense of enclosure and privacy, and there will be some compromise in terms of levels of light reaching the proposed units, whereby BRE guidelines have not been reached.

- 1.9 Residential standards: All of the proposed units meet or exceed the Nationally Described Space Standards and those set out in the London Plan, offering generous living space with provision for adequate storage. Minimum floor to ceiling height of 2.5 metres would also be provided. The affordable homes would provide a good standard of accommodation. A high majority of the units would be either dual or triple aspect and there are no north facing single aspect units. All units benefit from private amenity space.
- 1.10 Pollution: The Borough is within an Air Quality Management Area. With safeguarding conditions, the development is deemed to have a negligible impact, and will achieve Air Quality Neutral. To ensure the development does not cause unacceptable noise, contamination, odour, and light pollution, which may impact both ecological receptors and existing and proposed residents, a series of conditions are recommended. With such, it is deemed any potential harm would be mitigated.
- 1.11 Flood Risk: The application site is located within Flood Zone 1, and partially within an area susceptible to surface water flooding. Given much of the site forms part of a site allocation, and the proposed uses accord with the allocation, and the part of the site which is not part of the site allocation is at low risk from surface water flooding, the Sequential Test is deemed to be met through plan making and not required to be reconsidered at the application stage. In response to sites location within Flood Zone 1, an exception test is not required. A Surface Water Drainage Strategy has been developed which follows the SuDS hierarchy. Whilst the scheme does not meet green runoff rates, a 97% betterment over the existing arrangement is achieved.
- 1.12 Landscaping and Public realm: The landscape strategy underpinning the masterplan is based on the creation of a linear park, running through the centre of the site, which will form a key public landscaped space and provide visual and pedestrian connection from Ham Village Green to the smaller playspace on the southwestern side of the site. Landscaped communal amenity space and semiprivate spaces will be provided, with the latter planted with clipped hedgerows to provide structure and will form pockets of space within the courtyards. The hard landscape strategy proposes a pallet of hard landscape materials, including concrete pavers, setts, resin bound gravel and self-binding gravel, to support the hierarchy of space and will assist to denote movement and function.
- 1.13 Trees: The development results in the loss of mature trees. However, to mitigate such loss, extensive replacement planting is proposed and where there is shortfall, this is to be compensated through a contribution for off-site planting, secured through a legal agreement. Conditions are recommended to ensure the protection and future sustainability of the existing and proposed trees.
- 1.14 Ecology: There will be a loss of habitats on site in response to the scheme. Whilst regrettable, the development meets the Urban Greening Factor and Biodiversity Net Gain targets, and with conditions to secure mitigation and compensation the scheme will result in a permanent positive impact on biodiversity. The development will not directly or indirectly impact upon nationally or internationally designated sites or protected and notable species.
- 1.15 Transport: Whilst the quantum of car parking provided falls below the maximum adopted standards, the applicant has provided a reasonable and evidence-based explanation for the level of provision. The proposed car parking strategy overall is thus considered acceptable, would not pose a severe risk to highway safety and convenience, and would assist in promoting walking and cycling as more sustainable alternatives compared to the use of private motor vehicles. The absence of the means to facilitate the recommended exploration into the CPZ to mitigate parking pressures during the construction phase, is however a harm that should be weighed into the planning balance.

The cycle parking and electric vehicle parking arrangements are acceptable subject to condition. The trip generation has been found not to result in a severe or cumulative impact on the highway network as key junctions will continue to function at an acceptable level without mitigation. The assessment above has shown that whilst there is a risk to highway safety during phase 1, in terms of potential conflict between pedestrians and service vehicles, this risk is tolerable and for a limited time period. It is therefore regarded not to amount to an unacceptable impact. With the proposed mitigation, the impact on the highway network is not severe in line with the Framework.

- 1.16 Sustainability: The scheme meets the sustainability policy objectives, namely BREEAM Excellent; 35% reduction in emissions target; zero carbon (through offset payments); water consumption targets and circular economy target.
- 1.17 Infrastructure: The impact of the development on community infrastructure, such as water, health, education, play and public open space has been considered and concluded, with mitigation secured via conditions and a legal agreement, an unacceptable impact will not result. The Fire Safety Statement meets the intent of the London Plan. In reaching a recommendation, Officers have had regard to the Public Sector Equality Duty, and the scheme is deemed to meet the aspirations of the Equality Act 2010.
- 1.18 Waste: The waste strategy is broadly acceptable and meets the required space standards. It makes appropriate provision for refuse and means to encouraging recycling. A condition will secure full details of the strategy and will ensure its acceptability.
- 1.19 Mitigation: Local planning authorities should consider whether otherwise unacceptable development could be made acceptable by conditions or planning obligations. As detailed within this report, several measures have been identified to mitigate harm caused and to make the proposed development acceptable in planning terms. These measures will be secured through a S106 legal agreement and via condition, as detailed within Section 12 of this report.
- 1.20 For the reasons set out above and as detailed in the report, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, this proposal is in general conformity with the Development Plan and Statute as a whole, subject to mitigation secured through conditions as set out in Section 12 and the completion of a Section 106 legal agreement. Officers consider that no material considerations have been identified which would indicate to the contrary to justify refusal. Planning permission should therefore be granted.

**RECOMMENDATION: The Committee is recommended to DELEGATE authority to the Assistant Director, Environment & Community Services (Planning & Transport Strategy) to APPROVE the application subject to:**

- i. referral to the GLA at Stage 2 and no adverse direction being received in response from the Greater London Authority; and
- ii. conditions and informatives set out in Sections 12 and 13 of the report.

## **2. REASON FOR PLANNING COMMITTEE DETERMINATION**

- 2.1 The Council's Constitution does not give the Assistant Director of Environment & Community Services (Planning & Transport Strategy) delegated powers to determine the application in the way recommended due to the scale of the proposal; such decisions can only be made by the Planning Committee.

### **3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 3.1 The application site extends 4.2ha comprising land owned by Richmond Housing Partnership (RHP) and the London Borough of Richmond upon Thames. The site is accessed from Ashburnham Road, Woodville Road and Ham Street, and currently comprises 14no. mid-twentieth century residential blocks, consisting of 192 flats, of which 143 are affordable and 49 are private. The blocks are surrounded by large areas of surface level parking, access roads and landscaping, including Ham Village Green. The site also includes Ham & Petersham Youth Club and Richmond MakersLab, and part of the playing fields of the adjacent St Richmond's Church of England primary school and the car park of the Woodville Day Centre. Ham Clinic on Ashburnham Road sits outside the site.
- 3.2 Nearby land uses include St Richard's Church of England primary school, Ham Day Centre and St Richards Church to the west of the site. To the east, is Grey Court School and other community facilities along Ham Street, including a library, shops and a public house. The surrounding area is largely a low density suburban twentieth century residential character, comprising a mix of two and three storeys housing and blocks of flats, interspersed with some interesting individually styled civic buildings.
- 3.3 To the east of the site, along Ham Street, is the historic part of Ham containing various 18th century listed mansions, terraced cottages and almshouses comprising a mix of styles and traditional materials. The site does not contain any designated or non-designated heritage assets. Ham House Conservation Area (CA23) lies adjacent to the eastern boundary of the site. Ham Common Conservation Area (CA7) lies to the southeast. To the east of the site are two Grade II Listed Buildings (Newmans House and Beaufort House) and Ham House Sandy Lane Historic Park and Garden. There are various Buildings of Townscape Merit in the vicinity of the site, located along Ham Street and Wiggins Lane. The land with the curtilage of both Grey Court School and the Manor House is designated Metropolitan Open Land (MOL).
- 3.4 Ham Village Green in the eastern part of the site is designated as Other Open Land of Townscape Importance (OOLTI) and Public Open Space (POS). The small strip of land along the site's western boundary forms part of the playing fields and wider area of OOLTI to the west and is partly 'Green Space' as identified in the Ham & Petersham Neighbourhood Plan. There are 87 trees onsite, although none subject to any Tree Preservation Order. There is a Site of Importance for Nature Conservation (SINC) located 200m to the east of the site. The site is within Flood Zone 1; is susceptible to groundwater flooding and parts of the site are at risk of surface water flooding.

### **4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

- 4.1 The planning application proposes the demolition of the existing buildings on site and their phased replacement with a mixed-use development comprising 452 dwellings (including 221 affordable housing units); a community/leisure facility; a Maker Lab; below ground level car parking; and landscaping.
- 4.2 The residential units are proposed to be located in 23 blocks of between 3 storeys and 6 storeys in height, and consist of either apartments or townhouses, with a mix of affordable and market 1,2,3,4 and 5 bedroom properties. The town houses are all proposed to have private gardens and each apartment is served by either a balcony or private garden.

- 4.3 The proposed replacement multipurpose community centre is to be provided within a three-storey building located on the existing area of hardstanding on Ashburnham Road. The replacement Maker Lab is a two-storey building located on the western edge of the site.
- 4.4 The development proposals make provision for replacement open space and OOLTI in the form of a linear park, as well as making provision for play space to serve the new homes. The masterplan retains the existing Ham Village Green, and incorporates improvements, such as path widening and additional tree planting.
- 4.5 The application site has no relevant Planning History since its construction in the 1960s.

**Amendments/additional information:**

- 4.6 During the course of the application, further information, corrections and amendments have been submitted as summarised below:
  - Revisions to the design of Block W
  - Revisions to bin stores of Block N, Block O, Community Centre and Maker Lab
  - Omission of visitors parking spaces
  - 3 additional car club bays
  - Relocation of Ashburnham Road parking spaces
  - Path inserted in mews street
  - Updates to phasing to ensure phases did not cross
  - Additional play features and benches added
  - Updated travel plan targets
  - Additional detail on sustainability matters
  - Updated BRE assessment following updated guidance
  - Updated fire statement
  - Equalities statement
  - Responses to consultee comments
- 4.7 An Environmental Impact Assessment has accompanied the application.

**5 DEVELOPMENT PLAN**

**5.1 London Plan (2021):**

[https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)

Issue	London Plan Policy
Building strong and inclusive communities	GG1
Making the best use of land	GG2
Delivering the homes Londoners need	GG4
London’s form, character and capacity for growth	D1
Infrastructure requirements for sustainable densities	D2
Optimising site capacity through the design-led approach	D3
Delivering good design	D4
Inclusive design	D5
Housing quality and standards	D6
Accessible housing	D7
Public Realm	D8
Tall Buildings	D9
Basement development	D10

Safety, security and resilience to emergency	D11
Fire safety	D12
Noise	D14
Increasing housing supply	H1
Delivering affordable housing	H4
Threshold approach to housing	H5
Affordable housing tenure	H6
Loss of existing housing and estate redevelopment	H8
Housing size mix	H10
Developing London's social infrastructure	S1
Health and social care facilities	S2
Education and childcare facilities	S3
Play and informal recreation	S4
Sport and recreation facilities	S5
Heritage conservation and growth	HC1
Strategic and Local Views	HC3
Green infrastructure	G1
Open Space	G4
Urban greening	G5
Biodiversity and access to nature	G6
Trees and woodland	G7
Improving air quality	SI1
Minimising greenhouse gas emissions	SI2
Managing heat risk	SI4
Water infrastructure	SI5
Digital connectivity infrastructure	SI6
Reducing waste and supporting the circular economy	SI7
Waste capacity and net waste self-sufficiency	SI8
Flood risk management	SI12
Sustainable Drainage	SI13
Strategic approach to transport	T1
Healthy Streets	T2
Transport capacity, connectivity and safeguarding	T3
Assessing and mitigating transport impacts	T4
Cycling	T5
Car Parking	T6
Residential parking	T6.1
Non-residential disabled persons parking	T6.5
Deliveries, servicing and construction	T7
Delivery of the Plan and Planning obligations	DF1

## 5.2 London Borough of Richmond Local Plan (2018):

[https://www.richmond.gov.uk/media/15935/adopted\\_local\\_plan\\_interim.pdf](https://www.richmond.gov.uk/media/15935/adopted_local_plan_interim.pdf)

Issue	Local Policy	Plan
Local Character and Design Quality	LP1	
Building Heights	LP2	
Designated Heritage Assets	LP3	
Non-Designated Heritage Assets	LP4	
Views and Vistas	LP5	
Archaeology	LP7	
Amenity and Living Conditions	LP8	

Local Environmental Impacts, Pollution and Land Contamination	LP10
Subterranean developments and basements	LP11
Green infrastructure	LP12
Other Open Land of Townscape Importance	LP14
Biodiversity	LP15
Trees, Woodlands and Landscape	LP16
Green Roofs and Walls	LP17
Climate Change Adaptation	LP20
Flood Risk and Sustainable Drainage	LP21
Sustainable Design and Construction	LP22
Water Resources and Infrastructure	LP23
Waste Management	LP24
Social and Community Infrastructure	LP28
Education and Training	LP29
Health and Wellbeing	LP30
Public Open Space, Play Space, Sport and Recreation	LP31
New Housing	LP34
Housing Mix and Standards	LP35
Affordable Housing	LP36
Housing Needs of Different Groups	LP37
Loss of Housing	LP38
Sustainable Travel Choices	LP44
Parking standards and servicing	LP45
Ham Close	SA15

**Site Allocation 15 Ham Close, Ham (as identified in Plan 1):**

5.3 SA 15 outlines potential land uses for the site:

*The Council supports the regeneration of Ham Close and will work in cooperation with Richmond Housing Partnership in order to rejuvenate Ham Close and its surrounding area. A comprehensive redevelopment of this site, including demolition of the existing buildings and new build re-provision of all residential and non-residential buildings, plus the provision of additional new residential accommodation, will be supported.*

5.4 Key messages arising from the site allocation policy include:

- Respond positively to the unique and distinctive character of Ham Close and Ham, including the setting of the adjacent Ham House Conservation Area and listed buildings and Victorian properties that line the frontage.
- Retain, and where possible enhance, the landscape and existing green spaces, including the Green, which is designated Public Open Space and Other Open Land of Townscape Importance, as well as trees wherever possible.
- Optimise the use of the land by providing high quality living spaces
- Servicing, car and cycle parking should be provided as part of the regeneration of the area and any development should enhance the quality of the local townscape, thereby creating a more cohesive sense of place.

**Plan 1: Site allocation 15**



5.4 It should be noted that the western strip of land, currently forming part of the adjacent school playing fields and Woodville Centre car park, is not included within the Site Allocation, however, forms part of the application site.

**5.5 HAM AND PETERSHAM NEIGHBOURHOOD PLAN 2018-2033**

<b>Issue</b>	<b>HPNP Policy</b>
Protecting Green Character	C1
Character and Context Appraisals	C2
Protecting the Character of Built Areas	C3
Residential Development	H1
Design Principles for Housing Development	H2
Assessment of Transport Impact	T1
Motor Vehicle and Cycle Storage	T2
Community Facilities	CF1
Open Spaces	G1
Light Pollution	G2
Sustainable Development	E1
Water Efficiency	E3
Sustainable Drainage (SuDS)	E4
Ham Close	O3
Community Proposal 5 – Ham Village Green	

**6 MATERIAL PLANNING CONSIDERATIONS**

- 6.1 National Planning Policy Framework (NPPF) (2021):**  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)
- Section 2: Achieving Sustainable Development
  - Section 4: Decision-making

- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

**6.2 Supplementary Planning Documents:**

[https://www.richmond.gov.uk/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/supplementary_planning_documents_and_guidance)

- Air Quality
- Affordable Housing
- Buildings of Townscape Merit
- Design Quality
- Development Control for Noise Generating and Noise Sensitive Development
- Planning Obligations
- Refuse and Recycling Storage Requirements
- Residential Development Standards
- Sustainable Construction Checklist
- Transport
- Ham House Conservation Area Study
- Ham Common Conservation Area Study

6.3 These policies can be found at:

[https://www.richmond.gov.uk/supplementary\\_planning\\_documents\\_and\\_guidance](https://www.richmond.gov.uk/supplementary_planning_documents_and_guidance)

**6.4 Other Local Strategies or Publications:**

- Community Infrastructure Levy

**7 CONSULTATIONS CARRIED OUT**

**Comments from interested parties**

7.1 The Council has undertaken a neighbour notification in excess of the Development Management Procedure Order; with statutory notices advertising the application posted around the site; the application was advertised in a local paper; and letters issued to local owners and occupiers. This section of the report is a summary of the consultation responses and representations received which have been considered by Officers in reaching the recommendation. It sets out all responses received, including those in response to the first round of consultation and irrespective of subsequent amendments made to the scheme to address responses received and/or as requested by officers of the local planning authority.

7.2 In response to the original consultation, approximately 147 letters of objection were received (including multiple responses from the same address):

<b>Issue</b>	<b>Where addressed in the report</b>
<u>Open space:</u> <ul style="list-style-type: none"> <li>- Involves loss of school playing field</li> <li>- Building on Other Open Land of Townscape Importance</li> </ul>	Issue ii

<ul style="list-style-type: none"> <li>- Loss of open land</li> </ul>	
<p><u>Community space:</u></p> <ul style="list-style-type: none"> <li>- Loss of community spaces</li> <li>- The layout of the community centre is poor</li> </ul>	Issue i
<p><u>Housing:</u></p> <ul style="list-style-type: none"> <li>- Too dense</li> <li>- Rebuild should be for the same number of houses</li> <li>- Unclear what the affordable housing provision is</li> <li>- New housing should be spread across the borough</li> <li>- No provision of studios forcing residents to pay more for a 1 bed</li> <li>- Some balconies are not big enough for the number of occupants</li> <li>- Local need would not be provided for</li> <li>- Not enough family sized affordable units</li> <li>- No access from the social blocks to the courtyard gardens</li> <li>- 200 habitable rooms will be sub standard</li> <li>- The distribution of affordable units is not evenly spread</li> <li>- None of the affordable rent houses have gardens</li> </ul>	Issue i
<p><u>Siting/Design/Heritage:</u></p> <ul style="list-style-type: none"> <li>- Too high and cramped</li> <li>- Should be no more than 4 storeys</li> <li>- Will change the nature of the area for the worse</li> <li>- Too urban for the locality</li> <li>- Designs are standard</li> <li>- Scale is too big and will dominate local environment</li> <li>- Regimented linear layout is at odds with the existing layout</li> <li>- Visually unappealing and utilitarian</li> <li>- Out of keeping of semi rural area</li> <li>- Loss of open character</li> <li>- Community centre is overbearing and of poor design</li> <li>- 4 storey building on Woodville Road is too tall</li> <li>- Community centre is too large and should be tucked away in the centre of the development</li> <li>- Does not comply with the HPNP</li> <li>- Contradictory materials shown for the community centre</li> <li>- Design of the community centre does not relate to the surrounding development</li> <li>- Design of blocks is basic with few features – not of high architectural design and quality</li> <li>- Residents will infill their balconies for privacy or use to store belongings which will detract from the design</li> <li>- Designs of buildings lack coherency</li> </ul>	Issue iii and Issue iv
<p><u>Heritage</u></p> <ul style="list-style-type: none"> <li>- Impact conservation area</li> <li>- Visual impact on nearby listed buildings</li> <li>- The development will have a negative impact on the protected view from Richmond Hill</li> </ul>	Issue iv
<p><u>Neighbour Amenity:</u></p>	Issue vi

<ul style="list-style-type: none"> <li>- Loss of light and privacy</li> <li>- Overlooking</li> <li>- Odour</li> <li>- Noise and disturbance</li> <li>- Overshadowing</li> <li>- Un-neighbourly form of development</li> <li>- Community centre will be overbearing to adjacent Ham Street flats</li> <li>- Light pollution</li> </ul>	
<p><u>Transport/Parking:</u></p> <ul style="list-style-type: none"> <li>- One bus route is insufficient</li> <li>- Increased congestion</li> <li>- Inadequate parking – London plan requires 1.5 per unit</li> <li>- Highway safety issues for school children</li> <li>- Two cars cannot pass simultaneously crossing Sandy Lane, this will be exacerbated</li> <li>- Overflow parking onto neighbouring roads</li> <li>- Inadequate loading/turning space on site</li> <li>- Disruption during construction</li> <li>- No consideration for other construction routes – via Riverside Drive would be better</li> <li>- There is only one main route in and out of the area via the A307</li> <li>- People don't cycle in the rain</li> <li>- Construction route via Sandy Lane is not appropriate</li> <li>- PTAL is flawed – Thames Path is not a viable cycle route</li> <li>- Basement parking should be omitted</li> <li>- One car club space is insufficient</li> <li>- No mention of improvements to public transport</li> <li>- Visitor parking should not be pay and display</li> <li>- Parking spaces should not be leased to units</li> <li>- Cycle parking not in accordance with Neighbourhood Plan</li> <li>- Collision data does not include the route to Richmond station</li> <li>- There is no continuous cycle route across the site</li> <li>- No incentives to reduce car ownership</li> </ul>	<p>Issue xii</p>
<p><u>Trees/Ecology:</u></p> <ul style="list-style-type: none"> <li>- Loss of trees and open feeling</li> <li>- New trees will take 60 years to match those they are replacing</li> <li>- Insufficient landscaping</li> <li>- Disturbance and pollution of Ham Lands</li> <li>- Disturbance of bat populations</li> <li>- Bat surveys not undertaken at the correct time of year</li> <li>- Land above basement isn't deep enough to allow big trees</li> <li>- Does not consider the swift population</li> <li>- Bat survey does not taken account of bats roosting in trees that will be removed in phase 1</li> </ul>	<p>Issue ix</p>
<p><u>Infrastructure:</u></p> <ul style="list-style-type: none"> <li>- Overcrowded public facilities</li> <li>- Strain on doctors/dentists</li> <li>- Local schools are full and cannot cope</li> </ul>	<p>Issue xv</p>

<ul style="list-style-type: none"> <li>- Water pressure will drop</li> <li>- Sewers will be overloaded</li> <li>- A 5G mast should be considered</li> <li>- Damage to village green by excavating and installing new sewers</li> <li>- Cassel Hospital is specialist not a local amenity</li> </ul>	
<p><u>Sustainability:</u></p> <ul style="list-style-type: none"> <li>- Fails to seriously consider climate change</li> <li>- No solar shading shown on south facing elevations</li> <li>- Will have a heating effect in summer and cooling effect in winter</li> <li>- Only meets BREEAM minimum measures</li> <li>- Heat island effect will not be mitigated by trees</li> <li>- GSHPs should be used over ASHPs – they are less visually intrusive</li> <li>- There is no MEP (Mechanical, Electric and Public Health) concept scheme</li> <li>- Passive house design/on site renewable has not been considered to negate the need for carbon offset payment</li> <li>- Solar panels should be incorporated</li> </ul>	Issue xiv
<p><u>Pollution:</u></p> <ul style="list-style-type: none"> <li>- Gridlocked traffic will negatively impact air quality</li> <li>- Wildlife that use the village green will decline</li> <li>- Pollution caused by years of construction</li> <li>- The site was previously a quarry so hazardous materials will be disturbed during construction</li> <li>- Basement parking does not comply with net zero aims</li> </ul>	Issue vii
<p><u>Flooding:</u></p> <ul style="list-style-type: none"> <li>- Ham Close is on a flood plain</li> <li>- Rising damp has not been considered</li> <li>- Effect of the basement on the aquifer</li> </ul>	Issue viii
<p><u>Other:</u></p> <ul style="list-style-type: none"> <li>- It will impact the environment at the adjacent school</li> <li>- Does not comply with Ham and Petersham Neighbourhood Plan</li> <li>- Scheme is non-viable</li> <li>- Missed opportunity to make an improvement to Ham Close</li> <li>- St Richards Church should be refurbished</li> <li>- Previous feedback from the public has not been incorporated</li> <li>- Proposals are too ambitious, construction costs may rise during construction</li> <li>- 3D visuals are required</li> <li>- Basement parking might increase crime</li> <li>- Does RHP have the capacity to cope with additional units</li> <li>- Original Ham Council estates have been missed off the 'essence of Ham' drawings</li> <li>- Covered area will be unsafe</li> <li>- Residents outside Ham Close receiving letters about Compulsory Purchase</li> <li>- Library is threatened</li> </ul>	Noted and considered within the officer report where relevant to planning.

- No evidence that the police have been consulted	
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## 7.3 Forty-two letters of support were received:

<b>Issue</b>	<b>Where addressed in the report</b>
<u>Community uses</u> <ul style="list-style-type: none"> <li>- Improved community facilities for all to use</li> <li>- Enhanced Maker Labs</li> </ul>	Issue i
<u>Provision of Housing:</u> <ul style="list-style-type: none"> <li>- The existing site is underutilised and in a poor state</li> <li>- Improvement to the quality of existing housing</li> <li>- Existing housing has reached the end of its life – had an expectancy of 40 years</li> <li>- We have a shortage of housing</li> <li>- Existing provision does not have enough family sized units – many are currently overcrowded</li> <li>- Additional homes will attract a wide range of new residents to Ham</li> <li>- The right to have housing should not be outweighed by peoples need for cars</li> <li>- Private balconies and gardens are a good addition</li> <li>- Existing refuse storage arrangements are inadequate</li> <li>- Many requests by existing residents have been included</li> <li>- Existing units are not accessible for wheelchair users</li> <li>- Noise pollution is a problem due to lack of insulation in existing units</li> </ul>	Issue i
<u>Siting/Design/Heritage:</u> <ul style="list-style-type: none"> <li>- Architecture will blend in well</li> <li>- Well thought out design</li> </ul>	Issue iii and Issue iv
<u>Transport/Parking:</u> <ul style="list-style-type: none"> <li>- Basement parking minimises impact on parking around Ham</li> <li>- The TA shows that parking is sufficient and there is capacity on nearby streets to accommodate overspill</li> <li>- The residents could request a CPZ</li> <li>- Bike storage is a major benefit</li> </ul>	Issue xii
<u>Infrastructure:</u> <ul style="list-style-type: none"> <li>- GP/school providers have not raised any concerns</li> <li>- Concerns raised by others regarding infrastructure can be dealt with by S106/CIL money</li> </ul>	Issue xv
<u>Sustainability</u> <ul style="list-style-type: none"> <li>- Incorporates efficient, low and zero carbon technologies</li> <li>- Existing units are not energy efficient</li> </ul>	Issue xvi
<u>Trees/Ecology</u> <ul style="list-style-type: none"> <li>- Delivers biodiversity net gains</li> <li>- More trees will be planted than lost</li> </ul>	Issue ix

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7.4 Thirteen general observations were received, commenting as follows:

<p><u>Community Centre</u></p> <ul style="list-style-type: none"> <li>- Community centre should not just be a youth centre</li> </ul>	Issue i
<p><u>Housing:</u></p> <ul style="list-style-type: none"> <li>- It's a pity there are not more affordable homes</li> </ul>	Issue i
<p><u>Siting and design</u></p> <ul style="list-style-type: none"> <li>- Many of the original concerns of the local community have been met in terms of design</li> </ul>	Issue iii
<p><u>Trees and landscaping:</u></p> <ul style="list-style-type: none"> <li>- Querying retention of individual trees</li> <li>- Landscape strategy needs far more detail</li> </ul>	Issue ix
<p><u>Biodiversity:</u></p> <ul style="list-style-type: none"> <li>- PEA does not assess the proximity of River Thames, Ham Lands and Richmond Park</li> <li>- Ecological Appraisal does not state what time of year it was conducted – might be inaccurate</li> </ul>	Issue xi
<p><u>Infrastructure</u></p> <ul style="list-style-type: none"> <li>- The site needs to be redeveloped, but how will the infrastructure cope?</li> <li>- Impact on local GPs</li> </ul>	Issue xv
<p><u>Traffic</u></p> <ul style="list-style-type: none"> <li>- Concerns about traffic generation</li> <li>- The time it takes to reach rail and tube services is under estimated</li> <li>- TfL need to provide more buses</li> <li>- 20% active provision for electric vehicles seems low</li> <li>- Will there be electric charging points?</li> </ul>	Issue xii
<p><u>Sustainability:</u></p> <ul style="list-style-type: none"> <li>- Development should be Net Zero Carbon</li> </ul>	Issue xiv
<p><u>General:</u></p> <ul style="list-style-type: none"> <li>- Supportive of redevelopment, but more detail required on the wider impact</li> </ul>	

**Second round of consultation**

7.5 A 30-day re-consultation was undertaken in October 2022 on the new/amended information submitted.

7.6 A further 20 letters of objection were received, including multiple responses from the same address:

Issue	Where addressed in
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	<b>the report</b>
<p><u>Siting/Design/Heritage:</u></p> <ul style="list-style-type: none"> <li>- Too dense</li> <li>- Village feel will be lost</li> <li>- Design is standard</li> <li>- Overdevelopment of the site</li> <li>- Scale and height are out of keeping</li> <li>- No accurate reference has been made to the architectural form of the medieval Manor House</li> </ul>	Issue iii
<p><u>Neighbour amenity:</u></p> <ul style="list-style-type: none"> <li>- Loss of light</li> <li>- Overshadowing</li> <li>- Loss of privacy</li> </ul>	Issue vi
<p><u>Transport/Parking:</u></p> <ul style="list-style-type: none"> <li>- Visitor parking should not have been removed</li> <li>- Narrow and congested roads cannot cope</li> <li>- Inadequate parking</li> <li>- Moving parking from Ashburnham Road frontage means those residents will park on the road</li> <li>- PTAL score is not accurate</li> <li>- Thames Path is not a suitable cycle route</li> <li>- The proposed parking should not be leased</li> <li>- Residents do not want a CPZ</li> </ul>	Issue xii
<p><u>Trees/Ecology:</u></p> <ul style="list-style-type: none"> <li>- Loss of trees</li> <li>- Trees will not grow large over the basement</li> <li>- Landscaping is an afterthought</li> <li>- Bats and badgers will be disturbed</li> </ul>	Issue ix
<p><u>Infrastructure:</u></p> <ul style="list-style-type: none"> <li>- Infrastructure cannot cope</li> </ul>	Issue xv
<p><u>Pollution:</u></p> <ul style="list-style-type: none"> <li>- Construction of basement will result in a lot of carbon emissions</li> <li>- Construction traffic will be a nuisance</li> <li>- Light pollution</li> <li>- Air pollution</li> </ul>	Issue vii
<p><u>Other:</u></p> <ul style="list-style-type: none"> <li>- Previous concerns have not been addressed</li> <li>- Scheme is largely unchanged</li> <li>- It will bring more crime to the area</li> <li>- Proposals should be presented in 3D</li> <li>- The Equality Impact Assessment is flawed</li> <li>- A 5G mast should be considered</li> </ul>	

7.7 9 letters of support were received, including multiple responses from the same address:

<b>Issue</b>	<b>Where</b>
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	<b>addressed in the report</b>
<u>Provision of housing:</u> <ul style="list-style-type: none"> <li>- The current flats are substandard and need replacing</li> <li>- Refuse stores are not fit for purpose</li> <li>- Flats are unsuitable for refurbishment</li> <li>- Current flats have no lifts</li> <li>- Current flats have no outside space</li> </ul>	Issue i
<u>Siting/Design/Heritage:</u> <ul style="list-style-type: none"> <li>- Open areas will create a better community feeling</li> </ul>	Issue iii
<u>Transport/Parking:</u> <ul style="list-style-type: none"> <li>- Underground parking is great</li> <li>- Bike storage is a major benefit</li> </ul>	Issue xii
<u>Trees/Ecology:</u> <ul style="list-style-type: none"> <li>- Attention to biodiversity</li> </ul>	Issue ix
<u>Sustainability:</u> <ul style="list-style-type: none"> <li>- Attention to sustainability</li> </ul>	Issue xiv
<u>Other:</u> <ul style="list-style-type: none"> <li>- Applicant has listened to residents views</li> </ul>	Issue i

7.8 Two additional letters of representation were received, commenting as follows:

<u>Sustainability:</u> <ul style="list-style-type: none"> <li>- No additional information on sustainability</li> </ul>	Issue xiv
<u>Design:</u> <ul style="list-style-type: none"> <li>- No specific materials have been submitted</li> </ul>	Issue iii
<u>Transport:</u> <ul style="list-style-type: none"> <li>- Concerned that the parking will be leased and residents do not want a CPZ</li> </ul>	Issue xii
<u>Other:</u> <ul style="list-style-type: none"> <li>- Revisions are negligible</li> </ul>	

7.1 The responses of the Statutory consultees are set out below, these reflect all the materials received to date

**Statutory consultees:**

<b>Greater London Authority</b>	The application is referable to the Mayor of London under the provisions of The Town & Country Planning (Mayor of London) Order 2008. The LPA has undertaken a Stage 1 referral, with GLAs comments summarised below. Ahead of a Stage 2 referral ( <i>Officer note: that will take place after the Planning Committee</i> ), the GLA have provided additional comments in response to further information provided by the application. These comments
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	<p>are summarised in italics under the relevant heading.</p> <p><u>Principle of Development:</u> The proposal for comprehensive estate regeneration could be strongly supported as it would achieve equivalent re-provision of affordable housing on a residential floorspace basis, as part of an overall increase in housing and affordable housing supply within a site allocated as part of the Local Plan for residential development. However, further consideration of viability is required to determine if the uplift in affordable housing represents the maximum amount. The re-provision of social infrastructure, by virtue of the Community Centre and Maker Labs, is supported. The re-provision of open space, resulting in no net-loss is supported to align with the intent of London Plan Policy S5.</p> <p><u>Equalities:</u> An assessment of the equalities impact of the proposal, including whether the proposal complies with the London Plan objectives and aligns with the Equality Act, must be undertaken prior to the determination of the application. <i>Update: The Equalities Impact Assessment adequately addresses the queries raised and is welcomed. No further information required.</i></p> <p><u>Housing/Affordable Housing:</u> In terms of housing mix, subject to the LPA confirming the proposed mix meets local need of the Borough, GLA officers are supportive of the housing mix from a strategic perspective. The affordable housing offer is currently undergoing a process of review by the GLA Viability Team to ensure it has maximised the delivery of additional genuinely affordable housing. <i>Update: Remaining concerns over finance costs, profit allowance and existing use value of the units.</i></p> <p><u>Residential Amenity:</u> All residential units would meet the minimum sizes as set out in the NDSS and minimum ceiling heights as set out in Policy D6, which is welcomed. The scheme achieves 83% of the homes to be dual or triple aspect. In the instances where dual aspect is not achieved, the single aspect units are either east, west or south facing, which is acceptable. The proposal complies with the maximum number of eight units on each floor. The proposal seeks to provide all residential units with private amenity space in accordance with Policy D6.</p> <p><u>Density:</u> Given the location of the site with access to amenities and public transport, the proposed density is appropriate.</p> <p><u>Layout and public realm:</u> Aside from the matters raised in the transport section, the overall development layout raises no strategic issues. The public realm improvements are a positive aspect offering improved connectivity and landscaping across the site.</p> <p><u>Scale and Massing:</u> The proposal does not constitute a tall building as defined the London Plan. When considering the existing built form on site and scale presented in the HTVIA at immediate, medium and long-range views, the proposed height, scale and massing raises no strategic concerns.</p>
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	<p><u>Fire Safety:</u> The fire statement adequately addresses Policy D5 and D12, however a declaration of compliance with this should be included within the statement. In line with Policy D5 of the London Plan, a fire evacuation lift within each core is to be provided. <i>Update: No further information required.</i></p> <p><u>Conservation Areas:</u> The proposal would be visible from nearby conservation areas, however given the existing streetscape and built form on site, coupled with the limited height of the proposals and the general quality of the architecture, the proposal would not cause harm to the character and appearance of the nearby conservation area.</p> <p><u>Listed Buildings:</u> Due to the low levels of intervisibility and distance between the sites, GLA Officers consider there would be no harm to the setting of Grade I Listed Ham House or its associated listed structures. Whilst the development would be partially visible in some views to the side of Grade II Listed Beaufort House, given the limited visibility and massing and sympathetic materials proposed it is not considered that harm would be caused to the significance of the listed building. No harm would arise to the other listed buildings within the wider context, given the existing built form and architectural form proposed, and the position of the new development in relation to these listed assets which limits further impact of the proposals on the setting or significance of these assets.</p> <p><u>Non-Designated Heritage Assets:</u> The Council should consider the impact.</p> <p><u>Access:</u> Should consider reducing the number of vehicle access points or creating a one-way route through the site to reduce the number of vehicle turning movements, to support the Mayor's Healthy Streets approach and Vision Zero ambition. Additionally, demonstrate how the site layout is designed to reflect pedestrian desire lines. Enhancements for pedestrians on the site boundary should be included. On plot car parking spaces along Ashburnham Road are not supported, nor is the shared surface along the mews street. <i>Update: Accept the proposed layout and servicing arrangements based on the options considered and discounted, given the impact this would have to green space/viability. However, this must be supported with ambitious SMART targets secured in the Delivery and Servicing Plan (DSP) to reduce the frequency of servicing trips. Options to relocate the seven remaining on-plot parking spaces on Ashburnham Road have been explored and discounted due to the loss of essential amenity space and scheme viability. The total amount of car parking proposed is within the London Plan standards. LBRuT as the highway authority have not raised any highway safety concerns, and we'd recommend that a Road Safety Audit is completed as part of the highway works to be secured.</i></p> <p><u>Trip Generation:</u> The total person trip rates for the residential use appear reasonable, however the suggested mode split requires</p>
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	<p>further justification. Further strategic highway assessment is not required. The net increase in bus travel is not sufficient to support the provision of additional service capacity.</p> <p><u>Car parking:</u> Car parking proposed is within the maximum car parking standards. Car parking visitors' spaces are not supported.</p> <p><u>Cycle parking:</u> Must be secured by the Council.</p> <p><u>Delivery and servicing:</u> The site layout should be reviewed to improve access for deliveries and servicing. The delivery and servicing trip estimates are extremely low and should be revised, or further evidence to support this. <i>Update: DSP to be secured by condition.</i></p> <p><u>Energy strategy:</u> Additional information is required to fully comply with the London Plan, including compliance with the energy hierarchy; managing heat risk; energy infrastructure.</p> <p><u>Whole Life Carbon:</u> An Excel version of the template must be submitted.</p> <p><u>Circular Economy:</u> Additional information is required, including the aligning with the latest guidance and completed GLA circular economy template; strategic approach; Bill of Materials; evacuation waste; pre-demolition audit; operational waste and inclusion statement.</p> <p><u>Digital Connectivity:</u> The Council should ensure the provision of sufficient digital connectivity is secured.</p> <p><u>Green infrastructure and urban greening:</u> The proposed development presents a well-considered approach to integrating green infrastructure and urban greening. The UGF of 0.44 exceeds the target.</p> <p><u>Trees:</u> A CAVAT contribution is required.</p> <p><u>SuDS:</u> The FRA does not give appropriate regard to the risk of pluvial and reservoir flooding. The SuDS strategy does not give appropriate regard to the greenfield runoff rate and rainwater harvesting. The proposal generally meets the requirements of the London Plan policy SI5 in regard to water efficiency.</p> <p><u>Air Quality:</u> Additional information is required in relation to construction traffic emissions mitigation; additional road traffic thresholds; Air Quality Neutral LPG and Air Quality Positive Statement. <i>Update: The technical note provided adequately addresses these queries; thus, no further information required.</i></p> <p><u>Biodiversity:</u> 23% Biodiversity Net Gain is supported in line with Policy G6.</p>
<b>Transport for</b>	Comments included within GLA Stage 1 response.

<b>London</b>	
<b>Sport England</b>	Satisfied the proposed development meets exception 3 of the playing fields policy and does not wish to raise an objection.
<b>Thames Water</b>	No objection, subject to the inclusion of conditions.
<b>Historic England (GLAAS)</b>	No objection, subject to the inclusion of conditions.
<b>Environment Agency</b>	No objection, subject to the inclusion of conditions.
<b>Natural England</b>	No specific comments to make.
<b>Network Rail</b>	No specific comments to make.
<b>Royal Borough of Kingston upon Thames</b>	The Royal Borough of Kingston Upon Thames requests that the application fully assesses and mitigates any impact on public transport with particular regard to the K5 and 65 bus services.
<b>The Royal Parks</b>	No objection.
<b>South West Trains</b>	No formal response received.

**Non-statutory consultees:**

<b>Lead Local Flood Authority (LLFA)</b>	No objection, subject to conditions
<b>Air Quality</b>	No objection, subject to conditions.
<b>Contaminated Land</b>	No objection, subject to conditions.
<b>Environmental Health</b>	<p><u>Noise</u>: Whilst additional information is required on the following matters, it is felt these can be satisfactorily addressed via condition, and therefore raises no objection.</p> <ul style="list-style-type: none"> <li>- use of the basement,</li> <li>- roller shutters,</li> <li>- how certain rooms within community centre will be used, e.g., music rooms.</li> <li>- noise break out from the community centre</li> <li>- noise impact from vehicle movements within basement.</li> </ul> <p><u>Odour</u> No objection, subject to the inclusion of conditions.</p>
<b>Transport Planner</b>	No objection subject to conditions and mitigation in S106 agreement
<b>Waste Services</b>	Questioned the layout and configuration of some of the bin stores in the residential blocks.
<b>Planning Policy</b>	<u>Overall</u> : Generally, policy support the proposal, broadly

	<p>appearing in compliance with the site allocation and the Neighbourhood Plan. The application has set out any shortcomings, including the loss of the western strip of OOLTI and the provision of affordable housing below policy compliant levels. Subject to compliance with other policies, it appears the application has justified the overall wider benefits as part of the comprehensive approach, including enhanced provision of community facilities and open space, and housing delivery.</p> <p><u>Housing:</u> Although the mix could have been weighted more in favour of family homes, it should be noted that the existing estate has a higher proportion of smaller units than the proposed scheme, meaning the area would be gaining family sized units. However, more justification needs to be provided as to the increased quantum of 1 beds proposed. RHP has confirmed their involvement within the scheme design. No objection to the mix of tenures within buildings.</p> <p><u>Social Infrastructure</u> Evident the applicant has worked closely with the users of the existing Makers Lab and have accommodated their needs ensuring this can continue to operate. The Community Centre has been relocated in an area which will ensure it is available for the wider community. A Sequential Assessment has been submitted which shows the consideration of alternative locations and suggests no sequentially preferable site exists. This relocation is supported by paragraph 9.11.5 of the HPNP and will ensure accessibility of the site and given the proximity of to the previous location, is considered acceptable. It is unclear what activities the Activity Hall will accommodate and whether it could be considered a Sports Hall, but it appears this is left open for flexible uses. There is a risk it may not be suitable in terms of specifications for particular sports, but equally it is difficult to insist on any such provision from a policy perspective, as there is strictly speaking no loss of existing sports provision. Overall, there is a net gain of social infrastructure (a modest increase of 101sqm).</p>
<p><b>Urban Design and Conservation</b></p>	<p>Acceptable elements:</p> <ul style="list-style-type: none"> <li>• The scale, height and massing.</li> <li>• The proposal to replace the existing OOLTI with an area of public park that exceeds the existing provision is generally welcomed.</li> <li>• The materiality of the blocks across the site is well founded on the precedents in the surrounding area.</li> <li>• Trees: The removal of 41 trees and their subsequent replacement with 124 trees is welcomed.</li> </ul> <p>Various issues raised, however, these represent desirable changes to, rather than issues which would warrant refusal.</p> <ul style="list-style-type: none"> <li>• Basement:             <ul style="list-style-type: none"> <li>- The basement car park has driven the masterplan and more consideration needs to be give to the visual impact on residents in blocks C, D, M and N,</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>- The quality of the trees to the linear park is disappointing due to the shallow soil depth above the car park.</li> <li>• A 6m wide service and delivery road is unfortunate.</li> <li>• Block W: The arrangement, form and architecture is questioned / less well considered.</li> <li>• Community Building: The ground floor appears underplayed with little opportunity for activities from inside to flow into the public realm.</li> <li>• Layout: The perpendicular car parking to Ashburnham Road is questioned.</li> </ul> <p>Condition: Materials; fenestration; roof and plant details; hard and soft landscaping</p>
<b>Conservation</b>	<p>No objections:</p> <ul style="list-style-type: none"> <li>• Will not result in any harm to the significance of the immediate and wider setting of the adjacent Ham House Conservation Area, and a number of listed buildings and Buildings of Townscape Merit located in it, as well as the BTM to the southwest of the site</li> <li>• Preserves the character and setting of the conservation area and the designated and non-designated heritage assets within it, as well as the stand-alone BTM.</li> <li>• The significance of the heritage assets and their settings will be maintained.</li> </ul>
<b>Affordable Housing</b>	<p>Agreed maximum provision of affordable housing is being provided. Questioned some elements of the type and tenure split.</p>
<b>Occupational Health</b>	<p>No objection but questioned the provision of a single lift in market housing blocks where M(4)3 homes are provided.</p>
<b>Trees</b>	<p>No objection subject to conditions and CAVAT figure being agreed and included in the S106 Agreement.</p>
<b>Ecology</b>	<p>Surveys: Disappointing the PEA and Bat surveys were carried out outside the normal window, however, the conditions under which they were conducted were acceptable. Further surveys will be required ahead of the commencement of phases 2 and 3 and should works not commence before March 2024 a new survey, including bat emergence, will be required.</p> <p>Playspace: Locating such under the large tree is of concern, increasing management / maintenance pressure.</p> <p>Wildlife: Should adopt a wildlife policy to ensure wildlife is a priority going forward.</p> <p>No objections to following:</p> <ul style="list-style-type: none"> <li>- Landscape design: however, all fencing and walls must have hedgehog holes to allow free movement of wildlife.</li> <li>- Lighting strategy</li> <li>- Green roof - additional raptor ledges should be added.</li> </ul>

	<ul style="list-style-type: none"><li>- Biodiversity net gain –any bird boxes should be integrated not external.</li><li>- Urban Greening Factor.</li></ul>
<b>Parks</b>	<p><u>Ham Village Green</u></p> <p>No objection subject to conditions / mitigation:</p> <ul style="list-style-type: none"><li>- The path between the proposed community centre and linear park should be widened to accommodate the extra use – secured via S106</li><li>- the swale will make a nice landscape feature with some biodiversity interest and act as an informal boundary that controls access from the development to some extent.</li></ul> <p>Area of concern:</p> <ul style="list-style-type: none"><li>- convergence of the paths across the Green paths at the north-west corner of the new community centre – with all the pedestrian and cycle traffic proposed to pass under the covered external corridor (colonnade) around the outside of the building. Whilst the continuous paved route is welcomed, concerns in regard to visibility, conflicts between pedestrians and cyclists and the potential for anti-social behaviour remain.</li><li>- The taller buildings and less porous block layout of the new development will have a significant visual impact on the Green and reduce the sense of openness.</li><li>- The proposed community centre is not well positioned, the building is too big and tall to be immediately adjacent to the green, impacting the POS and OOLTI. A buffer between the building and the green is required.</li></ul> <p><u>Playspace</u></p> <ul style="list-style-type: none"><li>- 0-4s: The multi-functional concept of play lawns and trails is accepted. The doorstep play in the communal courtyards are satisfactory. However, the Linear Park places too much emphasis on space for imaginative play rather than physical interactive features on both the two formal lawns and the Explorer trail. Additional features are required. At present, long sections of the trail are simply a gravel path through landscaping, especially the east end and past the two formal lawns; some sections are denoted by just a change of surfacing within the paved main paths. The west end is more acceptable, being the only area with fixed equipment (balance beams and timber stepping stones). More areas along the path to include physical features (such as the clatter bridge or stepping stones) as well as further features beside it, aimed at the 0-4 age group are required. This would allow a wider route to designated as play, increasing the area provided (or exchanging it for some areas that cannot be improved) and broadening the appeal. This can be done without amending the trail route, and can be secured by condition.</li><li>- 5-11s: The location of the playspace under the larger pine tree should be changed given there will be much more frequent cleansing and maintenance requirements. The</li></ul>

	<p>347m2 required off-site can be provided by the existing natural play area on Ham Village Green.</p> <ul style="list-style-type: none"> <li>- 12+: A total of 446m2 off-site is required. The fitness area (132m2) within Ham Village Green is already used to capacity at peak times and at Riverside Drive, the area of equipment (184m2) is not sufficient. The Council is happy to accommodate the shortfall (262m) by extending the fitness area at the Green and the west end of the play area at Riverside Drive, supported by a £68,644 contribution for capital provision and five years maintenance.</li> </ul>
<p><b>Richmond CCG</b></p>	<p>The site boundary excludes Ham Clinic, where Hounslow and Richmond Community Healthcare NHS Trust provides services. The Trust sees no need to increase its current presence as part of the Ham Close redevelopment.</p> <p>The development will have an impact on primary healthcare services. Based on the HUDU Planning Contributions Model and using the proposed Accommodation Schedule, a primary healthcare S106 contribution of £161,855 is required. Given that the overall development will be phased over at least six years, it is suggested that a mechanism to monitor and evaluate health needs and impacts is secured.</p>
<p><b>Metropolitan Police</b></p>	<p>No reason why all aspects of this development cannot achieve Secure by Design accreditation - secured via condition</p>
<p><b>Education - Achieving for Children</b></p>	<p>A net increase of 260 units will have a significant, but manageable impact on demand for primary and secondary school places within the local area.</p> <ul style="list-style-type: none"> <li>• Primary - The three local state-funded primary schools – Meadlands Primary, The Russell Primary and St Richards CofE have enough physical space for expansion, temporary or permanent, should additional places be required. However, at present, there is some spare capacity which would first need to be filled.</li> <li>• Secondary - Children would be within the catchment of Grey Court School, which has a published admission number of 240 for each 11-16 year-group; but that would have a knock-on adverse impact on the likelihood of children living further afield within the borough (and in the Royal Borough of Kingston upon Thames) being able to access places at the school. The school would not have space for permanent expansion due to Metropolitan Open Land constraints. Given the already high demand for places at the other two schools within the eastern half of Richmond Borough, medium- to long-term demand for places across this wider area will only be met by the establishment of a fourth state-funded secondary school, as is proposed for part of the Stag Brewery site in Mortlake.</li> </ul>
<p><b>Fire Safety consultants</b></p>	<p>Proposals are generally appropriate to meet the intent of The London Plan. The principles will need to be developed as the</p>

	design progresses. It is recommended that the relevant competency of the author is evidenced, and proposed assembly point is referenced for the non-residential portions.
<b>Energy consultants</b>	<p>1<sup>st</sup> consultation - Additional information sought:</p> <ul style="list-style-type: none"><li>- Whole Life Carbon</li><li>- Circular Economy</li><li>- Decentralised Energy supply</li><li>- Emissions calculations</li><li>- Urban Heat Islands</li></ul> <p>Following 2<sup>nd</sup> consultation - further comments were received:</p> <ul style="list-style-type: none"><li>- the WLC assessment should be resubmitted with the detailed planning stage filled out, rather than just outline planning stage</li><li>- An outdated WLC template has been used, this needs to be updated</li><li>- Clarification required in relation to the pre-demolition audit</li><li>- Excavation waste or cut and fill calculations to be submitted</li><li>- Bill of materials to provide greater detail</li><li>- CHP needs to be considered</li><li>- Emissions calculations</li><li>- Reference to Urban Heat Islands required</li><li>- Clarification required on be seen spreadsheet</li></ul> <p>Further information was submitted, and a final review undertaken whereby it was concluded all outstanding queries had been addressed</p>

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

**8 EXPLANATION OF OFFICER RECOMMENDATION**

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

8.2 The key issues for consideration are:

- i. Land Use
- ii. Public Open Space, Other Open Land of Townscape Importance and Playing Fields
- iii. Design
- iv. Heritage Assets
- v. Design Scrutiny
- vi. Neighbour Amenities
- vii. Pollution
- viii. Flood Risk
- ix. Trees
- x. Landscaping and Public Realm
- xi. Ecology
- xii. Transport
- xiii. Waste Management
- xiv. Sustainability
- xv. Infrastructure
- xvi. Fire Safety
- xvii. Public Sector Equality Duty
- xviii. Other Matters

**Issue i: Land Use**

**Estate Regeneration**

- 8.3 Paragraph 93 of the NPPF provides that planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration and local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.
- 8.4 London Plan policy H8 requires that before considering the demolition and replacement of affordable homes, alternative options should always be considered first, balancing potential benefits of demolition and rebuilding of homes against the wider social and environmental impacts and the availability of Mayoral funding and any conditions attached to that funding. It also notes that loss of existing housing should be replaced by new housing at existing or higher densities.
- 8.5 Site Allocation SA15 supports the regeneration of Ham Close as a means to rejuvenate Ham Close and its surrounding area, and a comprehensive redevelopment of this site including the demolition of existing buildings and re-provision of all residential and non-residential building, plus the provision of additional new residential accommodation. The policy promotes the optimisation of land uses and specifies that the development should respond positively to the unique character of Ham Close and Ham.
- 8.6 Policy LP38 seeks to retain existing housing and the redevelopment of existing housing should normally only take place where it has first been demonstrated that the existing housing is incapable of improvement or conversion to a satisfactory standard to provide an equivalent scheme; and, if this is the case; the proposal does not have an adverse impact on local character; and the proposal provides a reasonable standard of accommodation, including accessible design, as set out in LP35.
- 8.7 Ham & Petersham Neighbourhood Plan (HPNP) policy H1 requires that all new build housing within the area should be delivered on those sites identified in this plan or on

previously developed brownfield sites and other small sites which meet the criteria set out in Policy LP39 of the Local Plan.

- 8.8 Ham Close is specifically identified for redevelopment in the HPNP, and also identified as one of a small number of opportunity sites and areas where significant improvement could be achieved.
- 8.9 The objectives of the proposed estate regeneration are supported in principle which include the significant investment into the estate, the delivery of additional affordable housing and addresses issues with existing housing stock. The existing homes pre-date the Nationally Described Space Standards, have no lift access and lack private amenity space. Many are also experiencing severe damp and mould issues which have the potential to be a health threat. The existing homes do not meet the Decent Homes Standards despite refurbishment in 2003. The shortcomings of the residential standard are also recognised in site allocation SA15.
- 8.10 The estate regeneration would be delivered by Hill, a housebuilder, in partnership with Richmond Housing Partnership (RHP) who currently owns and manages the homes on the estate. The scheme has also been developed in liaison with Richmond Council, who will transfer ownership of various parcels of land on the estate to facilitate the redevelopment. RHP has been involved throughout the development of the scheme and has carried out extensive consultation with the existing residents. RHP will continue to own and manage the affordable homes post-implementation of the development, if permission is granted.
- 8.11 In response to the existing standard of accommodation, the site allocation supporting the comprehensive redevelopment of the site, and the design and quality of residential accommodation being broadly acceptable (as discussed later in the report), the scheme is deemed to accord with policy LP38.
- 8.12 The Planning Statement and Design & Access Statement provides a clear explanation and justification for the proposed estate regeneration, which accords with local and regional policy guidance for estate regeneration schemes. Existing RHP tenants are being made offers of a home on the new estate on the same terms as their existing tenancy. In addition to this, leaseholders have been made offers on a shared equity basis for new homes within the redevelopment. It is recommended the S106 Legal Agreement ensures the development is phased so that the existing occupants of Ham Close are not displaced and that the replacement homes will be provided promptly. The specifics of the affordable and market housing provision afforded by the proposals, together with the relevant design standards are considered within this report under the heading 'Affordable Housing'.
- 8.13 In accordance with the GLA's Estate Regeneration guide, most residents who choose to remain at the Ham Close estate will only need to move once. The exception to this is the existing occupants of Hatch House which would be part of phase 1 of the development. It is understood there are 9 RHP tenanted households at Hatch House. 4 have been offered a temporary home at Ham Close during the construction of Phase 1 and so these households would have to move twice. Once to move from Hatch House to another existing block on the estate prior to development, and then a second time into their final home on the estate. 5 households have been offered a home off-site, beyond Ham Close. These 5 households will have a "Right to Return" if they choose to return to Ham Close once built out. They may however choose to remain off-site. Therefore, a minimum of 4 and a maximum of 9 households would be subject to two moves as a result of the estate regeneration (3-9% of the proportion of households). Whilst this situation is not ideal and would cause a degree of disruption,

and is identified as a minor harm, it is understood to be necessary in order to carry out the development and realise the wider benefits of the estate regeneration.

8.14 In summary, aside from a small proportion of households needing to move twice, for the reasons described above the scheme is considered to comply with the estate regeneration objectives outlined in the London Plan and the GLA's Estate Regeneration Good Practice Guidance. The principle of the development is therefore acceptable and in accordance with London Plan policy H8; Local Plan policies SA15 and LP38; HPNP policy H1 and the advice set out in paragraph 93 of the NPPF, subject to the consideration of land optimisation and housing numbers together with the other development management considerations set out in this report. The social benefits associated with the estate regeneration are held in significant positive weight in the planning balance which is considered at the end of this report.

**Social Infrastructure**

8.15 As set out in the NPPF, to provide the social, recreational, and cultural facilities and services the community needs, LPAs should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as.... meeting places, sports venues...) and other local services to enhance the sustainability of communities and residential environments.
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- d) ensure that established shops, facilities, and services are able to develop and modernise, and are retained for the benefit of the community; and
- e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. (para. 93)

8.16 The London Plan (policy S1) highlights developments that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported. This is reflected in policy LP28 that supports new social and community infrastructure where it provides for an identified need, is of high quality and inclusive design, and provides in a multi-use and adaptable building which increases public access.

8.17 Policy LP25 outlines those proposals for retail and leisure uses not within a Main Centre Boundary, or in an Area of Mixed Use should satisfy the Sequential Test for main town centre uses as set out in national policy and guidance.

8.18 Policy LP28 advises the Council will work with service providers and developers to ensure the adequate provision of community services and facilities, especially in areas where there is an identified need or shortage. Part C of the policy states the loss of social or community infrastructure will be resisted, and proposals involving the loss of such infrastructure will need to clearly demonstrate:

- 1. that there is no longer an identified community need for the facilities or they no longer meet the needs of users and cannot be adapted; **or**
- 2. that the existing facilities are being adequately re-provided in a different way or elsewhere in a convenient alternative location accessible to the current community it supports, or that there are sufficient suitable alternative facilities in the locality; **and**
- 3. the potential of re-using or redeveloping the existing site for the same or an alternative social infrastructure use for which there is a local need has been fully assessed. This should include evidence of completion of a full and proper marketing exercise of the site for a period of at least two consecutive years.

- 8.19 Policy O4a of the HPNP states that any scheme which includes the redevelopment of existing community facilities forming part of the Ham Close estate must make provision for their equivalent replacement. The supporting text suggests that community uses should be grouped together to form a cluster of uses, rather than being dispersed across the site and should be located on the Ashburnham Road side of the site, to complement the Ashburnham Road/Ham Street shopping centre and the public library.
- 8.20 The scheme proposes the demolition of the existing community facility on site, known as Ham Youth Centre or Ham Hall, and a replacement community centre adjacent to the village green to the southeast of the site. The demolition and replacement of the existing Maker Lab facility is also proposed. It is therefore necessary to determine whether the scheme meets exceptions (1) or (2) of policy LP28C, as well as (3).
- 8.21 To address Policy LP25, a Sequential Assessment has been submitted which considers the relocation of these uses to any of the Boroughs Main Centres would be neither practical nor desirable, given it is intended to serve the residents of Ham. Of the 7 Local Centres, only Ham Parade can serve the local community. Three sites in proximity to Ham Parade were considered as identified in Image 1 below:

**Image 1: Sequential assessment**



- o Plot 1, Physio Extra, was discounted due to its footprint, which would require a building of significant height to contain the proposed uses, the maximum width of the site would compromise the activities that were able to take place, and the site is not currently available for purchase. It was therefore discounted.
  - o Plot 2, Crown Garages, was discounted as it is not currently available for purchase.
  - o Plot 3, the BP petrol station, was discounted as it is not currently available for purchase.
- 8.22 The relocation of Ham Community facilities to any of the 8 neighbourhood centres was discounted due to their distance from the site, which would make them impractical for serving residents of Ham.

- 8.23 The Sequential test considered sites for both Parades of Local Importance in close proximity to the site as identified in Image 2:

**Image 2: Potential sites**



- Plot 1, the former Royal Oak Public House, is currently on the market, however owing to the small size of the plot, accommodating a community centre would require a complete redevelopment and increase in scale. The building is designated as a Building of Townscape Merit, the demolition of which would depart from policy. The plot has therefore been discounted.
  - Plot 2, garages rear of 81-105 Ham Street, was discounted as it is not currently available for purchase.
  - Plot 3, garages rear of Ferrymoor Road, was discounted as it is not currently available for purchase.
  - Plot 4, Rushmead garages, was discounted as it is not currently available for purchase.
  - Plot 5, Watermill Close garages, is further away from public transport opportunities than the existing community facility and was discounted as it is not currently available for purchase.
- 8.24 Considering the above, the applicant has demonstrated that the new location would be sequentially preferable, being immediately next to the Parade of Local Importance, and accord with the terms of the HPNP.
- 8.25 In terms of LP28 C (1) (Need), the submission outlines that the existing community centre is well used by Tag Youth Club, demonstrating a clear need, however, also details the inadequacies of the existing centre. These include requiring key holders to be always present to hire spaces out to other user groups due to the inadequate layout and associated safeguarding issues, as well as insufficient storage which support the argument that the existing hall does not meet the needs of users or may not in the future. It is also acknowledged the LBRuT Infrastructure Delivery Plan makes note of the opportunity to improve the existing community facility; stating '*ideally re-provision of the facility within this locality or further modernisation is aspired*'.
- 8.26 In relation to the existing Makers Lab, it is understood to be the only facility of its kind

in southwest London for people with an interest in DIY and craft, to learn to repair and create items. Activities provided include woodwork, repairs, model making and electronics. The current facility provides two events weekly, a group for the whole community and a group for members. Given the building was originally built as a sub depot for Ham Close, over time the space has proved insufficient for the expanding work of the group. The lack of space means that repairs taking more than one day must be turned away as there is no room to store them whilst they are in progress, similarly, offers of tools have to be rejected. This is considered sufficient justification that the existing makers lab does not meet the needs of existing users.

- 8.27 In addressing LP28 C (2), the scheme proposes a replacement community centre and Makers Lab, therefore it is necessary to determine whether the existing facilities are adequately re-provided in a convenient alternative location accessible to the current community it supports.
- 8.28 In terms of siting of the replacement community centre, on an under-utilised car park and recycling facility, the submission states that this has been informed through community consultation and was selected:
- so that it would be more accessible for the wider community, as opposed to being centrally located within the development and being perceived as a facility for Ham Close residents only.
  - as it is immediately opposite the existing bus stop and the parade of shops and may therefore improve visibility with immediate footfall which is in accordance with the aspirations of the HPNP.
  - as locating the proposed community centre within the residential part of the development would have a detrimental impact on viability, where it would occupy land which could be more efficiently used for additional homes.
- 8.29 In terms of siting of the proposed Makers Lab, this will be in a similar position to the existing, to the southwest of the site. It has not been integrated into one of the residential blocks to reduce any potential noise disturbance to residential properties. This is considered further under Issue vii (Pollution). Furthermore, by having a single building in this location, it has allowed the facility to be purpose built, adequately serving its intended users. The siting of the new facility is therefore considered acceptable and will serve the current community it supports.
- 8.30 It is acknowledged that the HPNP seeks the co-location of community facilities. The applicant states that this would not be appropriate in this instance given that the two are distinct facilities, run by separate bodies. The Maker Labs facility operates an 'open door' policy, which would not be appropriate for the community centre, given the inability to flexibly timetable users as well as the need to adhere to safeguarding requirements for users of the community centre which would be difficult to implement with the open-door policy. The Makers Lab also has equipment which requires qualified and experienced oversight and secure storage, without having to be cleared away at the end of each session. This would not allow flexible use of any such shared community space.
- 8.31 In terms of re-provision of facilities, as outlined in the table below, the proposed community centre and makers lab both facilities are considered to represent an enhancement of the social and community offer when compared to the existing, they achieve more than the adequate re-provision required in the policy. The buildings would re-provide all the existing floor space within the existing facilities and would enhance this with additional floorspace for other uses. By virtue of a purpose-built facility, the design aims to provide multi-functional rooms and spaces for a variety of

activities. It is noted that there is no stage specifically illustrated on the proposed community centre floor plans, however the applicant has advised that this is occupied by music practice spaces which have been re-provided within the new community centre.

8.32 The proposed community centre includes a re-provided hall. Whilst it is regrettable that this would not meet the standards required by Sport England, it is noted that the hall in the existing community centre does not meet these standards and is not solely used for sport. Additionally, the constraints regarding the community centre siting in relation to the Other Open Land of Townscape Importance (OOLTI) are acknowledged. It is therefore considered that it adequately re-provides the existing facilities and is acceptable.

Facility	Existing	Proposed GIA sqm	Proposed GEA sqm	Proposed external areas sqm
Community Centre	576	716	1179	183
Makers Lab	57	130	164	33

8.33 It is acknowledged that the existing community centre is used predominantly as a youth centre. The new community centre is proposed to be managed by Achieving for Children (AfC) and would continue to be used by existing users for alternative curriculum and extra tuition for those struggling with mainstream education during the day, as well as other youth club activities after 3pm, including arts, sport, music, ICT and cooking. However, it is considered that the proposed community centre would provide more opportunities for use by the wider community in addition to the youth facilities, for purposes such as a family hub, providing services for new parents, holiday clubs, youth support, art and employment support. It would also provide various rooms available for hire by the wider community and seeks to enhance community cohesion and lessen social isolation for residents.

8.34 The proposed community centre has also been designed to be fully accessible with one lift, which is Part M compliant, will have a clear level landing of at least 1500mm x 1500mm, and an accessible toilet in line with Part M requirements. Two dedicated blue badge parking bays are provided in an under-croft area, along with a secure bike store for users, staff and visitors. The car park area would be capable of being closed off at night via shutter doors to avoid loitering and anti-social behaviour: this would be down to future management arrangements.

8.35 Finally, the siting of both the community centre and makers lab in their proposed locations would allow them to be built in phase 1 of the proposed development, enabling continuity of community facilities throughout construction. This would be secured via S106 Legal Agreement. Based on the assessment above, policy LP28 C (2) has been met.

8.36 With respect to LP28 C (3), no marketing evidence has been submitted and the proposal falls short of compliance with appendix 5 in this regard. However,

- a Sequential Assessment has been submitted which the applicants consider provides sufficient justification for the loss.
- the applicants consider that because the social and community infrastructure uses will be provided ahead of the demolition of the current facilities, there will be no loss of community floorspace and such marketing evidence is not required. Further,

- SA 15 supports the comprehensive redevelopment of the site, and the reprovision of non-residential buildings, which the scheme achieves.

8.37 In summary, the application has shortfalls, in particular the lack of marketing evidence. However, the submission has outlined the shortcomings of the existing community provision, and the scheme allows the opportunity to provide a purpose-built community centre and makers lab, including enhancement over and above the existing facilities in a fit for purpose and accessible format. Policies LP25 and LP28 are therefore broadly met, which complies with the relevant London Plan policy and the NPPF. The failure to provide marketing evidence will be weighed in the planning balance at the end of this report.

### Employment

8.38 Policy LP29(b) promotes local employment opportunities generated by construction as well as the end use of the development, where these are more than 20 (Full Time Equivalent) jobs, to be secured via a Local Employment Agreement (LEA) within a Section 106 agreement. Whilst no details have been provided as to the number of employees the construction programme would generate, it is envisaged to be greater than 20, and therefore in line with policy, a LEA is recommended to be secured.

### Housing

8.39 The adopted Local Plan sets a Borough target of 3,150 homes for the period 2015-2025. This target has been superseded by the ten-year targets for net housing completion in the more recent London Plan 2021 which, for Richmond, sets a target of 4,110 for the period 2019/20 – 2028/29. The provision of 452 new housing units, with a net gain of 260 units, is welcomed, assisting the Borough to meet its housing need and London Plan targets.

### Housing Mix

8.40 Policy H10 of the London Plan advises schemes should generally consist of a range of unit sizes, setting criteria to which regard should be had. Policy LP35 requires developments to generally provide family sized accommodation, except within the five main centres and Areas of Mixed Use where a higher proportion of small units would be appropriate. The supporting text goes on to advise, the appropriate mix should be considered on a site-by-site basis having regard to its location, the existing stock in the locality and the character of an area and take account of existing infrastructure capacity such as schools and transport (para 9.2.2). The Local Plan defines family housing as “*having three or more bedrooms, however if of a suitable size (meeting the Nationally Described Space Standard (NDSS) and the external amenity standards) a two-bedroom property can be designed for 3 or 4 persons and would be considered as family housing*”. Policy LP35 also requires 90% of all new build housing to meet Building regulations standard M4(2) and 10% M4(3). Local Plan policy LP36 sets out a presumption against the loss of housing.

8.41 The proposals comprise 452 mixed tenure homes as follows:

Bedrooms	Quantum Proposed	Percentage (Rounded up)
Studio	4	0.8%
1 Bed	220	48.7%
2 Bed	165	36.5%
3 Bed	21	4.6%
4 Bed	34	7.5 %
5 Bed	8	1.8%
<b>TOTAL</b>	<b>452</b>	<b>100%</b>

8.42 The mix of the market housing as a part of the 452 units can be summarised as follows:

<b>TYPE:</b>	<b>Market Housing</b>	<b>Re-provided Leaseholds</b>
Studio	2 (1%)	2 (7%)
1 Bed	83 (41%)	7 (23%)
2 Bed	74 (37%)	17 (57%)
3 Bed	0	4 (13%)
4 Bed	34 (17%)	0
5 Bed	8 (4%)	0
<b>TOTAL</b>	<b>201</b>	<b>30</b>

8.43 The higher provision of smaller units is driven by the preference of the existing occupants (leasehold properties) to be rehoused in smaller units, together with viability influences (grant funding is awarded on unit numbers rather than unit size). However, given the two bed properties could be regarded as family units, the market housing makes an acceptable level of provision for a reasonable quantum of larger and family sized units. Overall, a good mix of unit sizes are proposed which are appropriate for the site/location and the scheme, and in this regard is considered to comply with policies H1 and LP35, and the advice contained in the NPPF. The need to provide a variety of affordable housing sizes and tenures is considered under the heading 'affordable housing'.

Residential Standards

8.44 Policy D6 of the London Plan sets out necessary housing quality and standards schemes should achieve, these aspirations are reflected in policy LP35, which requires housing development, to comply with the NDSS and for adequate external space for the number of occupiers, which is private, usable, functional and safe, accessible from living areas, well orientated. Purpose built, well designed and positioned balconies or terraces are encouraged if they comply with LP8 (amenity).

8.45 83% of the proposed residential units are either dual or triple aspect and have been shown to receive adequate levels of daylight and sunlight as set by the BRE Standards. Whilst it is disappointing not all units achieve dual or triple aspect, given the layout and footprint of the buildings, that no north facing unit are single aspect, and the limited numbers involved, this is considered broadly acceptable.

8.46 All the proposed units meet or exceed the NDSS and those set out in the London Plan, offering generous living space with provision for adequate storage. Minimum floor to ceiling height of 2.5 metres are also provided. The affordable homes are noted to provide a good standard of accommodation and the majority are dual aspect with good quality pleasant outlooks onto communal gardens or landscaped areas. Further, all units benefit from private amenity space, with the dwelling houses having private gardens more than the standards and each proposed apartment served by a balcony or terrace of a minimum of 5m<sup>2</sup> for 1-2 person homes, increasing by 1 sq. m for each additional occupant. All outside space will have a minimum depth and width of 1.5 metres.

8.47 Whilst other matters relating to residential amenity are explored in more detail in issue vi, when considering housing standards; the development proposals accord with the standards set by Local Plan policy LP35 and London Plan policy D6.

Accessible Homes

8.48 The NPPF (para. 92) and London Plan (D5) required proposals to achieve the highest

standards of accessible and inclusive design, and be convenient and welcoming with no disabling barriers, to be able to be used easily and with dignity for all and designed to incorporate safe and dignified emergency evacuation for all building users.

- 8.49 To ensure residential developments provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, policy D7 of the London Plan requires such developments to provide at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. This is similarly reflected under policy LP35 of the Local Plan, which also outlines the Building Regulations M4 (2) and M4 (3) require step free access.
- 8.50 Accordingly, 90% of the homes meet M4(2) standards and 10% meet M4(3) standards. Each building is proposed to include a spacious entrance lobby with adjacent lift core allowing step-free access to the upper floors of each building and basement car park. Where M4(3) units are located within a block, the communal areas have also been designed to meet M4(3) standards. In terms of split:
- Of the 164 affordable rent homes proposed, 12 will be provided to M4(3) standards
  - Of the 47 shared ownership homes, 8 will be M4(3) homes.
  - Of the 30 re-provided leaseholder homes, 6 will be M4(3)
- Whilst this represents an under provision in the affordable rent tenure (i.e not meeting the 90%), RHP have identified their required re-provision need for wheelchair accessible affordable rented homes as only 4 out of 143 existing households. However, this is compensated for with a higher proportion of the 'net gain' affordable rent uplift homes, shared ownership and lease holder homes being M4(3) standards. This rationale is accepted and considered to be a reasonable response.
- 8.51 Officers queried the heavier weighting in favour of 2 bed (3 person) homes in the M4(3) category. The applicant has explained that the apartment building floorplans have been optimised to maximise repeatability and stacking walls to simplify and reduce the amount of concrete in the structure to meet viability and carbon targets. This explanation is accepted.
- 8.52 It is noted that the Accessible Homes Officer raised concern about the presence of market housing M4(3) homes above ground floor level with only single lift access. The applicant has explained that the lifts will be fire evacuation appropriate, and a quick response maintenance contract and a programme of regular preventative maintenance will be used to minimise the possibility of lift failure furthermore ground level M4(3) homes have been optimised throughout the scheme. Additional lifts would have increased the footprints of the blocks, reducing open space and separation distances and increasing service charges for existing and future residents. The absence of a second lift will be made clear to potential buyers/tenants when viewing the properties. This arrangement is accepted.
- 8.53 In addition to the homes themselves being accessible and adaptable:
- All the footways within the site have been designed to be level or to have a very shallow gradient.
  - The masterplan is based around a legible street network.
  - Public open spaces will be accessible via step free routes and accessible seating is proposed to be provided.
  - The proposed communal and private amenity spaces will be step free.
  - Surface treatments have been designed to assist with way finding and the proposed footpaths will be all weather access and be a minimum of 1.5 metres

- wide.
  - Approach routes to buildings have been designed to allow for greater connectivity and accessibility across the site.
- 8.54 Overall, compliance with the M4(3) and M4(2) standards have been shown satisfactorily, and the development is considered to comply with policies H10, D5, D7 and LP35 in respect of accessible homes and this matter is held in neutral weight in the planning balance. This provision will be secured through conditions and the S106 Agreement.

#### Affordable Housing

- 8.55 The NPPF expects major residential developments to provide at least 10% of the total number of homes for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups (Paragraph 65). The London Plan and Local Plan have higher expectations. Policies GG4, H4 and H5 of the London Plan sets the strategic target of 50% of all new homes to be genuinely affordable, with such to be provided on site. To achieve such, the policy puts forward measures including:
- 1) the use of grant to increase affordable housing delivery beyond the level that would otherwise be provided
  - 2) public sector land delivering at least 50% affordable housing on each site and public sector landowners with agreements with the Mayor to deliver at least 50% affordable housing across their portfolio
- 8.56 The Mayor requires major developments to provide affordable housing through the “threshold approach”. This requires a minimum of 35% of housing to be delivered as on-site affordable housing. And, under policy H8(D), the demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace.
- 8.57 London Plan Policy H6 outlines the necessary tenure splits developments should achieve – with a minimum of 30% low-cost rented homes (London Affordable Rent or Social Rent), a minimum of 30% intermediate products and the remaining 40% to be determined by the borough – i.e. 62% low cost rented; 38% Intermediate. However, it is also acknowledged policy H8(D) requires affordable housing that is replacing social rent housing must be provided as social rent housing where it is facilitating a right of return for existing tenants. Where affordable housing that is replacing social rent housing is not facilitating a right of return, it may be provided as either social rent or London Affordable Rent housing.
- 8.58 Policy LP 36 (Affordable Housing) of the Local Plan outlines the Council’s approach to affordable housing. The affordable housing mix should reflect the need for larger rented family units and the Council’s guidance on tenure and affordability, based on engagement with a Registered Provider to maximise delivery. Where on-site provision is required, an application should be accompanied by evidence of meaningful discussions with a Registered Provider which have informed the proposed tenure, size of units and design to address local priorities and explored funding opportunities.
- 8.59 In line with both National and London Policy, the policy acknowledges that this requirement may not always be achievable; in such circumstances, the Council will seek to secure the maximum reasonable amount of affordable housing regarding “a. economic viability; b. individual site costs; c. the availability of public subsidy; and d. the overall mix of uses and other planning benefits.” Under Policy LP36 the developer is

required to produce a viability assessment and underwrite the Councils costs to rigorously evaluate the proposals.

Content and quantum

- 8.60 The application proposes the demolition of 192 existing homes (143 social rent; 49 leasehold) across the site and replacement with the following;
- 221 affordable homes proposed equating 49% provision based on unit number, 43% based on habitable rooms
  - 74% general needs rent / 26% intermediate
  - 143 homes social rent (re-provision)
  - 21 London Affordable Rent (net gain)
  - 10 London Living Rent (net gain)
  - 47 Shared Ownership (net gain)

8.61 The following table provides a summary of the mix of units provided:

Tenure	Studio	1 bed	2 bed	3 bed	Total
<b>Affordable Rent (reprovision)</b>	0	93	37	13	143 (65%)
<b>Affordable Rent (net gain)</b>	0	8	10	3	21 (9%)
<b>London Living Rent</b>	0	7	3	0	10 (5%)
<b>Shared Ownership</b>	0	22	24	1	47 (21%)
<b>TOTALS</b>	0	130	74	17	<b>221</b>

- 8.62 The scheme proposes 221 affordable homes, which equates to 49% based on unit number and 43% based on habitable rooms (due to the low number of larger affordable housing units). Whilst the mix is dominated by 1 and 2 bed units, the unit mix within the general needs affordable tenures have been influenced by:
- the need to make provision for existing estate residents, responding to their on-going needs (including any desire for residents to downsize)
  - replacing all existing studio homes with 1-bed apartments,
  - affordability criteria of the Intermediate tenure (which focuses on a higher proportion of smaller units).
  - grant funding being available on the quantum of units rather than the size of units.
- Notwithstanding, the mix is deemed acceptable, meets identified housing needs, and provides good standard of accommodation.

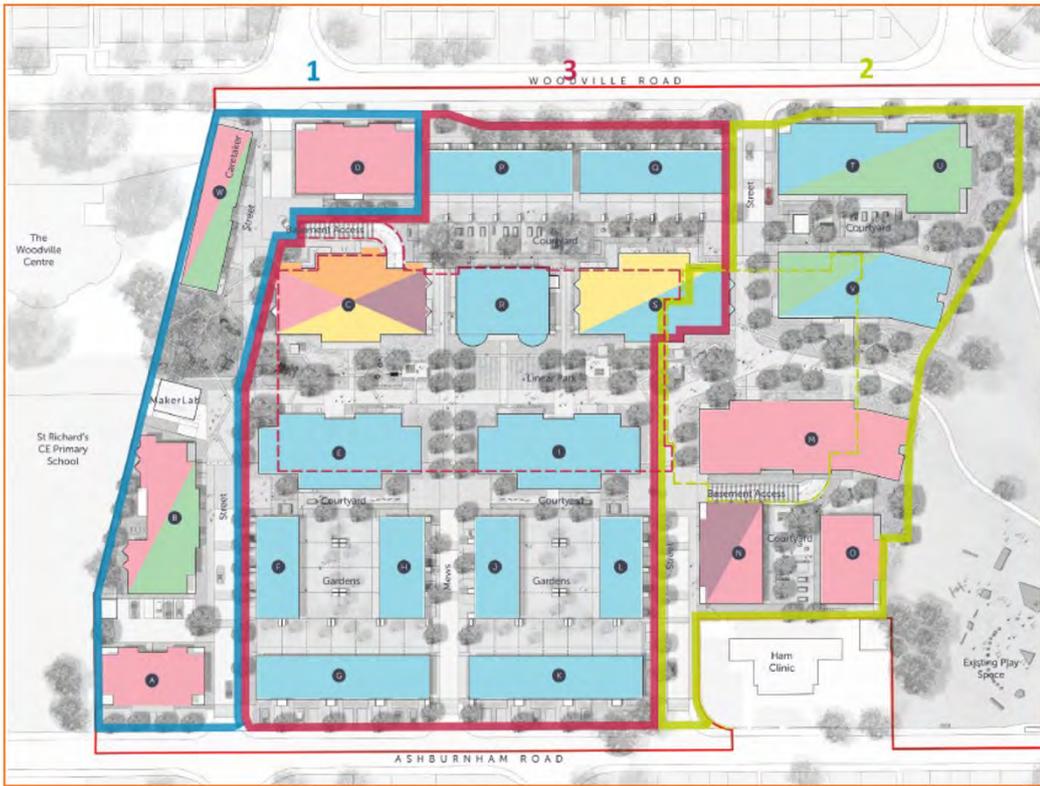
8.63 By reason of the scheme failing to meet the 50% affordable housing provision, as sought by policy LP36, viability evidence has been provided to determine if the maximum amount of affordable housing is being delivered.

Tenure, Rents and Affordability

8.64 The proposed tenure split of 74% rented / 26% intermediate is a departure from the 80/20 split required in Local Plan Policy. However, the Regulation 18 Version of the revised Local Plan proposes a 70/30 tenure split between general needs rented and intermediate homes. The emerging Local Plan policies cannot be afforded weight at this time as a material consideration, the emerging policy is based on the most up to date evidence which is a material planning consideration. Given this, and the wider estate regeneration benefits of this scheme, the proposed tenure split is considered acceptable.

- 8.65 Image 3 below shows the tenure distribution across the site:
- Blue indicates market housing
  - Green indicates the re-provided leasehold homes
  - Pink demotes affordable rent
    - Light pink representing the re-provided affordable rent homes
    - Dark pink representing new provision
  - Yellow represents shared ownership
  - Orange represents London Living rent.

**Image 3: Tenure distribution**



8.66 The image above is considered to represent reasonable distribution of the different tenures across the site. The submitted design and access statement also indicates mixed distribution of tenures across floor levels which is encouraging. The design of the blocks is such that the tenure will be indistinguishable, and the scheme is subsequently regarded to be tenure blind.

8.67 The application proposes a mix of social rent and London Affordable Rent across the scheme, in response to the need to deliver for existing estate residents wishing to return/stay on the estate, both of which are considered genuinely affordable forms of affordable housing in Richmond. The tenures proposed will mean that the homes are eligible for grant funding. All existing social housing tenants have been made an offer of a new home on the same terms and conditions as they currently enjoy, in line with estate regeneration good practice guidance. If any of the 143 replacement social rent homes are not required for reprovision for existing estate residents, nominations will come to the Council for allocation via a Nominations Agreement. All London Affordable Rent homes should also be subject to this nomination process. This will be carried forward into the S106 legal agreement.

Affordability:

8.68 The London Affordable Rent is exclusive of service charges, and these may be a

significant additional cost to residents particularly existing residents. To overcome this as a barrier to affordability the London Affordable Rent in the scheme would be capped at 80% of Local Market Rents including service charges. This has been agreed with the applicant and will be secured via the S106 agreement.

8.69 The Council's Intermediate Housing Policy Statement requires two thirds of the shared ownership homes to be affordable at gross household income of £50,000, and to be marketed in accordance with the Council's Intermediate Housing Statement with the associated affordability criteria.

8.70 The development offers a mix of both shared ownership and London Living Rent homes within the intermediate tenure. This is welcomed in principle and will support a range of incomes that would allow residents, who may not be able to currently afford a deposit for a shared ownership home but may not qualify for general needs housing, to access a form of genuinely affordable housing. To ensure that any intermediate homes being brought forward remain genuinely affordable to LB Richmond residents, the homes need to meet the requirements the Intermediate Housing Policy Statement which are as follows:

- Two thirds of all intermediate homes must be affordable to those on household incomes of up to £50,000 per annum with the remaining third affordable to those on household incomes up to the GLA intermediate housing threshold of £90,000 per annum for shared ownership
- The applicant/Registered Provider must demonstrate in marketing plans prior to launching sales that two thirds of the homes are affordable at gross household incomes of below £50,000, unless agreed otherwise by the Council, to ensure lower income households can still access these homes.
- London Living Rent homes are subject to a maximum income cap of £60,000 as required by the GLA and rent benchmarks are published by the GLA on a Ward basis annually.
- The affordability will take account of any confirmed service charge

8.71 The criteria noted above has been agreed with the applicants and is being secured within the S106 Legal Agreement, thereby ensuring the Intermediate Housing policy is complied with.

#### Grant Funding

8.72 The redevelopment of the site is only possible with Grant Funding from the Greater London Authority. This is the Homes for Londoners: Affordable Homes Programme 2016-2023. Ham Close has an allocation of monies from the programme, contingent on certain deadlines being met.

8.73 An initial allocation of funds was made in 2017 since which the design of the scheme has changed and the amount and mix of affordable homes on the site has increased and altered. In addition to the allocation of funding based on the quantum of affordable units, there is a second allocation of funding based on the acquisition and re-provision of 49 leaseholder homes on the site. The intention is that grant will be drawn down at a rate of 50% at the start of the project and 50% at the end of the project. The delivery of the affordable housing proposed is understood to be dependant on the use of grant, which is enabling the maximising of affordable housing provision in line with policy.

#### Viability

8.74 The scheme does not meet the 50% affordable housing provision required by policy, viability evidence has been submitted and independently assessed to determine

whether the scheme delivers the maximum reasonable amount of affordable housing.

8.75 Whilst it has been confirmed through independent review that the scheme offers the maximum possible affordable housing offer, there remain several areas of disagreement set out below. It is the Council’s view these matters can reasonably be deferred to a comprehensive review mechanism. This mirrors the approach taken to other estate regeneration applications. A small number of appraisal assumptions will be fixed within the S106 agreement (Benchmark Land Value, profit, finance), and all other revenue and costs will be derived from actual data at the point the review is triggered. This ensures that the outputs of the review are robust, but also allows for the items of disagreement that currently exist between the GLA, Applicant and the Council (residential values, car parking, affordable housing values) to be deferred until the point of the review. Whilst the Council’s viability consultant is satisfied with the viability assessment, subject to the above approach being taken, there remains several areas of disagreement between the applicant and the GLA. An update on this matter will be reported to members at the committee, if resolved prior to Committee. This does not change the conclusion agreed that the maximum affordable housing offer has currently been achieved and the scheme is maximising its affordable housing deliverability. The following table indicates the areas of agreement (Yes) and disagreement (No) between parties and which parts would be captured in any comprehensive review:

<b>Input</b>	<b>LPA</b>	<b>GLA</b>	<b>Review</b>
Residential Values	Yes	No	<b>Yes</b>
Off-plan Sales	Yes	No	<b>Yes</b>
Affordable Sales Values	No	No	<b>Yes</b>
Construction Costs	Yes	Yes	<b>Yes</b>
Professional Fees	Yes	Yes	<b>Yes</b>
Finance Rate	No	No	<b>Yes</b>
Social Value Fund	Yes	No	<b>Yes</b>
Developer Return	Yes	No	<b>No – Fixed Input</b>
Benchmark Land Value	Yes	No	<b>No – Fixed Input</b>

8.76 In summary, the existing affordable housing has been adequately re-provided with betterment in terms of quality and design standards. Whilst the development does not meet the 50% affordable housing policy requirement, 30% additional affordable housing is provided above the quantum of re-provided homes, and it has been demonstrated that the affordable housing provision is the maximum viable. The proposed tenure and unit mix has been based on reasoned justification which is accepted. With the recommended clauses set out in S106 Agreement, the development proposals, in respect of the provision of affordable housing, are in broad compliance with London Plan policies H1, H4, H6 and H8; Local Plan policies SA15, LP35, LP36, LP37 and LP38; and the advice contained in the NPPF.

**Issue ii: Public Open Space, Other Open Land of Townscape Importance and Playing Fields**

8.77 The site has extensive areas of open space including Public Open Space throughout Ham Close and on the village green; OOLTI designations on both the western strip of the site and village green; and playing field designation on the western strip of the application site.

Open Space

- 8.78 National policy and guidance states that existing open spaces should not be built on unless:
- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. (Para. 99 of the NPPF).
- 8.79 Under policy G4 of the London Plan proposals should not result in the loss of protected open space and where possible, create areas of publicly accessible open space. Policy LP12 seeks to protect the integrity of the green spaces and features that are part of the wider green infrastructure network; and supports the improvements and enhancements to the green infrastructure network. Policy LP31 reflects the requirements of the NPPF.
- 8.80 The open and green spaces are fundamental to the character and setting of Ham and Petersham, policy G1 of the HPNP stresses the importance of protecting and enhancing existing open spaces to maintain the semi-rural character of the area. Ham Village Green is designated Public Open Space (POS) and Public Green Space (within the HPNP). The HPNP states *‘The land (Village Green) is allocated for Public Open Space in the Richmond Local Plan and provides a valued amenity for local people. The significance of this open space is likely to be enhanced if Ham Close is redeveloped.’* The western strip of the site is identified as private green space within the HPNP.
- 8.81 Ham Close benefits from extensive areas of open space, having an open, permeable character with residential blocks set within an expanse of amenity lawn which is dissected by vehicular access routes, car parks and paths. The existing amenity space does not have any features to support variety of use by residents, for example no benches or seating opportunities are provided and several ‘No Ball Games’ signs restrict how these spaces can be used. In addition, the existing site contains no variety or hierarchy of open space, and fails to balance the need between private, communal and public open space. While the applicant states the space is private communal space for residents, the lack of variety and framework means it is unclear whether the space can be used by the public or whether it is solely for residents. Regardless, it is deemed as open space within the definition contained in the NPPF.
- 8.82 The scheme results in the loss of existing open space, contrary to LP31. However, each application must be assessed on its own merits that consider the exceptions set out in the Framework, and re-provision (quantum, value, facilities, access) and the planning balance. The application has not been accompanied with an assessment to demonstrate such open space is surplus to requirements, therefore exemption (a) of the Framework does not apply. The scheme does however re-provide the open space that is lost, as set out in the following paragraphs, in line with exception (b).
- 8.83 The Open Space Assessment sets out an existing and proposed built footprint and open space comparison, outlined in the table below, and demonstrates the scheme exceeds the existing quantum of open space.

	Existing Area	Proposed Area	Open Space Typology
Built Structure Footprint	4,535	11,223	N/A
Amenity space (communal for residents)	11,292	See rows below	Amenity grassland

Amenity space and Linear Park (publicly accessible)	0	5,335	Amenity grassland
Communal Courtyards	N/A	2,772	Not defined as a typology
Private amenity space	N/A	6,568	Not defined as a typology
Streetscape (pedestrian and vehicle routes)	(13,228)	(5,440)	N/A
Western OOLTI	1,630	(1,630) Re-provided within publicly accessible open space and included above	Amenity Greenspace
Ham Village Green OOLTI and POS	(11,817)	(11,817)	Amenity Greenspace
<b>Total Open Space (excluding space in brackets)</b>	<b>12,922</b>	<b>14,675</b>	As above

8.84 In addition to exceeding the quantum of existing open space, the development is deemed to provide open space that is of better quality. Unlike the existing arrangement, the scheme seeks to provide a hierarchy of open space as follows:

- Publicly Accessible Open Space: Linear Park with public access integrated with Ham Village Green
- Communal Courtyards: Shared amenity space for residents and secure space where public access is deterred but not prohibited
- Private Amenity Space: Terraces and private gardens
- Streetscape: Publicly accessible places for pedestrian access, cycling, servicing and limited parking

8.85 It is acknowledged that some elements are difficult to categorise/measure, for example moving away from the existing streetscape and communal provision to a landscape led masterplan with a focal open space at the centre of the development, and private amenity space.

8.86 Whilst the proposal results in a net loss in amenity greenspace of 5,957sqm, the existing site has extensive restrictions on the use of the greenspace, limiting its value to residents, and the scheme provides two additional types of open space not currently found within Ham Close: Communal Courtyards (2,772sqm) and Private Amenity Space (6,568sqm), together providing 9,340sqm of open space. This is in accordance with policy LP31 which acknowledges that major proposals will need to strike a balance between onsite private amenity space, semi-private and publicly accessible provision. Therefore, this provision of open space is considered acceptable in this instance, and the benefits of delivering private amenity space area recognised.

8.87 The proposed linear park would be connected to the Ham Village Green which would comply with the aims of policy LP31 in linking new open spaces, play facilities and formal and informal land for sport and recreation to the wider Green Infrastructure network, as they play an important role in creating social cohesion, encouraging and promoting healthier and more active lifestyles.

8.88 Furthermore, as outlined above, it is acknowledged that the existing amenity grassland

is underutilised and does not provide high quality open space. It is considered that the proposed open space will be of a greater quality in comparison to the existing amenity lawns, by virtue of its play features, hierarchy of spaces and will be more usable by residents by offering a range of formal and informal recreation opportunities. The linear park will greatly enhance the sites biodiversity and will create a green corridor east west across the site and could constitute a parcel that could be considered part of the future green infrastructure network, as set out in LP12.

8.89 In summary, whilst the existing open space is not considered to be surplus to requirements, nor is the development for alternative sports and recreational provision, the above assessment considers that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, in line with paragraph 8.4.1 of policy LP31 and national policy and guidance.

Other Open Land of Townscape Importance (OOLTI)

8.90 Policy LP14 of the Local Plan protects Other Open Land of Townscape Importance (OOLTI) in open use and seeks to enhance these areas where possible. The policy recognises that there may be exceptional cases where appropriate development is acceptable:

- a. It must be linked to the functional use of the OOLTI; or
- b. It can only be a replacement of, or minor extension to, existing built facilities; and
- c. It does not harm the character or openness of the open land.

8.91 Improvement and enhancement of the openness or character of OOLTI and measures to open views into and out of designated OOLTI will be encouraged.

8.92 The purpose of this policy is to safeguard open land of local importance and ensure that it is not lost to other uses without good cause. Areas designated as OOLTI form an important part of the multi-functional network of Green Infrastructure and they can include public and private sports grounds, school playing fields, cemeteries, allotments, private gardens, areas of vegetation such as street verges and mature trees.

8.93 Ham Village Green is designated as OOLTI, as is the western strip of land forming part of the adjacent school playing field and Woodville Centre as highlighted in green in Plan 2 below:

**Plan 2: Other Open Land of Townscape Importance**



Loss of Other Open Land of Townscape Importance:

- 8.94 The proposed development would partially be on land designated as OOLTI, with blocks B and W and the proposed makers lab situated on the western strip of land. The Village Green itself is to be kept free of development, aside for limited path widening and additional tree planting.
  
- 8.95 The northern section of the western strip currently encompasses a section of the Woodville Centre car park and service yard which equates to ~460sqm of hardstanding. There is also ~500sqm of soft landscaping, comprising garden space accessed directly from the day centre building. The southern section of the western strip comprises an area of playing field associated with the adjacent primary school.
  
- 8.96 The proposal would not comply with any of the appropriate exceptions outlined above. However, where a comprehensive approach to redevelopment can be taken, such as on major schemes or regeneration proposals, or for community and social infrastructure including educational uses, the Local Plan acknowledges that it may be acceptable to re-distribute the designated OOLTI within the site, provided that the new open area is equivalent or improved in terms of quantum, quality and openness.
  
- 8.97 The applicant proposes to re-provide this space within Ham Close as a publicly accessible open space within the linear park, resulting in no net loss of OOLTI. It therefore needs to be considered whether the proposed re-provision meets the following criteria, which is applied when defining OOLTI (note that the criteria are qualitative and not all need to be met):
  - Contribution to local character and/or street scene, by virtue of its size, position and quality.
  - Value to local people for its presence and openness.
  - Immediate or longer views into and out of the site, including from surrounding properties.
  - Contribution to a network of green spaces and green infrastructure as set out in policy LP12 in 5.1 'Green Infrastructure'.
  - Value for biodiversity and nature conservation and meets one of the above criteria.

8.98 In terms of its size, and as identified in Plan 3 below, the proposed linear park would be some 2,998sqm larger than the strip of OOLTI it replaces. It would also be of greater quality, by virtue of the proposed diverse planting, than the amenity grassland and hardstanding which occupies the land currently and would be of more value to local people due to its accessibility and multifunctionality (Image 4). Furthermore, Officers consider that the proposed linear park appears to constitute a parcel that could be considered part of the future green infrastructure network, part of the hierarchy as set out in LP12, linking up with the land to the east and west. The linear park would also publicly accessible (compared to the existing strip of OOLTI), a benefit of the proposed scheme.

**Plan 3 - Proposed linear park**



**Image 4: Linear Park – Artists Impression**



Visual impact on Other Open Land of Townscape Importance:

8.99 Policy LP14 also requires the consideration of any possible visual impacts on the character and openness of the OOLTI to be considered when assessing developments on sites outside such land.

8.100 As noted previously, Ham Village Green would be kept free of built development. However, residential blocks O, M, V and U, as well as the proposed community centre would be directly adjacent to it. It is therefore acknowledged that they are likely to have

some visual impact on its character as open land. Although taller, the residential blocks fronting the Ham Village Green would be set back further from the Green than existing buildings, creating a transitional space which would be planted in a naturalistic style to act as a buffer, softening the impact on the OOLTI. The difference between the existing and proposed relationship with the Green can be seen in Plan 4 below:

**Plan 4: Relationship with between the residential blocks and OOLTI**



- 8.101 The community centre is proposed to be a three-storey building with the upper floors projecting slightly beyond the ground floor, above a covered walkway, but in line with the edge of the OOLTI. Whilst none of the built structure, including the overhang, will extend into the OOLTI.
- 8.102 The open space assessment submitted with the submission states that the proposals will have no impact on the Village Green. Officers disagree.
- 8.103 The building would cause some overshadowing of the adjacent green. The area affected is predominantly amenity grassland, with some birch trees, and due to the orientation of the building, would not be in permanent shadow and the proposal would comply with the BRE guidance in terms of overshadowing. While this overshadowing impact would be seen in combination with the impact of the residential development across the village green, it is not considered that it would change the way the local community use the green.
- 8.104 The existing green has an open north / south aspect with built form on its west boundary, and adjacent to its southeast and northeast corners. It would have been preferred that the residential development and community centre be set back further from the edge of the green, on balance, it is deemed the Village Green would largely retain an open character and the proposed development would not result in an unacceptable sense of enclosure of this space for the following reasons:

- the north / south aspects remaining open,
- the context of the existing built form,
- the limited visual impression resulting, when viewed from Woodville Road (refer to images 5 and 6 below)
- mitigation in the form of a natural buffer strip secured on the village green (adjacent to the community centre), as well as additional tree planting, secured via the S106 legal agreement.

Further, any impact is also balanced against the replacement of negative buildings and the provision of additional planting which will improve the views across the OOTLI.

**Image 5 - Existing view from Woodville Road**



**Image 6 - Proposed view from Woodville Road**



8.105 As outlined previously, the land adjacent to the west of the site also comprises OOLTI. As such, the impact of the development on this needs to be assessed. At present, there are a number of existing buildings along the western side of the site, Hatch House, Hawkins House, Hornby House and Newman House. Although these buildings are lower in height than the proposed buildings, they are still some 3/4/5 storeys in height and impact the openness of the adjacent OOLTI to some extent. Furthermore, it is noted that the rectangular form of Hornby House, which is 4 storeys, in combination with its north-south orientation, occupies a large space along the western side of the site. This building, in combination with the disparate layout of the site largely obscures any views towards the site from the adjacent OOLTI.

8.106 Whilst the proposed buildings adjacent to this land would be taller than the existing buildings, and indeed block W has a long rectangular form, the proposed site layout

around the linear park with the play space adjacent to the western boundary has opened up the site and now allows east-west views into and out of the adjacent OOLTI. As such, by virtue of their height and proximity to the OOLTI, the proposed buildings would have some impact on the visual openness of the OOLTI, however the impact of such harm is somewhat lessened by the opening up of a vista through the linear park.

Works to the village green (OOLTI):

8.107 Whilst no buildings are proposed on village green OOLTI, during the application negotiations have secured additional works within the green, to both mitigate potential harm arising from built form and to ensure the development meets the needs arising from the scheme. This includes the widening of the path between the linear park and the community centre; the addition of a buffer zone around the northern and western flanks of the community centre; and a contribution to the stock of trees to the north. These works, shown on the plan to the right below, are not considered to harm the openness or the character of the OOLTI:

**Plan 5: Works to Ham Village Green**



8.108 Summary to OOLTI: Whilst the loss of the OOLTI on the western boundary of the site is regrettable, the proposed linear park is considered a significant benefit of the scheme, delivering a more versatile use and although new OOLTI can only be designated through the preparation of the Local Plan, once the new linear park is delivered it is deemed this could meet the criteria for OOLTI designation. Notwithstanding the criticism in regard to the limited separating distance between the development and the Green, when considered as a whole, and taking into consideration the existing context and mitigation secured, it is not considered to amount to a harm.

Playing fields

8.109 The NPPF, London Plan and Local Plan policies are aligned in protecting existing playing fields by requiring that they are not built on, unless it can be demonstrated that the land is surplus to requirements, or that the loss is appropriately replaced. Sport England's Playing Fields Policy and Guidance document sets out that Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- All or any part of a playing field, or
- Land which has been used as a playing field and remains undeveloped, or

- Land allocated for use as a playing field.

8.110 Unless, in the judgement of Sport England, the development meets with one or more of five specific exceptions. One of the exceptions is:

Exception 3: The proposed development affects only land incapable of forming part of a playing pitch and does not:

- Reduce the size of any playing pitch;
- Result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- Reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- Result in the loss of other sporting provision or ancillary facilities on the site; or
- Prejudice the use of any remaining areas of playing field on the site.

8.111 The application site includes a strip of land, of approximately 670sqm, adjacent to the western boundary of the estate, which is designated playing field within the grounds of St Richards Church of England Primary School (identified in orange in image 7 below). The proposal will therefore result in the loss of playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and a Playing Field Assessment has therefore been submitted in support of the application.

**Image 7: Playing field**



8.112 The strip of playing field proposed for development is on the eastern perimeter of the

school's outdoor space and, as outlined within submitted Playing Field Assessment, is not currently used as functioning playing field space, nor is it occupied by any of the schools marked out sports pitches or their run-off areas. Instead, it is used informally by the school for delivery of their science and ecology curriculum, owing to the presence of fruit trees.

8.113 The applicant states that based on DfE standards, outlined within the School Land Transactions Guidance, the minimum requirement for playing fields for the primary school would be 9,686m<sup>2</sup>. The current fields measure 15,377m<sup>2</sup>. Therefore, even with the removal of the area in question, an area of 670m<sup>2</sup>, the retained playing field area would exceed the minimum recommended area. Notwithstanding this, it is important that the loss of this area is assessed in the context of relevant policy.

8.114 The Playing Field Assessment submitted with the application sets out that the proposal is considered to meet Sport England's Exception 3, as outlined above, in the following way:

- Impact on size of playing pitch: The area of land does not currently contribute to the playing pitches, either directly or as run-off. The strip is irregularly shaped and at the edge of the site, unlikely to be capable of forming part of a playing pitch.
- Impact on ability to use playing pitch: The area of land does not currently contribute to the ability to use any of the playing pitches on the site, both due to its location and shape, and because it is planted with trees, includes hardstanding, or is unmown. The existing pitches have sufficient space around them to provide margins and run-off areas, and there is ample room to allow for maintenance of them without needing access to the piece of land in question
- Impact on sporting capacity: The area of land in question is at the side of the playing fields and is irregular in shape. It does not therefore contribute to the sporting capacity of the playing fields. The playing pitches which are used on the playing fields can therefore easily be rotated or repositioned within the remaining playing field area without the need to use this space.
- Impact on other sporting provision or ancillary facilities: The area of land does not contain any ancillary sporting facilities or other sporting provision. It contains a small area of hardstanding, trees and unmown grass and is used for nonsporting activities.
- Impact on remaining areas of playing field: As an irregular strip of land and the edge of the site, largely covered with trees, it makes no contribution to the playing field by way of sports provision. Furthermore, as noted in this report, the remaining area of playing field would vastly exceed the recommended amount required for a school of this size. It is also noted that generally it is not advisable to use land too close to trees as playing

8.115 Sport England, a statutory consultee, notes there will be a small loss of playing field, the land involved is irregularly shaped, appears to have previously been planted over, and is close to trees. It is not advisable to use land too close to trees as playing fields as leaf drop can present health and safety issues. Considering the above, it is considered the proposal would meet exception 3. Sport England has raised no objection. The proposal is considered to comply with the aims and objectives set out within the NPPF, policy S5 of the London Plan, and policy LP31 of the Local Plan.

8.116 To conclude on issue ii, in terms of the overall approach to open space and OOLTI, the application demonstrates compliance with the relevant policies through a comprehensive approach with the re-provided open space and OOLTI offering a greater quality and more versatile space in compliance with paragraph 99 of the NPPF. The proposed loss of playing field is considered acceptable as it meets exception 3,

and its loss would enable the provision of additional areas for informal sport and recreation which would be publicly accessible. The proposal is therefore considered to comply with the aims and objectives set out within policy S5 of the London Plan, policies LP14 and LP31 of the Local Plan and the NPPF.

### **Issue iii: Design**

- 8.117 As recognised in the NPPF, good design is a key aspect of sustainable development. Decisions should ensure developments will function well and add to the overall quality of the area; are visually attractive and sympathetic to local character and history (whilst not preventing or discouraging appropriate innovation or change); optimise the potential of the site; and create places that are safe, inclusive and promote health and wellbeing. The NPPF makes clear, development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- 8.118 The London Plan policies, including GG2, D1, D3 and D5 stress the need to make the best use of land by following a design led approach that optimises the capacity of sites, in a manner that enhances local context and responds to local distinctiveness and achieves the highest standard of accessible and inclusive design. Similarly, in the Local Plan, policy LP1 states, whilst policies require development to make the best use of land, this to be achieved in a manner that respects, contributes to, and enhances the local environment, with consideration to local character and existing townscape, and responding to and being sympathetic to development patterns and layout, views, scale, height, massing, proportions, form, materials, and detailing.
- 8.119 Site Allocation 15, which specifically relates to the regeneration of Ham Close, requires the development proposals to respond positively to the unique character of Ham Close and Ham.

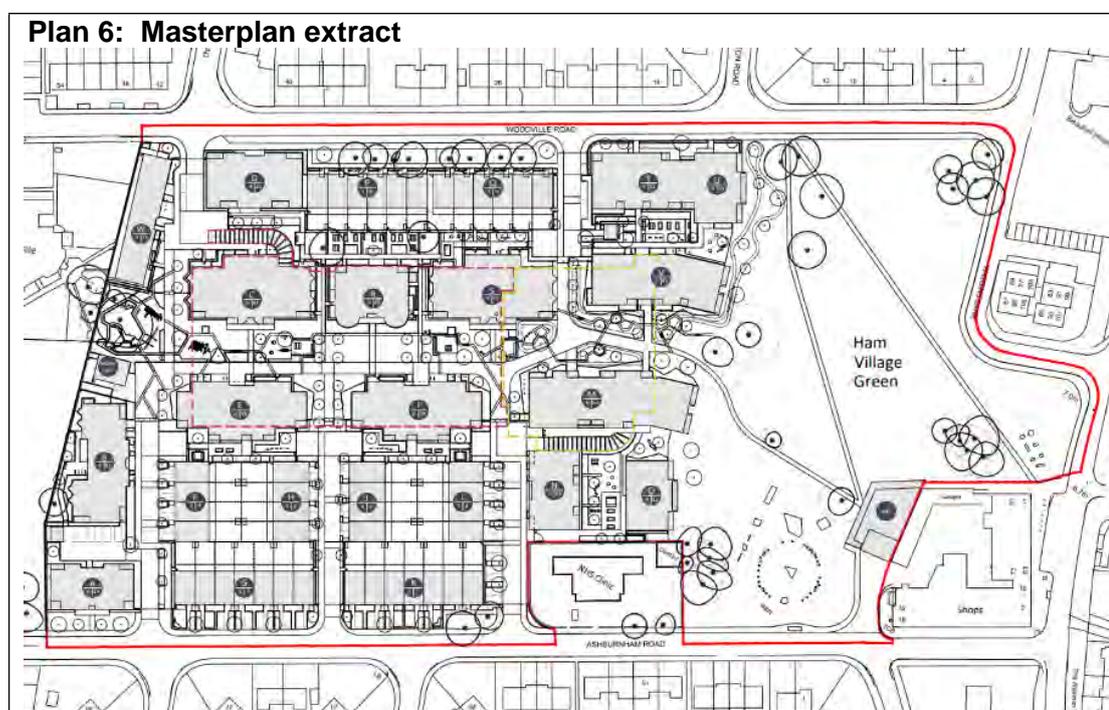
### **Demolition**

- 8.120 The existing buildings on site date from the 1970-s and are of no architectural merit. No objections are therefore raised regarding their demolition.

### **Layout**

- 8.121 The prevailing layout of development surrounding the site is a combination of 18<sup>th</sup> century settlement along linear streets and 20<sup>th</sup> century suburban housing arranged in closes. It is acknowledged that the existing site is distinct from this predominant pattern, and is somewhat isolated by transport links, the Village Green and adjacent school playing fields.
- 8.122 The existing site layout is visually poor and inefficient, comprising 3 types of residential accommodation blocks: five storey blocks, four storey deck access blocks, and three storey 'T' shaped blocks. The buildings are arranged in a disparate layout due to the 5 storey blocks being oriented at 45 degrees to the other buildings, thus failing to address or form any streetscape.
- 8.123 The existing public realm consists of large areas of surface parking and undefined lawns which are informally arranged with roads winding through and scattered trees of various species. The existing spaces lack definition and purpose.
- 8.124 The site is open to the northeast and south, whereas the western boundary is defined by a red brick wall of approx. 1.6m in height against St Richards CofE school and the Woodville Centre with mature trees straddling the boundary.
- 8.125 As can be identified from the following masterplan extract (Plan 6), the development

seeks to establish a hierarchy of streets and outdoor amenity spaces, divided into publicly accessible open space, communal courtyards for residents, private amenity spaces and the streetscape. One of the primary drivers for the layout of the site was the desire to provide a linear park, providing a natural link to the village green whilst also providing an area for biodiversity, socialisation and children's play. It would have active frontages on all sides so as to respond to adjacent spaces and to maximise surveillance opportunities.



- 8.126 The linear park would be a vehicle free landscaped space, with the exception of emergency services and refuse vehicles via demountable bollards, seeking to design out 'rat runs' which are a symptom of the existing layout, as found during the extensive community consultation. The demountable bollards will be required to be down, to facilitate vehicular access, for approximately 45 minutes once a week to allow for the refuse vehicles to access the bin stores within the linear park. This is not deemed to unacceptably diminish the value of this space and would be controlled via condition.
- 8.127 Connections to the perimeter roads of Ashburnham Road and Woodville Road from the linear park are created with tree-lined pedestrian friendly streets and mews, a large, paved threshold provides a transition to the pedestrian priority spaces, whilst also facilitating vehicular turning. These streets provide some (albeit limited) visual permeability across the site.
- 8.128 The layout of the site has been driven by the proposed parking strategy, which proposes a basement car park, which allows for a more open grain at ground floor level, with maximum active frontages and natural surveillance of the streets and public open spaces. It also offers a greater amount of amenity space, avoiding the public realm being dominated by car and allows energy centres and plant room to be located at basement level so they do not dominate ground floor frontages, allowing a more open layout. Basement parking is discussed further at section xii of the report, from a design perspective, Officers consider that it has been adequately demonstrated that surface level car parking would have a negative impact on the public realm, and would result in the loss of the linear park, which is a benefit of the scheme.

- 8.129 Two entrances to the basement car park are proposed; one from the northwest corner behind block C, and the other from the rear of block M. Officers initially raised concerns in relation to the outlook from block M and C onto the open car ramp. However, this will be screened by a pergola type structure which, subject to conditions securing detail, is considered acceptable.
- 8.130 The proposed layout includes several parking spaces along Ashburnham Road, directly in front of homes within blocks G and K. Whilst the southern side of Ashburnham Road does exhibit parking in some cases, in contrast, the northern side of Ashburnham Road currently consists of green verge and open in character. During the application, some spaces have been omitted from the proposal, having been moved to the side streets to would allow more space for soft landscaping. This is still considered to constitute a harm. The proposed surface parking serving the dwellings along Ashburnham Road weighs against the scheme.
- 8.131 Along the Woodville Road interface, the existing line of trees is to be retained with a layby and footway retained to provide pedestrian access to homes. Each property has a small area of defensive planting defined with a garden railing to support this existing character of the properties on the northern side of Woodville Road.
- 8.132 Proposals for boundary treatments focus on providing subtle definition between public and private spaces with low, permeable fencing allowing a connection with the public realm. Higher boundary treatments are proposed to provide a more secure boundary to private gardens and between the application site and the adjacent school site. This is considered an acceptable approach, subject to details of boundary treatment being secured by condition.
- 8.133 In terms of individual block layout, buildings are oriented so that primary frontages and secondary entrances overlook either streets, courtyards or the linear park. Boundaries to houses and apartment blocks with habitable rooms at ground floor are well defined with either front gardens or defensive planting.
- 8.134 As outlined within issue i (land use) the primary driver for the layout of community facilities was to ensure access for the wider community, and to provide ease of access from the bus stop on Ashburnham Road. The siting of the community centre would allows it to become a focal point when viewed from the development. The location of the maker lab links to the community centre via the linear park, which widens at the junction with the village green to celebrate the relationship. The Maker Lab is proposed to be in a similar location to the existing facility, towards the western edge of the site and has not been integrated within the development to reduce any potential noise impact. It is considered that the connection of the community facilities via the linear park is successful in highlighting the relationship between the two.
- 8.135 In terms of separation distances, there are several instances where these are relatively tight between blocks. The applicant has sought to justify such close building proximities as being a feature of the many intimate lanes and routes found within the application site's surroundings and subsequently forms part of the established character of the area. These more intimate separation distances can range from the older mews on Wiggins Lane (6.3m) and the face-to-face terraces Evelyn Road (8.7m); to the more modern four storey blocks at Sutherland House facing opposite Scott House (12.9m) and the Stirling Prize winning Langham House Close which juxtaposes with the Listed Langham House (11.6m). Whilst officers disagree that these are comparable examples, given the respective heights of the examples largely being limited to 2 or 3 storeys, instead of 4/5/6 storeys as proposed, such examples do demonstrate that intimate separation distances are not a wholly unfound feature of the area, and can be

a successful response to creating character.

Height and Scale

- 8.136 The London Plan identifies tall buildings are those substantially taller than their surrounds and cause a significant change to the skyline and should be no less than 6 stories or 18m measured from ground to the floor level of the uppermost storey. As sought by LP2, buildings should generally reflect the prevailing building heights. Proposals that are taller than the surrounding townscape must be of high architectural design quality and standards, deliver public realm benefits, have a wholly positive impact on the character and quality of the area and preserve and enhance the boroughs heritage assets, their significance and setting. With respect to skylines, policy LP5 seeks to protect the quality of views, vistas, gaps and the skyline, all of which contribute significantly to the character, distinctiveness and quality of the local and wider area.
- 8.137 Paragraph 4.2.2 advises that there are only very few sites within the borough, outside of the main centres, where ‘taller’ or ‘tall’ buildings may be appropriate. ‘Taller’ buildings are defined as those being significantly taller than the neighbouring buildings, but less than 18m in height (below six storeys).
- 8.138 Ham and Petersham Neighbourhood Plan states ‘Developments over 4 storeys will be considered acceptable if the proposal demonstrates positive benefits in terms of the townscape and local aesthetic quality and relate well to their local context’.
- 8.139 Whilst the Local Plan would not consider Ham Close appropriate for tall, or taller, buildings by virtue of its location outside of a main centre, the Councils recent Urban Design Study 2021 identifies Ham Close as a ‘Mid-rise building zone’ with appropriate heights of 5-6 storeys (15-18m). It is the only site in the Ham, Petersham and Richmond Park Area deemed suitable for such scale. The Study is considered to be a material planning consideration.
- 8.140 The existing buildings on site are a mixture of 3,4 and 5 storey buildings, although they have relatively low floor to ceiling heights and are a maximum of 13.3m high (14.6m including plant). The surrounding residential area is predominantly of a low density and a mix of two and three storey buildings arranged in pairs and short terraces. Further west are three storey blocks of flats in Ashburnham Close and Croft Way.
- 8.141 The proposed heights vary between 3 and 6 storeys as identified in Plan 7:



- 8.142 Supporting paragraph 4.2.6 of LP2 states that any buildings or features taller or bulkier than the surrounding townscape will only be acceptable where a full design justification based on a comprehensive townscape appraisal and visual assessments has demonstrated that no material harm is caused to interests of acknowledged importance. A comprehensive Heritage and Townscape Visual Impact Assessment has been submitted in support of the application.
- 8.143 As outlined previously, the site is already somewhat isolated from the prevailing building heights in the surrounding area, however the redevelopment of the site offers an opportunity to make more efficient use of this site. Notwithstanding this, national and local planning policy requires new development to respond positively to local context.
- 8.144 The highest of the proposed buildings (blocks C, E, I, M, S & V) measure 19.875m in height located within the centre of the site, with heights of buildings decreasing towards the periphery. This is considered to act as an appropriate transition to the two storey dwellings located along Ashburnham Road and Woodville Road to ensure that the proposed buildings would not appear as an obtrusive feature in the context. Furthermore, where buildings propose a sixth storey, this is set back from the elevations, reducing the massing and its impact at street level. This transition in height can be seen from the section below:



- 8.145 It is accepted that some of the proposed buildings would be some 5.5m higher than the existing, and the development as a whole would be significantly denser. In terms of the possibility of lowering the overall height of some of the buildings, the applicant has advised that the lowering the height of the buildings would result in a lower housing quality due to reduced floor to ceiling heights. Furthermore, a lower parapet would offer a less attractive finish. This justification is accepted. The difference of the additional 1.8 metre on the set back storey is likely to be imperceptible from both short- and long-range views.
- 8.146 The application has been accompanied by a comprehensive townscape appraisal and visual assessment which demonstrates that the proposed buildings, although higher than existing, would not have a negative impact on the existing townscape as demonstrated in the near and far townscape images shown below.

**Image 8: Far view**



**Image 9: Near view**



8.147 As required by policy, consideration has been given to the impact on the protected views from Richmond Park (King Henry VIII's Mound) and Richmond Hill. As demonstrated below in Images 10 and 11, whilst the development is seen, it would not appear prominent between the trees, would not break the horizon, and any impact would be reduced in summer months. It is deemed the scheme would have a neutral impact, thereby preserving these views, in line with policy.

**Image 10: King Henry VIII's Mound**



**Image 11: Richmond Hill**



8.148 In terms of scale, it is accepted that by virtue of the footprints and height, some of the apartment blocks are significant in mass and bulk. As discussed below, the scale of

these buildings has been broken down through setting back of the roof level, staggered elevations, as well as the use of different materiality and brick colour across floors and brick detailing to break up mass. Additionally, to ensure the rows of terraced dwellings are in keeping with surrounding development in terms of scale, different roof profiles have been used across the site to reflect the more domestic scale of some of the adjacent dwellings.

Appearance

8.149 The proposed buildings have been split into five distinct character areas, as identified in Plan 8;

- Village Green
- The Linear Park
- Ashburnham Road
- Woodville Road
- Central Streets

**Plan 8: Proposed character areas**



Village Green – Apartment blocks O,M,V & U:

8.150 These blocks would front the village green at varying heights, with the taller buildings (6 storeys) in the middle and the lower buildings (4 storeys) to the north and south peripheries. They would be oriented to have their narrower elevations fronting the Green to avoid the buildings appearing as a wall of development from the Green. The principles of these buildings are based on vertical, tall window proportions; with the bases of the building enhanced through detailing and banding. Large bays and windows have been incorporated to emphasise grandeur and overlooking of Ham Common. There is a level of symmetry within the building frontages to reflect more historic buildings.

8.151 The elevational treatment is lively, with balconies facing over the green. These are

recessed which is well considered and includes soldier course detailing, along with stone cills and horizontal stone banding to add interest. The different types of brick for each block and the differentiation between ground and upper floors would add variety.



Linear Park – Apartment blocks E, I, C, S & R:

8.152 These are the tallest of the proposed blocks, at 5 and 6 storeys, with their long elevations laid out parallel to the linear park. The design of these focuses more on pavilion style apartment blocks more uniform in scale and massing.



8.153 Blocks E and I: To provide variation fronting linear park, a range of materials and building styles are proposed. Blocks E and I are neighbours and follow the same building typology but with different material application. These blocks have broadly the same composition of two 5 storey elements with a central, set back, 6 storey element which is heavily glazed and carried across the top floor above the 5 storey elements and differentiated in terms of brick colour. These design features allow the sixth storey to recede to reduce visual prominence and the massing of the buildings. Similarly, a combination of protruding and recessed balconies is used throughout the building to add texture. These buildings again have an ordered fenestration layout with vertical window proportions and a recessed stucco fronted bay to break at interest to the long elevation fronting the linear park. The entrance to these buildings is signified by a canopy to provide shelter, with metal columns like those seen in the Parkleys Estate. Detail is added to these blocks using brick details around the windows and horizontal stone banding.

8.154 Blocks C and S: These blocks are sister blocks, a matching pair rather than differentiated by material, 5 storeys with the central element projecting forward with a set back roof storey across each block. The buildings would have the same Richmond blend brickwork and thick white banding with a set back white stock brick top floor for a lighter appearance. These buildings would have more varied window proportions than the other buildings fronting the park, with a wider emphasis, utilising horizontal stone banding and recessed balconies. This is considered to add to the variety and richness of character within the linear park. The stepping, seen in the elevations of these blocks successfully breaks up their longer elevations and the celebration of the

entrance, with recessed vertical banding is appropriate. Similarly, to many of the buildings, the signing lettering is inspired by the Parkleys Estate. It is unfortunate that these two buildings have not been differentiated in some way. However, given they would not be seen side by side, and given the variety and detail in their elevational treatment, it is not considered having two buildings of the same design would make the development appear monotonous.

8.155 Block R: This block has been designed uniquely, to create visual interest along the linear park. The building is lower than its neighbours at 5 storeys to add variation within the space and signify it as a feature building. It would have symmetrical, ordered fenestration, with a vertical emphasis and a central entrance set between two, 4 storey, curved bays. It has been designed in white stock brick with white brick detail and banding to add further interest. The applicant considers that the building takes its architectural cues from the villas of Ham. Whilst it is unfortunate that the main entrance is recessed in comparison to the refuse and cycle stores, it is not considered that these entrances compete so significantly that it harms the aim of the building. Officers consider that the addition of this block within the linear park, book ended by two larger buildings, would mean that it does not act in the traditional way of a feature block, in terms of wayfinding for example, given its limited visibility. However, do consider that it is successful in adding interest to the centre of the site and is acceptable in this instance.

#### Ashburnham Road – Blocks A, G & K:

8.156 This character area forms the southern portion of the site and creates a transition in both the scale and typology of the buildings between the urban grain of the taller flatted blocks along the linear park to the two storey semi-detached dwellings on the southern side of Ashburnham Road. These blocks are a maximum of 4 storeys to respect neighbouring homes, Ham Clinic and the primary school. The street design includes central streets leading to the linear park with turning heads and off-street parking for some blocks.

8.157 Block A: This is a smaller, 4 storey, apartment block, which is regrettably more standard in design than some of the larger blocks within the masterplan. It has ordered, symmetrical fenestration with vertical window proportions framing a central front entrance. Given its prominent location the design of this block is not as interesting, it is acknowledged that its smaller scale does not require its massing broken up in the same way as the larger blocks. Some detailing is also provided including horizontal banding, with the white brick at ground floor being differentiated from the three storey upper floors of buff stock brick in terms of materiality. Recessed balconies punctuate the corners of the blocks, which helps to add interest.

8.158 Blocks G & K: This block type represents a three storey terrace with flat roofs fronting Ashburnham Road. The ground floors of the units would be differentiated from the upper floors in terms of materiality, with the upper floors in buff multi brick, and the ground floor in a white brick with recessed bands. Recessed brick to upper floors gives some articulation to the facades. By virtue of their flat roofs, and arguably more modern design, it is acknowledged that these blocks do not reflect the architecture of the surrounding dwellings. However, they have sought to take cues from the surrounding development in terms of materiality and are an appropriate transition between the apartment blocks and the existing surrounding development in scale. Some would benefit from off street parking to the front of their dwellings, and others the parking would be located within side roads. The impact of this parking has been discussed within the layout section above.



Woodville Road – Blocks W, D,P,Q & T:

- 8.159 The Woodville Road character area also seeks to transition the scale and typology of the buildings from a more urban to suburban setting with existing homes to the north.
- 8.160 Blocks D & T: These blocks consist of smaller apartment blocks, although it is acknowledged that T is connected to U and therefore does not have the same proportions as D. The fenestration of these blocks is symmetrical, with a vertical emphasis, ordered round a central entrance. Again, brick detailing around the windows and horizontal banding has been used to add interest to the façade.
- 8.161 Blocks P & Q: The Woodville Road house type is in the form of three storey terraces with pitched roofs. It is considered that this more traditional roof form integrates satisfactorily with the surrounding development. In terms of materiality, the ground floor is differentiated from the two upper floors, this consists of light Richmond brick with white brick with horizontal recessed stripes to signify the entrance.
- 8.162 Block W: This block would be located on the western strip of the site and represents a 4 storey composition with 3 storey end pieces. The materiality of the three upper floors of buff brick is different to the ground floor of white brick, again breaking up the massing and adding interest. Officers consider that the design of centre of the front façade is weak and could be improved however do not consider that this along would be a reason for refusal, and the western / rear elevation has been improved during the application. The windows have increased in size and the central vertical windows into the core re-aligned. The increase in amount of glazing aligns with the architecture of other blocks of this style across the scheme. Whilst Officers consider there would still be room for improvement, the design of this building is acceptable, on balance.



Central Streets – Blocks B,F,H, J, L & N:

- 8.163 This character area covers the blocks connecting the linear park with the Ashburnham Road perimeter. It includes a mixture of houses and smaller apartment blocks at 3 and 4 storeys creating a transition in height. It includes the central mews street with access to the linear park which is smaller in scale to the other streets.
- 8.164 Block N: This would be a smaller apartment block, with ordered fenestration with vertical proportions. The frontage of the building is symmetrical, round a central entrance and recessed balconies in the corner. The design of this building is more simplistic than some, however it still incorporates the common themes of the development including brick detailing to highlight fenestration as well as horizontal banding. It would be constructed in light Richmond Blend.
- 8.165 Blocks H & J: These represent terraces of 3 storey, plus roof storey houses with dormers. In terms of materiality, these will have slate roofs, white brickwork and feature entrances with brick detailing. The parking for these blocks is inset, off street which contributes to the more intimate feeling of this street.

- 8.166 Blocks F & L: These represent three storey terrace properties within individual inset parking at ground level. The proposed fenestration has a vertical emphasis with Juliette balconies at first floor. In terms of materiality, buff brick is proposed with white banding and details, as common themes amongst the development.
- 8.167 Block B: This block is proposed as 4 storey with plant at roof level. It is of red brick construction of 10 bays across with recessed balconies at the end of the first and second floors and open balconies above. The central entrance at ground floor is defined by a different materiality in the form of white stock brick. Bays are slightly recessed giving some articulation to the elevations. Officers consider that the visibility of the Air Source Heat Pumps is regrettable, however the challenges in this regard are acknowledged.

Community Centre:

- 8.168 The location of the proposed community centre is currently in use as a parking and recycling area, any built form here would impact on the open character of the area. However, due to the existing parade of shops fronting Ashburnham Road and Ham Street, as well as the open expanse of the Village Green, it is not considered that the proposed community centre would occupy an important gap within the townscape such that it requires retention.
- 8.169 In terms of height, it is acknowledged that the proposed community centre would be taller than the adjacent parade of shops, at three storeys, plus plant, however it would be lower than the residential units across the green. As such, it is considered that the proposed community centre would provide an appropriate transition in height, as can be seen in the image below:



- 8.170 Additionally, the use of cut out terraces helps to reduce the bulk and mass on the upper storey. The design of the proposed community centre has evolved considerably from its initial iteration. The design has drawn on the architectural language of existing and historic buildings, including The Manor House Farm which historically sat adjacent to the site, alongside Ham House, which has resulted in a building which appears both historic in parts, as well as civic and modern. Inspiration has also been taken from nearby buildings including Thomas Aquinas Church (white brick), Grey Court School (window) and Almshouses (recessed masonry) to ensure the proposed building responds positively to the unique and distinctive character of Ham as required by SA15. This was also a request from the community consultation exercises undertaken by the applicant, that the design and materiality reflected that seen in the locality.
- 8.171 The ground floor consists of a community lounge, community meeting room, toilets and small kitchen. The first floor consists of the main activity hall, with associated changing rooms, storage and a meeting room. The second floor includes music spaces, a studio, storage and an ICT room.
- 8.172 As set out within Issue ii (OOLTI) of this report, at ground floor level the community

centre has been set back from the edge of the Green, to allow a buffer area which resulted in an overhang at first floor. A loggia at ground floor is proposed, taking cues from Ham House. The loggia allows for all users to be guided around the building's footprint to the main entrance, which would be identifiable through architectural detailing and building signage. It is considered that there will be 3 main points of arrival to the community centre:

- From the students of Grey Court School from Ham Street
- From the bus stop on Ashburnham Road
- From the new residents of Ham Close

8.173 The community centre would be predominantly white architectural masonry at the upper floors, green brick on the loggia and timber panelling at ground floor on the recessed elevations. The plant enclosure on the roof will be timber panels to match that at ground floor. The facades will use protruding and recessive elements to provide texture and grain to the building's appearance. The proposed materials are considered appropriate, subject to samples being secured by condition.

8.174 The southern elevation of the community centre, fronting Back Lane, is broken down horizontally, by including the brick arch loggia, as well as the parking at ground floor level. At second floor level, the western corner is recessed providing a terrace area, which helps break up the mass. By virtue of the nature of the community hall, this would be broken up with a large, recessed opening with glazing and differing materials to help break up a more blank façade.

8.175 The western elevation, fronting the Green, is similarly broken down at ground floor level with green brick and the arched loggia. At second floor there are two terraces breaking down the bulk and allow for views out across the green. Windows have been articulated so that they are placed at the centre of each arch of the loggia and do not vary in size to maintain a coherent language. The main entrance is accentuated by a larger projecting (25mm) arch as well as signage to help provide a sense of identity. Windows are accentuated by recessed soldier course masonry.

8.176 The northern elevation shares a common architectural language with the other elevations, the loggia at ground floor level with a protruding horizontal band to help break up the mass. One of the two terraces is cut out of the southwest corner at second floor level. Large, recessed details combined with glazing has been utilised to add interest to the elevation.

8.177 The eastern elevation is regrettably more blank than the others, owing to its proximity to residential windows serving the residential units above the adjacent parade of shops and does therefore not contain much glazing in order to avoid privacy issues and overlooking. It is instead broken up by recessed architectural masonry which is considered an acceptable design response in this instance.

8.178 The design of the proposed community centre is appropriate for a civic building and would give a good sense of identity. The proposed Community Centre will have lift access, with a clear landing level of 1500mm x 1500mm and WC. All Part M compliant.

#### Makers Lab:

8.179 The existing Richmond Makers Lab is a single storey building with a pitched roof, located in the former caretakers store to the south west of the site and comprises a GIA of 47sqm, although includes a reduced height mezzanine.

- 8.180 The replacement building is proposed to be a two-storey standalone building. In terms of design, given its scale and more industrial purpose, the proposed makers lab building has been made distinct from the residential buildings and has taken design inspiration from former farm buildings that occupied the site prior to Ham Close. The form includes a pitched roof and timber cladding creating a barn aesthetic. Whilst the proposed building would be larger than the one it replaces, closer to the boundary, the roof would be hipped away so that the bulk is reduced near the residential buildings.
- 8.181 The building would have square picture windows, those on the gable ends reflecting windows on barns that used to sit on site. A stable door has also been used to provide access to the outside space. Rooflights would provide additional daylight to the space, and the building would be clad in horizontal and vertical silver timber cladding to differentiate between ground and first floors. The colour of the windows would match that of the community centre to tie the community uses together. The proposed materials appear to be broadly appropriate, subject to samples being secured by condition.
- 8.182 Aside from one rooflight, no windows are proposed within the southern flank elevation due to the proximity to the residential units within block B to prevent any harmful loss of privacy through overlooking.
- 8.183 The proposed Makers Lab would have lift access, with a clear landing level of 1500mm x 1500mm and WC. All Part M compliant.

#### Designing out Crime

- 8.184 The existing site has a lack of defensible space around buildings and the abundance of underutilised parking areas can offer areas for antisocial behaviour. The applicant has sought to design out crime within the proposal through the following ways:
- All new homes to comply with Building Regs Part Q (Security in dwellings)
  - Buildings oriented for maximum passive surveillance
  - Communal entrances located on street frontages
  - Sightlines maximised
  - Street lighting
  - Key fob access
  - Secure cycle and vehicle parking
- 8.185 The proposed loggia at ground floor level of the proposed community centre has the potential to be subject to antisocial behaviour out of hours by virtue of its covered nature, this concern has been raised by members of the public.
- 8.186 The Design Out Crime Officer from the Metropolitan Police has been consulted and is satisfied that there is no reason that all aspects of the proposed development, including the proposed community centre, could not achieve Secure by Design accreditation. The Metropolitan Police will continue to work with the developer to secure a site appropriate approach through means such as good lighting, CCTV, shutters and use of defensible spaces. The requirement to obtain this accreditation would be secured by way of condition.
- 8.187 In summary on issue iii (Design), in terms of scale, it is accepted that by virtue of their footprints and height, some of the apartment blocks are significant in mass and bulk. As discussed above, the scale of these buildings has been broken down through setting back of the roof level, incorporating different roof profiles across the site to reflect the more domestic scale of some of the terrace dwellings in the vicinity of the site, staggered elevations, as well as the use of different across floors and brick

detailing.

- 8.188 By virtue of their design detailing, the proposed buildings respond to local character whilst also linking together to create a cohesive development. They relate well to other buildings surrounding the site, including heritage assets. The proposed material palette has been inspired by the local vernacular and is applied across all building styles to act as a unifying element of design which is considered a positive approach. A palette of hard landscape materials supports the hierarchy of space with colour, texture and paving sizes used to denote movement and function.
- 8.189 Whilst there is a concern with some elements of the community centre, including a somewhat blank elevation, and missed opportunities with additional detailing on some of the residential blocks, the siting, scale and design of the scheme is, on balance, considered to be acceptable. The layout incorporating the linear park has significant benefits, providing surrounding buildings with active frontages, and linking to the Green, establishing a relationship with this adjoining public space.
- 8.190 In line with the assessment above, the scheme is overall compliant with design policies. Conditions are recommended to ensure the detail and finish is high quality.

**Issue iv: Heritage Assets**

- 8.191 Sections 16(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. This is the statutory test. In this context, "preserving", means doing no harm. To give effect to this duty decisions of the court have confirmed that a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. However, this does not mean that the weight that the decision-maker must give to the desirability of preserving the building or its setting is uniform. It will depend on, among other things, the extent of the assessed harm and the heritage value of the asset in question. This creates a strong presumption against granting planning permission where harm to a listed building or its setting is identified. The presumption can be rebutted by material considerations powerful enough to do so.
- 8.192 In considering the impact of a proposed development on the significance of a designated heritage asset, the NPPF gives great weight to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para.199 and 200).
- 8.192 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, the NPPF states local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm (para. 201). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para. 202).
- 8.193 The NPPF requires the effect of an application on the significance of a non-designated heritage asset (NDHA) to be considered. In weighing applications that directly or

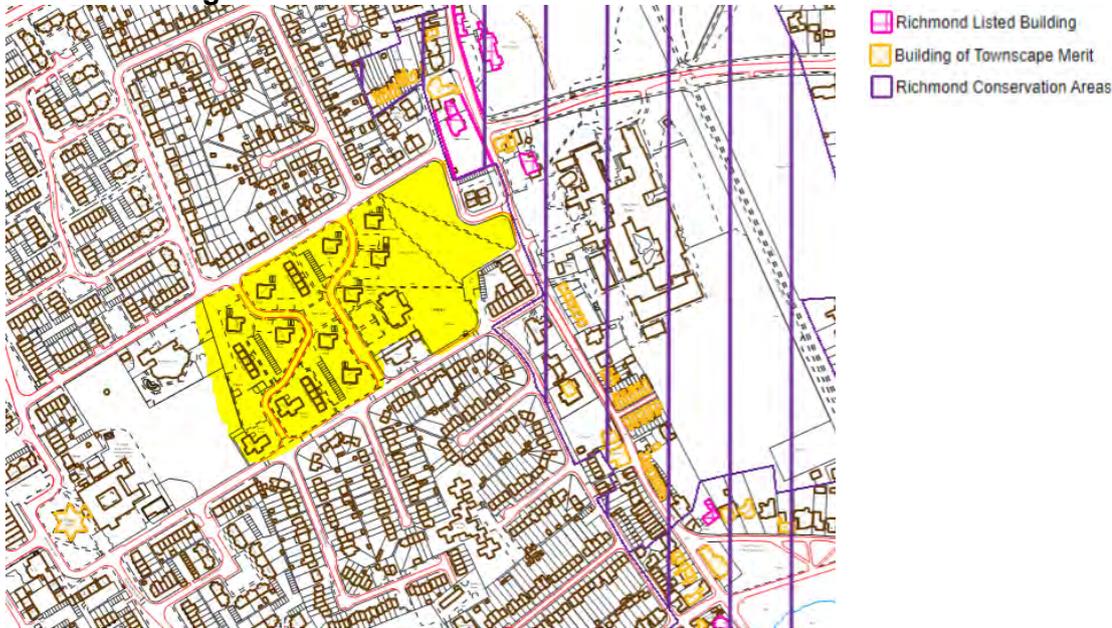
indirectly affect NDHA, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (para. 203).

8.194 The relevant policies are Policy HC1 of the London Plan and Local Plan policies LP3 and LP4 which cover designated and non-designated heritage assets respectively, both seeking to preserve, and where possible enhance, the significance, character and setting of such.

Context

8.195 The application site does not lie directly within a Conservation Area; the Ham House Conservation Area is situated to the east of the site, with Ham Common Conservation Area sited further to the south east. Nearby there are several listed buildings and Buildings of Townscape Merit (BTMs) as indicated in Plan 8 below. The site itself, however, does not contain any statutory listed buildings or BTMs. The site subject of this application is shaded yellow on the plan below which shows these heritage assets for context to the following assessment.

**Plan 8: Heritage assets**



8.196 A Heritage and Townscape Visual Impact Assessment (HTVIA) has been submitted in support of the application. The HTVIA focusses on an area of a 500m radius from the boundary of the site to capture all built heritage assets which have the potential to be impacted by the proposed development.

Listed Buildings

8.197 The closest listed buildings to the application site are Beaufort House and Newman House, located approximately 28m and 43m away from the edge of the site respectively, although the listed wall of Beaufort House is closer. Both are Grade II listed. Newman House is of historical significance in that it was the childhood home of Cardinal Newman, and both Beaufort House and Newman House are also of architectural significance given they are some of the grander Georgian houses built in the area when the surroundings were still largely agricultural. Grade II listed Beaufort Cottages are attached to the north of Beaufort House, their significance lies in their direct association with Beaufort House.

8.198 The closest part of the development to these listed buildings would be the residential

blocks some distance away, across the village green, from Beaufort House, Beaufort Cottages and Newman House and outbuildings. Although there will inevitably be some views of the site from these buildings, and therefore a change to their visual setting, as can be seen in the image below, the views of the site will be across the green and partially obscured by trees, and in some instances, other built form. Furthermore, there are current views of the existing blocks on site, and the new blocks will not appear materially different in height. In this regard, it is considered that any perceived erosion to the historic significance and setting of these assets has already taken place by the development of the existing Ham Close estate and the proposed development would not harm this further. When looking towards these buildings from the site, the views are oblique and largely obscured by other buildings in front or trees. The significance of these heritage assets will therefore not be harmed as the impact of the development on their setting will be neutral.

**Image 12: View from Beaufort House (on the right):**



- 8.199 Given the siting of the proposed community centre, it is acknowledged that oblique views may be visible from Newman House and Beaufort House. These views would be distant and would therefore not affect the significance or their setting.
- 8.200 Grade II\* listed, The Manor House with its separately listed coach house and boundary wall, lies to the north east of the site, some 99m away, and is set back from the road in large grounds. The property’s historical significance lies in its association with Sir George Gilbert Scott, and its architectural significance as one of the large Georgian houses set in landscaped grounds which contrasted with the more rural character of Ham Street in the 18th century. In the same way as the assets described above, the Manor House on the corner of Sandy Lane is further removed from the site and sited on the east side of Ham Street north of Beaufort House. Due to its distance, visual disconnection from the site, treed landscape setting, and the new buildings being little different in height to the existing, the proposed development allows the elements of the historic street and townscape that contribute to its importance to remain entirely legible. As such, neither its setting nor significance will be harmed.
- 8.201 The Ham House Estate, located to the north of the site, is of international importance, with the main house being Grade I listed. The estate is of both historical and architectural significance due to its association with the Tollemache family, as well as it being an important example of surviving Jacobean architecture, set in an equally important landscape. The grounds comprise a Grade II\* listed Registered Park and Garden and the gardens retain landscape elements indicative of its respective phases of development which contribute to the overall significance of the garden. There are also a number of outbuildings and walls associated with Ham House including the entrance gates; stables; icehouse and tea room which are listed in their own right.
- 8.202 It is noted that the proposed development would result in a change to the extended setting of Ham House. However, having regard to the distance, visual disconnection

from the site and the treed setting, it is not considered that the proposed development would restrict the historic architectural legibility of Ham House and the ability to appreciate and understand the heritage asset will not be detrimentally affected This conclusion is illustrated in the view presented below.

**Image 13: View from Ham House:**



8.203 The HTVIA submitted in support of the application has considered all the associated buildings and structures associated with Ham House separately and concluded for all that the impact on their setting was either negligible or not significant owing to their low-negligible levels of inter visibility due to intervening built form and vegetation.

8.204 There are several other Listed Buildings included within the submitted HTVIA, which are sited further away from the site than those assessed above, as follows:

- Orford Hall, St Michaels Convent
- Avenue Cottages
- Avenue Lodge
- Ensleigh Lodge
- Gordon House
- Selby Lodge
- The Little House

8.205 The HTVIA concludes for all these listed buildings that the presence of the new structures as part of the redevelopment scheme will not result in the significance contributed by the setting of these heritage assets to be affected. It is the historic built environment and landscape, which informs the heritage importance of these buildings. Coupled with this, the flat topography, intervening vegetation and built form means that there will be no significant visual shift in the existing built environment relationship and the magnitude of change is negligible.

8.206 As such, owing to extremely low-negligible levels of inter-visibility from within the immediate setting of the asset and the Ham Common Conservation Area, the ability to appreciate and understand the asset in question will not be detrimentally affected by the proposed development.

Conservation Areas

8.207 The application site lies to the west of the Ham House Conservation Area. This Conservation Area is of both architectural and landscape interest, encompassing Ham House and its associated structures as well as the grounds of the house. It also includes terraced dwellings to the south and west, which contribute to the special interest through illustrating the later development of the area and settlement patterns.

8.208 The development will be visible from a localised area along Ham Street and, as shown in the view below (Image 15), will not be to such an extent that it would affect the heritage importance having regard to the existing development on site, and noting that

it is not the existing adjacent development that derives the importance of the Conservation Area.

**Image 14: Existing view from Ham Street**



**Image 15: Proposed view from Ham Street**



- 8.209 The new blocks, in particular those fronting the Green, will be clearly visible from inside the conservation area, in particular the section which includes the grounds of Grey Court School and is in the immediate setting opposite the village green, there are modern blocks of a similar height there already so that the changes will not have a harmful impact when seen from the school grounds; additionally, the treed perimeter of the school will further obscure views of the site. The wider setting of this part of the conservation area will therefore be preserved.
- 8.210 As can be seen on the left hand side of the above 'proposed' image, the community centre would be the closest structure to the Ham House Conservation Area, located at the end of Back Lane. It is acknowledged that the design has evolved from an analysis of the existing local vernacular, the design composition of Ham House, and the demolished barn which stood on the site, but interpreted in a contemporary way. This is discussed in more detail within issue iii (Design).
- 8.211 Although the proposed community centre would be taller than the adjacent parade of shops, it is set back behind them and not readily visible in views from the conservation area within the immediate vicinity of the shopping parade at the junction of Ashburnham Road. However, there would be clear views of the new building moving along Ham Street from Sandy Lane towards Wiggins Lane with the village green in the foreground.
- 8.212 The new building would enhance this view which forms part of the wider setting of the conservation area, where there is only a parking area at present. This enhancement

derives from the distinctiveness which the new building adds to the location, the positive effect of the interesting design and the beneficial improvements that this will have on what is currently a poor outlook behind the parade of shops.

8.213 Indeed, the Ham House Conservation Area appraisal acknowledges that, although outside of the Conservation Area itself, the large scale and utilitarian design of the existing Ashburnham Parade makes an unsympathetically dominant impact on the character of this part of the street, which the proposed community centre would enhance.

8.214 The proposed dwellings fronting Ashburnham Road would be visible, albeit at a distance, from the junction of Ashburnham Road and the Algernon Tollemache Almshouses within the Ham House Conservation Area. They will create a new residential streetscape where there is none along the north side of Ashburnham Road at present, which in isolation would be considered as an enhancement when seen within the wider setting of the Conservation Area. However, as noted within issue iii (design), the provision of off street car parking in front of the proposed terraced housing would detract from such an enhancement. Furthermore, as outlined previously, block A is not of exceptional design. As such, whilst there was an opportunity for the development to enhance the wider setting of the conservation area, on balance, officers consider that it has been preserved in this instance.

8.215 Having regard to its scale and proximity, the proposed development would result in an inevitable change to the immediate setting of the Ham House Conservation Area. However, having regard to the presence of the existing Ham Close Estate, and the later twentieth century additions to this area, it is not considered that the development would restrict the ability to understand the significance of the Conservation Area and its character would be preserved.

8.216 The Ham Common Conservation Area is located further away from the site, however, also has both architectural and landscape interest. Within the boundaries of the Conservation Area are several building typologies, evidential through their plan form and features, of the respective architectural phases of the area since the seventeenth century. Having regard to its topography and built environment, it is well screened from the proposed development. It is not considered that the proposed development would harm the character or significance of the Ham Common Conservation Area, and thereby will be preserved.

Non-Designated Heritage Assets: Buildings of Townscape Merit (BTMs)

8.217 There are several BTMs on Ham Street within the Conservation Area and therefore within the wider setting of the site, the closest of which are outlined below:

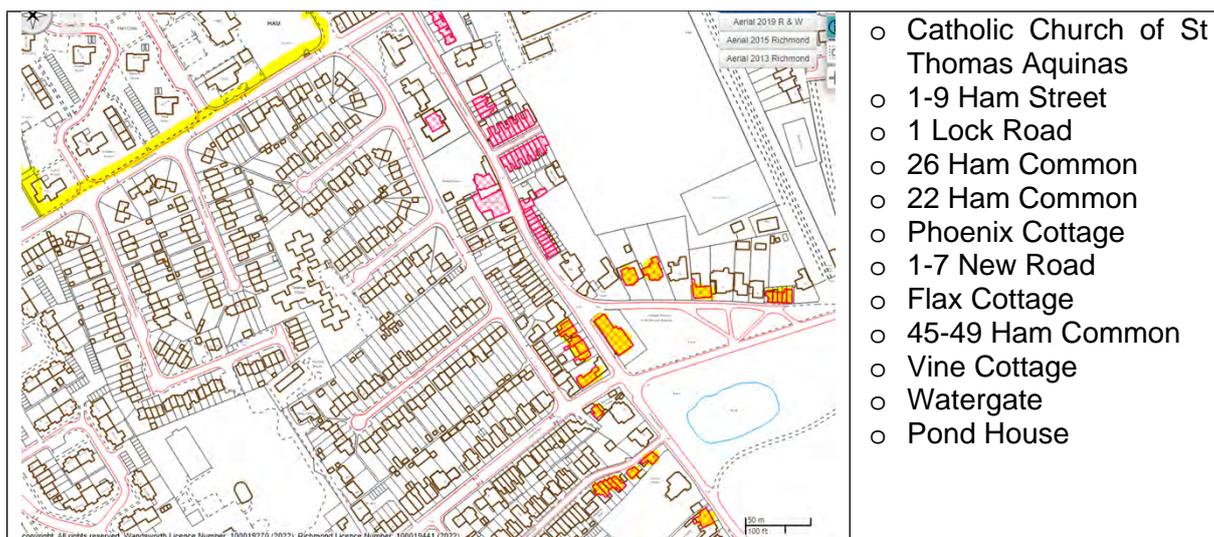
BTM	Significance
Wiggins Cottages Pointers Cottages	Architectural significance lies in their being typical of smaller houses in this area which were once located on the Ham House Estate
199 Ham Street	Architectural significance lies in eclectic mix of features and ages of different parts of the building
209 Ham Street	Architectural significance lies in its interesting use of materials of a house this size and being of an unusual design for the area
Algernon Tollemache	Historical significance as a surviving link, both in name and use, to the Ham House Estate when it was still family owned. They also

Almshouses	have architectural significance in their unusual design and use of material
40-46 Ham Street	Local architectural significance is derived from them being typical of the type of modest row houses built in the area to house residents who worked in the local area in the 19 <sup>th</sup> century
St Richards Church	Architectural interest is derived from its star plan form, modernist design, and imposing narrow central spire
1-18 Evelyn Road	Local architectural significance is derived from them being typical of the type of modest row houses built in the area to house residents who worked in the local area in the 19 <sup>th</sup>
Stokes House	Architectural interest is derived from its plan form and materiality, and well preserved example of original semi-rural environment that defined Ham in the 19 <sup>th</sup> century
Bench House	Architectural interest is derived from its plan form and materiality, and well preserved example of original semi-rural environment that defined Ham in the 19 <sup>th</sup> century
12-38 Ham Street	Architectural interest is derived from their characteristic 19 <sup>th</sup> century design and plan form, and being well preserved examples of the early suburban environment of Ham

- 8.218 The closest BTMs to the site are Wiggins Cottages and Pointers Cottages, which are within the Ham House Conservation Area. It is acknowledged that the proposed development will alter their setting somewhat, given the increase in density on the application site, however the development would maintain the existing landscape buffer to the east and lower building heights on the northern edge. Furthermore, views towards the site from these are obscured by trees, housing located closer to the site at St Mary’s Mews and on Woodville Road, and as such, there will be no harm to these BTMs.
- 8.219 This relationship also applies to 52 Ham Street, the former Royal Oak Pub, and the houses at 199 and 209 Ham Street due to the visual disconnection between these properties and the development site, and the buildings, walls and treed landscape which surround them.
- 8.220 Tollemache Almshouses are the closest BTMs to the site on the south-eastern side. They are visually and physically separated by the library, parade of shops, village green and the clinic, as well as trees. Whilst it is acknowledged the development would be visible from these BTMs, it is not considered that this visibility would cause harm.
- 8.221 The BTMs at 40-46 Ham Street, Evelyn Road, Stokes House and Bench House, and beyond towards Ham Common become physically very distant from the site as well as visually separated. Whilst it is acknowledged that some of the upper levels of the proposed development may be visible, any views would be in the context of other buildings which lie in between. Due to this disconnect, in combination with the orientation and narrowness of the streetscape, it is not considered that the proposal would harm the significance of these non designated heritage assets.

8.222 The site is in proximity to St Richards Church, approximately 150m away, however given the significance of the church arises from its design and materiality, rather than an association with its siting, the treed landscape in between the proposed development will have no impact on the building or its setting. The significance of this heritage asset will therefore not be harmed.

8.223 As with the assessment of the listed buildings, the HTVIA has included all BTMs within a 500m radius of the site. Those discussed above are most sensitive to change due to their significance and proximity to the proposed development. The following BTMs also fall within 500m of the site and can be seen highlighted below:



8.224 Having regard to the intervisibility between the site and these BTMs, the orientation of the street frontages combined with the tight urban grain and distance, the development will not be seen in the same context as these BTMs. The ability to understand and appreciate these non designated heritage assets would remain unaffected and the proposed development will not adversely affect their setting.

8.225 Similarly, to the northeast of the site, there are a further two BTMs - Old Ham Lodge and The Garden House. Due to the lack of intervisibility between the site and BTMs in combination with the separation distances and orientation of street layouts, the setting of these BTMs would not be harmed and the ability to understand and appreciate these assets would be unaffected.

8.226 In summary, the proposed development, including the community centre, would not harm the significance of the immediate and wider setting of the adjacent Ham House and Ham Common Conservation Areas, and the number of listed buildings and Buildings of Townscape Merit located within them as identified within the report. The proposed development is considered to preserve the character and setting of the nearby heritage assets and make a positive contribution to local character and distinctiveness in line with the NPPF paragraph 197. In this instance, the proposals are not deemed to compromise the aims and objectives of policies LP1, LP3 and LP4 of the Local Plan, policy C2 of the Ham and Petersham Neighbourhood Plan, London Plan and the NPPF.

Archaeology

8.227 Policy HC1 requires developments to identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Policy LP7 seeks to protect, enhance, and promote the archaeological

heritage of the Borough (both above and below ground) and encourages its interpretation and presentation to the public. Permission will be refused where proposals would adversely affect archaeological remains or their setting.

- 8.228 The application site lies within the Archaeological Priority Area of Ham and Ham Fields. An Archaeological Desk Based Assessment (DBA) has been submitted which seeks to identify the potential for archaeological remains on the site. The DBA concludes that during construction, there is the potential for a moderate adverse effect on archaeological remains, the significance of which is considered minor; not significant. The Greater London Archaeology Advisory Service (GLAAS) has advised that there is potential for medieval and post-medieval settlement and agricultural activity in the eastern end of the site, prehistoric potential across the site, and potential for the remains of 20<sup>th</sup> century pre-fabricated houses across the site. The area to the west of the site has been used for gravel extraction through the first half of the 20<sup>th</sup> century, however historic air photos indicate that this did not extend to within the site. Any surviving archaeological remains on the site would be impacted as a result of the development and as such, field evaluation is needed to determine the appropriate mitigation.
  
- 8.229 Whilst it is acknowledged that the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that a two-stage archaeological condition is an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. With such safeguarding conditions, the proposal is not deemed to compromise the aims of policy LP7.

**Issue v: Design scrutiny**

- 8.230 The aim of a Design Review Panel is to improve design quality in the built environment. Its role is to independently review development proposals and provide feedback to developers and local authorities. Policy D4 of the London Plan requires development to be thoroughly scrutinised and make use of the design review panel process to assess and inform design options; and schemes should show how they have considered and addressed the design review recommendations, and for decisions to demonstrate how design review has been addressed.
  
- 8.231 The scheme has been through two design review panels at pre-application stage.
  
- 8.232 At the initial review, in terms of layout, the panel raised concerns over a potential conflict between the genuine ambitions for the green link and the provision of the basement car park, and considered that a strong sense of spatial hierarchy was lacking. They made suggestions that the team explored using loops to link the streets. Overall, the panel were generally comfortable with the height and massing, although felt that there was scope to tighten up the proposed development and adjust the heights of blocks to better distribute them, including blocks A and B which the panel considered to appear quite dominant. The panel felt the community building was over scaled and the way in which it addressed the green was too generic, although commented that the colonnade was interesting. They considered it should be more civic and interesting, and of much higher architectural quality.
  
- 8.233 In response to the first review, and to address some of the concerns raised, the applicant revised the masterplan in several ways, including tightening up block alignment as well as floorplates, which allowed greater separation distances to be achieved, freeing up additional space around the blocks. Block D was altered from houses to a flatted block, and a few blocks were altered in height, some were reduced,

and some were increased to better distribute height across the site. In relation to the concerns over the basement, the applicant presented other parking options, which they considered to be detrimental to the quality of the scheme as well as the impact that the omission of the basement would have on the number of units delivered. Notwithstanding this, the soil depth above the basement was increased to be in line with local plan policy. An additional ramp to the basement was also added to better distribute the traffic flow into the basement. Where suggested amendments were not included, such as the addition of loops to link the streets, the applicant provided justification as to why these were not taken forward. The applicants consider that cul de sac arrangements are common in Ham and by utilising them in the development, pedestrian only routes and car free spaces are maximised. The inclusion of loops would also reduce the available amenity space.

- 8.234 Revised proposals were subsequently presented to the RDRP, where concerns over the hierarchy of spaces were raised again, along with the concerns about the potential conflict between the linear park and the basement car park. In addition, the panel suggested reviewing the pedestrian experience for people walking around the site, in terms of over shadowing within the linear park and the relationship between the ground floor units and the public realm. The additional ramp to the basement was welcomed, however the Panel recommended the applicant review the ramps on the adjacent residential blocks. The panel raised concerns about the separation distances between blocks J and H, as well as blocks F and H, and E, as well as J/L and I. They also considered there was a poor relationship between blocks on the north and north/west edges of the site, considering the relationship between blocks D and P to be unsuccessful. In terms of the architecture, the panel considered there was a need to be clearer on the overall identity of the architecture across the scheme. They were complimentary of the emerging design for blocks C, R and S and P and Q on the northern side of the linear park, as well as the facades facing the green. They considered the houses along Ashburnham Road seemed to be well articulated and well considered for the location.
  
- 8.235 Following the first DRP, the panel applauded the progress on the community centre and considered that the scale, elevational treatment and materiality was much more convincing. However considered there was still room for improvement around the public edges through celebrating the entrance more. The panel also wanted to see the playspace provision within the site boundary, with less reliance on offsite provision. The panel welcomed the maker lab as an attractive small building and enjoyed its positioning.
  
- 8.236 Following the second RDRP, the applicants made further revisions to the layout of the masterplan, including developing the spatial hierarchy further, introducing a mews type street. An overshadowing assessment was submitted, and further detail and consideration given to the ground floor units fronting the public realm. A lightweight structure was also added to the basement ramps to address the panels concerns in this regard.
  
- 8.237 It is acknowledged that the RDRP raised several concerns, some of which have not been addressed within the current submission. However, some suggestions have been incorporated, and justification provided as to why some others have not. As such, whilst there may be differences of opinions on some matters, the application is required to be assessed against the development plan and in this instance, it is not considered that it would be contrary to the aims and objectives of these policies as has been set out in the above assessment.

### **Issue vi: Residential Amenity**

- 8.238 NPPF paragraph 130 (inter alia) requires development proposals to create places which promoted health and well-being, with a high standard of amenity for existing and future users.
- 8.239 Policy D3 of the London Plan, and policy LP8 of the Local Plan requires all development to protect the amenity and living conditions of neighbouring properties. In doing so, schemes should ensure good standards of daylight and sunlight remain in existing properties (having regard to the Building Research Establishment (BRE) guidance); unacceptable overlooking should not be caused; proposals should not result in a visually intrusive or overbearing impact or sense of enclosure, and developments should not cause harm to the reasonable enjoyment of the use of house and gardens due to traffic, noise, light, or other forms of pollution.
- 8.240 The BRE guidance does state, *“the advice ... is not mandatory and the guide should not be seen as an instrument of planning policy.... although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design”*.
- 8.241 Amenity matters arising from noise, light and pollution are considered within Issue vii (Pollution) of this report. The following paragraphs consider impacts of proposed development in respect of daylight and sunlight, privacy, sense of enclosure and outlook.

#### Daylight, Sunlight & Overshadowing

##### Impact on Existing Neighbouring Land Users:

- 8.242 In accordance with the BRE guidelines and the requirements of policies LP8, LP10 and D14, detailed daylight and sunlight assessments have been undertaken to quantify any alteration in light that may occur because of the development, within existing residential habitable rooms and windows of neighbouring properties. Assessments have been carried out within neighbouring properties located on Woodville Road, Ashburnham Road, Mowbray Road and Sheridan Road. The results of the technical analysis show that any daylight or sunlight reductions to the surrounding residential properties are generally within the BRE guidelines, with 96% VSC (Vertical Sky Component) compliance; 95% NSL (No Sky Line) compliance; and 100% APSH (Annual Probable Sunlight Hour) compliance.
- 8.243 The analysis found that 6 main windows (located within 14 Woodville Road, 16 Woodville Road and The Woodville Centre) experience a VSC reduction beyond the BRE guidelines (i.e. less than 27% VSC retained, and a reduction of greater than 20% in existing VSC value). An additional window within 33 Ashburnham Road also falls short of the BRE guidelines, however, this window is the side pane of a bay window and is classed as a secondary window. The BRE guidelines suggest that it is the effect to the main habitable windows that should be given the principal consideration. Regarding bay windows, the BRE guidelines suggest that the centre window facing outwards can be taken as a main window. The main window to this room meets the BRE guidelines for both the reduction and retained criterion and therefore it would be considered that the effects upon this room can be considered acceptable.
- 8.244 The 4 main windows within 14 and 16 Woodville Road would experience a minor derogation from the BRE guidelines, whereby the reductions exceed the criteria by a maximum of 2.34%, which equates to a minor adverse change. The 2 main windows within The Woodville Centre are understood to serve one of the main social spaces within The Woodville Centre along with a further 5 windows. The results for these two

windows show each will experience a minor derogation from the BRE guidelines, yet both will retain a VSC of at least 25% which is only 2% short of the BRE guidelines recommended criteria. It can therefore be considered that the room will continue to enjoy good levels of daylight.

- 8.245 Regarding the daylight distribution (NSL) assessments, 5 rooms would experience reductions beyond the BRE guidelines (within 14, 16, 18, 38 and 40 Woodville Road). The BRE guidelines suggest that a room should enjoy good levels of daylight distribution if 80% of the working plane is in front of the No-Sky Line (NSL). However, for built areas, this is often unachievable. The Council is advised that for built areas a target of 50% is reasonable. Each of these 5 rooms will continue to enjoy a NSL to over 59% of their room area with the development in place and therefore although the reductions are beyond the BRE guidelines, the remaining NSL is considered acceptable for more built areas.
- 8.246 The sunlight (APSH) results show each window within the neighbouring properties that is orientated within 90 degrees of due south will continue to either enjoy very good levels of sunlight in accordance with the BRE guidelines or will experience a small reduction which is unnoticeable in accordance with the BRE guidelines. The overshadowing results show that with the development in place, both the playing fields associated with St. Richard's CE Primary school and the play space surrounding The Woodville Centre should continue to enjoy good levels of direct sunlight, in accordance with the BRE guidelines.
- 8.247 At the request of Officers, the Daylight/Sunlight assessment was expanded to consider the impact of the community centre on the adjacent neighbouring occupiers at 65 to 77 Ham Street and 1-14 Ashburnham Close, which are located above the commercial uses located within the Ham Street/Ashburnham Close parade. Whilst the separation distances combined with the absence of opposing windows would ensure there would be no loss of privacy associated arising from the new community centre, Officers required clarification that these homes and their roof level amenity spaces would not be compromised by any overshadow. Accordingly, the expanded report showed that the relevant areas would continue to enjoy the same levels of daylight and sunlight as in the existing condition which exceeds the recommended criteria as set out in the BRE guidelines. This relationship is thus considered acceptable and does not give rise to any harm.

#### Impact on Future Occupiers:

- 8.248 It is noted that the proposed development includes several open plan living/kitchen/dining rooms where some of the kitchens/food preparation areas are located at the rear of deep open plan spaces. In many cases the kitchen areas are clearly intended to be predominantly artificially lit given their distance to a main or supplementary window. BRE Guidelines states in respect of internal galley type kitchens that if these are not directly day-lit they should be directly linked to a well day-lit living room. Where the proposed floor plans indicate galley type kitchen areas to the rear of multi-use living/kitchen/dining rooms with no natural light due to the distance from windows, assessments against both a 2% and 1.5% Average Daylight Factor target value have been undertaken, as a means of estimating the quantum of daylight in the front portion of the rooms (i.e. living/dining area). The results of these assessments show that across all proposed blocks 85% of habitable residential rooms will receive levels of daylight which accord with the BRE Guidelines recommendations. In addition, the NSL assessment results show that across all proposed blocks 87% of habitable residential rooms will be in line with the BRE Guidelines recommendations. The submission considers that this is a very good level of compliance for a proposed scheme of this size and typology. The APSH results show 76% of windows orientated

within 90 degrees of due south will meet the BRE criteria for winter sunlight, and 67% of windows will meet the BRE criteria for total (annual) sunlight.

- 8.249 Regarding overshadowing (or 'sun hours on ground'), the assessments show that all newly proposed communal amenity areas, except for 1 (30 of the 31 areas) will meet the BRE guidelines by achieving 2 hours of sun on ground to over 50% of the assessed area on 21st March, thereby comfortably meeting the BRE target criteria. In addition, Ham Village Green also meets the BRE guidelines.

Visual Intrusion, privacy and outlook

- 8.250 It is necessary to consider the impact of the proposed development on the amenity standards of existing occupiers of buildings neighbouring the site.
- 8.251 The minimum distance guideline of 20m between habitable rooms within residential development is for privacy reasons, a lesser distance may be acceptable in some circumstances – for example where there is an established pattern of development. These numerical guidelines should be assessed on a case-by-case basis since privacy is only one of many factors in site layout design. Where principal windows face a wall that contains no windows or those that are occluded (e.g. bathrooms), separation distances can be reduced to 13.5 metres.

Amenity Standards for Existing Neighbouring Occupiers:

- 8.252 The existing dwellings located on Woodville Road have a minimum of 20m separation from the opposing elevations of the proposed blocks fronting Woodville Road. These blocks are a maximum of four storeys in height and this is subsequently regarded to be an acceptable front to front relationship which will ensure appropriate levels of privacy and outlook is maintained and no harmful sense of enclosure will arise.
- 8.253 There is a minimum proposed separation distance of 27 metres between the proposed three storey town houses and the existing dwelling houses fronting Ashburnham Road. This is considered to be a generous level of front to front separation which will maintain acceptable levels of privacy and outlook and will avoid any harmful increase in sense of enclosure.
- 8.254 It is noted that Block A, which is 4 storeys in height is located 17 metres from the boundary of the side garden of number 39 Ashburnham Road. Whilst the minimum separation distance of 28 metres between the opposing elevations of the two buildings will ensure acceptable privacy levels, outlook and levels of enclosure are maintained; 39 Ashburnham Road has a side, rather than rear, garden which will be subject to some overlooking. This however will not represent a material impact over and above the current arrangement whereby Hatch House, which is three storeys, has a similar arrangement when considering levels of privacy. It is noted that existing mature boundary treatment also provides some mitigations. This relationship is subsequently considered to be acceptable.
- 8.255 It is necessary to consider the visual impacts arising from the proposed community centre upon the occupiers of the flats above the Ham Street/Ashburnham Road precinct. The flats above the shops that front Ham Street will look directly onto the east elevation of the proposed community centre. The east elevation of the community centre will be between 23 metres and 32 metres from the opposing elevation of the flats. Whilst the development will no doubt alter these residents outlook over Ham Village Green, private views are not protected, and on balance due to the separation together with the materiality and detailing on the east elevation of the community centre, the occupiers of these flats would continue to maintain an acceptable outlook.

8.256 The occupiers of the flats above the precinct that front Ashburnham Road will predominantly continue to enjoy views over Ham Village Green to the north. The flats at the westernmost end of the block would look onto the eastern elevation of the community centre which would be on an oblique line of sight. Some windows however would continue to benefit from views over the green to the west. There would be a minimum distance of approximately 17 metres from the windows serving the flats at the western end of the block and the community centre. The oblique angle relationship, together with retained views across the green and the materiality and detailing of the community centre means that these flats would maintain an acceptable outlook, on balance.

Amenity Standards for Future Occupiers:

8.257 It is also necessary to consider the amenity standards that will be experienced by the future occupiers of the proposed development. Whilst there are a number of examples across the site where proposed separation distances would fall beneath guidelines, there needs to be identifiable harm arising from the proposed arrangement if it is to be found to be unacceptable.

8.258 The town houses in blocks F, H, J and L all have a rear garden of approximately 10 metres and a back-to-back separation distance of 20 metres. This is an acceptable relationship which will ensure adequate useable private amenity space, appropriate levels of privacy and a living environment that would not be subject to any harmful impacts when considering sense of enclosure. It is however noted that the gardens of these dwellings will all experience a degree of overlooking from the windows in the rear elevations of blocks G and K and windows and balconies in blocks E and I, where distances fall to 7-9m. Whilst this is not ideal and diminishes the amenity value, given conditions can be secured for boundary treatment and landscaping, this alone would not warrant the refusal of the scheme. It will be considered in the planning balance at the end of this report.

8.259 The town houses in blocks G and K all have a rear garden of approximately 9 metres in length. Whilst this is relatively short it would still provide a reasonable amount of space that is useable when considering outdoor activities that might take place in a private garden and the gardens are supplemented with balconies. The shorter gardens in turn mean that there is just 9 metres separation between the rear elevations of blocks G and K and the side elevations of blocks F, H, J and L. Due to the lack of openings on the side elevations of blocks F, H, J and L this lower degree of separation would not lead to any mutual overlooking or loss of privacy but would represent a degree of enclosure. Given that the only perceptible negative impact arising from this lesser rear to side elevation separation distance would be an increased sense of enclosure and the small number of units (four units) impacted; Officers consider that this on its own would not warrant refusal. The occupiers of blocks E and I would not experience any undue negative impacts from the proximity of the side elevations of blocks F, H, J and L, in response to the distance, orientation and provision of secondary windows to those rooms that face the southern blocks flank elevation.

8.260 The front to front separation distance of 15 metres between blocks B and F and the 12 metre side to side relationship between blocks A and G are considered to be acceptable. No openings serving habitable rooms would be in the opposing side elevation of Block G. It is noted that block B also backs onto the Woodville Centre playing fields and so the future occupiers of these apartments would enjoy a good level of privacy and very limited sense of enclosure. Whilst there are windows serving habitable rooms in the opposing elevations of blocks A and B, these are a minimum of 14 metres away from one another and the windows in the side elevation of block B are secondary windows which, to an extent, would mitigate the impact, subject to

conditions for obscure glazing and screening for balconies.

- 8.261 The front to front separation distance between blocks L and N is considered to be acceptable, as is the relationship between the opposing elevations of blocks N and O which are separated by a minimum of 14 metres. Whilst the degree of enclosure is considered, on balance, to be reasonable, the opposing elevations contain windows serving bedrooms and habitable rooms and so a sub-optimum level of privacy would be achieved due to the lower levels of separation. Minor harm should be apportioned to this negative impact on the future occupiers of the block and weighed into the planning balance accordingly.
- 8.262 Whilst there would also be a relatively low level of separation between the side elevations of blocks N and O and the rear elevation of block M, this is mitigated by the fact that the windows in the side elevations of Block N and O are secondary or for ventilation purposes only and are proposed to be treated with obscure glazing. This successfully limits impacts on privacy. However, the occupants of block M would still experience some reduction in outlook due to the 7-10.5m separation distances. Whilst unfortunate, several the windows on the southern elevation of block M are non-habitable, benefit from dual aspect, have secondary windows, or outlook in between blocks N and O.
- 8.263 The front to front separation distances between blocks C, E, I, M, R, S and V are considered to be acceptable. For example, there is 17-21m separation between the opposing elevations, and for front facing elevations, this is deemed acceptable and would achieve appropriate levels of privacy and a harmful level of enclosure would not arise. The side to side separation distances between the side elevations of blocks E, I and M are acceptable, ranging from 14-22m, in response to their non principal elevation nature.
- 8.264 Blocks C and D are separated by 15-19m at lower levels, falling below the 20m recommendations. Given the heights of these buildings and limited separating distances, this would result in less optimum standards of amenity in terms of outlook and privacy and thereby will be identified as a harm, weighed into the planning balance accordingly.
- 8.265 Where the side to side elevation separation distances are less generous, approximately 7.5 metres between blocks R and S for example, oriel windows are proposed which would afford an oblique angle of sight which avoids direct overlooking through windows on opposing elevations.
- 8.266 There would be a minimum of between 19 and 20 metres back to back separation between blocks R and P and this increases to a minimum of 21 metres above first floor level. This relationship is reasonable and would offer adequate levels of privacy and no undue sense of enclosure.
- 8.267 There would be a minimum of between 15 and 20 metres back to back separation between block S and Q, which increases to between 17.5 and 20 metres above first floor level. This is a low level of separation for a relationship between a 5/6 storey and a 3 storey building and will have a resulting impact on privacy when considering opposing habitable rooms. This would amount to minor harm that should be weighed into the planning balance. The respective heights and massing of the opposing buildings are however considered adequate to ensure that acceptable levels of enclosure would be achieved and the levels of separation together with the materiality and detailing on the opposing elevations would provide a pleasant outlook.

- 8.268 The side elevations of blocks C and D would be reasonably close to the front elevation of block W and all opposing elevations contain windows serving habitable rooms. This impact however would be partly mitigated by the orientation of block W and the use of oriel windows in the side elevation of block C which would minimise the potential for direct overlooking. The separation distances and oblique angles would ensure that acceptable levels of enclosure are provided, and the appearance of the opposing elevations coupled with the proposed levels of separation are such that all windows would enjoy a pleasant outlook. This relationship would consequently be considered to be acceptable.
- 8.269 Whilst the gardens serving the town houses in blocks P and Q are small at approximately 7 metres in length, boundary treatment and planting would ensure that they benefit from reasonable levels of privacy and the separation distances are such that they would not be subject to any harmful levels of enclosure. It is also noted that these small gardens are supplemented by balconies when considering access to private amenity space.
- 8.270 There is just 15 metres separation between the opposing rear elevations of blocks T/U and V which reduces to just 12.5 metres in sections. This would be a close relationship between a four and 5/6 storey building yet it has been shown that appropriate levels of daylight/sunlight would be achieved in respect of all habitable rooms. The separation distances, height and massing would be such that the scheme would result in a sub-standard level of privacy to some of these occupants and sense of enclosure. This would amount to minor harm that should be weighed into the planning balance.
- 8.271 Due to the low profile of the existing built form surrounding the site, coupled with generous separation distances, the future occupiers of the development would not experience any compromised privacy levels or undue sense of enclosure when considering the impact of existing neighbouring development on the future occupiers of site.
- 8.272 Summary: With respect to future occupants' level of amenities, it is noted that several of the proposed separation distances would be described as "tight", and harm has been identified with respect to matters of outlook, sense of enclosure and privacy. This weighs against the scheme in the overall balance. There would be some compromise in terms of levels of light reaching the proposed units, whereby BRE guidelines have not been reached. Having regard to existing residents, the scheme would not cause unacceptable loss of privacy, and on balance, will not appear visually intrusive. However, minor harm has been identified with respect to light impact on some surrounding properties, which will be weighed against the scheme.

### **Issue vii: Pollution**

#### Light pollution

- 8.273 Policy LP20 seeks to protect existing and future residential amenity levels from undue light pollution. Where necessary, an assessment of new lighting and its impact upon receptors may be required, and potentially mitigation measures. This is reflected in para. 185 of the NPPF.
- 8.274 The existing site is bound by Woodville Road and Ashburnham Road to the north and south respectively, both of which are illuminated by street columns. Similar columns are evident throughout Ham Close and its associated parking areas. The area currently used for recycling behind the parade of shops along Ham Street is also lit by column mounted lighting. Lighting for the existing residential blocks is generally adjacent to communal entrances and fixed to the buildings themselves.

- 8.275 An Illustrative Lighting Strategy has been incorporated within the Design and Access Statement, which is supplemented by a Lighting Strategy Framework. The strategy seeks to ensure principal routes are lit to an acceptable standard to provide safe spaces to move through at night and confirms that all forms of lighting will be minimised to reduce unnecessary light spill and associated impacts on wildlife.
- 8.276 The proposed strategy includes pole mounted streetlights to light roads with vehicle use, with light fittings optically controlled to prevent light spill. Fittings would also feature glare shields to hide lamp sources from view. A similar approach is proposed for the primary pedestrian routes with limited vehicle access; these lights would have a varied colour temperature to reflect the predominantly pedestrianised nature of the route. Secondary pedestrian routes would have further reduced lux levels and variation in colour temperature.
- 8.277 Lighting along the linear park would be restricted to the main routes, the play equipment would not be illuminated. Low level bollards exhibiting warm lighting would light gateways to residential courtyards and parking areas.
- 8.278 The areas likely to have the most lighting would be located towards the centre of the site, limiting the impact on existing neighbouring properties. The warmth of the lighting used would vary across the site to further reduce impact. Furthermore, the lighting strategy frameworks advises that measures will be incorporated to reduce light spill and reduce glare as much as possible.
- 8.279 It is acknowledged that the uplift in the number of units proposed on the site has the potential to create additional light spill from the units themselves. Given the residential location and the presence of existing blocks of similar heights, this is not to such an extent that would be harmful to neighbouring properties, nor would it affect the character of the area due to undue lighting pollution, subject to mitigation measures outlined above.
- 8.280 It is noted that the submitted details of the proposed lighting are limited, however the principles proposed are considered broadly acceptable, further details will be required to be secured by condition.

#### Odour pollution

- 8.281 Policy LP10 requires any potential impacts relating to odour and fumes from commercial activities to be adequately mitigated through, assessments, filtration, heights and positioning of outlets, and use of new abatement technologies.
- 8.282 An odour assessment has been undertaken to consider the potential for odours arising from the proposed kitchens within the Makers Lab and Community Centre to impact nearby sensitive receptors. The site is largely surrounded by residential dwellings and therefore, in accordance with IAQM guidance, the sensitivity of the receptors is high.
- 8.283 Air will be extracted from the buildings by means of mechanical extraction which will be fitted with carbon filtration to mitigate odour. The submitted odour assessment considers that the intensity of the odour extracted from the buildings would be low due to these proposed abatement plants. Additionally, it is acknowledged that the kitchens are relatively small and are unlikely to be used constantly for cooking, the intensity of any odours is therefore unlikely to be significant or prolonged. Furthermore, the submitted Odour Assessment advises that the building fabric of these buildings will be sufficient that fugitive odour emissions are unlikely, and the doors to the buildings will also be self-closing to minimise the escape of odours. The report concludes that it is

highly unlikely that there will be noticeable odour at the surrounding receptors and that odour effects from the proposed development are negligible.

Noise pollution

8.284 The NPPF requires development to be appropriate for its location considering the likely effects, and in doing so should minimise the potential adverse impacts arising from noise, (para. 185). London Plan policy D13 places the responsibility for mitigating the impacts from existing noise and other nuisance generating activities or used on the proposed new noise sensitive development (under the Agent of Change principle). Policies D13 and 14 of the London Plan and LP10 of the Local Plan encourage good acoustic design and will require noise assessments to assess the impact and details of mitigation (where necessary). Policy LP8 seeks to ensure development do not harm the reasonable enjoyment of the use of buildings and gardens due to noise.

8.285 The application site is largely surrounded by residential properties. These receptors, along with the proposed residential units within the development, are considered to have high sensitivity.

8.286 A Noise Impact Assessment has been submitted which includes a survey of existing sound and vibration levels and modelling of the noise and vibration associated with the development. The report considers the impact of existing noise sources, as well as those generated by the development (i.e. from plant) on internal sound levels and external amenity spaces.

Construction:

8.287 It is acknowledged that a development of this nature will have some negative impacts on receptors in terms of noise during demolition and construction phases. For the purposes of the assessment, construction noise calculations were undertaken for the noisiest construction phases, including plant usually associated with earthworks and piling. Noise levels were also calculated at the closest façade of each receptor representing a worst case scenario.

8.288 Having regard to the phasing of the development, it is acknowledged that additional receptors will be introduced during construction activities. These have been accounted for within the assessment.

8.289 Acoustic screening would be provided by hoarding structures between the proposed construction areas and receptors, however, to provide a robust assessment, the construction noise predictions assume no attenuation from site hoardings.

8.290 The assessment identifies that construction activities are sometimes calculated to exceed SOAEL, the level at which significant adverse effects occur, and the level at which for example, windows are likely to be kept closed. However, the report notes that construction activities, such as demolition and sub structure, do not occur simultaneously nor would activities be operated at the closest distance to the residential areas for long periods of time, as assumed for the purposes of a worse-case scenario assessment. During the majority of construction activities, the separating distances are substantially increased, and calculated noise levels fall below the level at which adverse effects can be detected (LOEAL). The significance of the effect is classed as temporary major adverse (significant) to negligible (not significant) depending on the activity and receptor. However, this would be temporary and subject to several mitigation measures, outlined within the draft Construction Environmental Management Plan, to be secured by condition to reduce the impact as far as possible. Mitigation measures to include:

- Where possible, 'silenced' plant and equipment will be used.
- Engines to be switched off for standing vehicles.
- Acoustic enclosures will be fitted where possible to suppress noisy equipment.
- Plant to operate at low speeds, where possible, and incorporate low speed idling.
- All plant will be properly maintained.
- Consideration will be given to temporary screening or enclosures for static noisy plant to reduce noise emissions.
- All contractors will be made familiar with the guidance in BS 5228 (Parts 1 & 2) which will form a pre-requisite of their appointment; and
- Early and good public relations with the adjacent tenants and occupants of buildings will also reduce the likelihood of complaints.

8.291 In terms of vibration, the report notes that the human body can perceive vibration at levels which are substantially lower than those that cause building damage. As such, the target levels tested within the report are entirely based on the likelihood of the vibration being perceptible, rather than causing damage to property. Although vibration levels more than 1 mm/s Peak Particle Velocity (ppv) would be considered a Major Adverse impact in respect of the likelihood of perceptibility, they would not be considered significant in terms of the potential for building damage, which would require levels of at least 15 mm/s ppv to result in minor cosmetic damage in light/unreinforced buildings.

8.292 The report predicts that most activities will be unlikely to affect the nearby residential properties, although considering the separation distances, moderate effects may be likely during close proximity works. The likely vibration effects from construction activities are therefore considered to be temporary Moderate Adverse (significant) to Negligible (not significant), in terms of perception.

8.293 Overall, construction noise and vibration effects are likely to be Moderate Adverse (significant) in the short term with most activities being Negligible (not significant).

Operation:

8.294 Traffic Noise: To consider the traffic noise resulting from the normal operation of the development, a future 'with development' scenario has been compared with a future 'without development' scenario to account for natural changes in noise levels. The findings demonstrate that existing noise-sensitive receptors adjacent to the road network are calculated to result in Negligible (not significant) impacts due to the changes in road traffic levels. In terms of mitigation required for the new dwellings within the development, the report concludes that typical insulated double glazing and attenuated trickle ventilation is likely to suitably reduce noise levels.

8.295 Building services plant: The proposed plant has not yet been specified and as such, there is an absence of data. Limits have therefore been identified to inform the design of the proposed plant items during the detailed design stage. Building services plant would be specified and sufficiently mitigated as required, such that suitable conditions are maintained at the nearby residential dwellings. In accordance with BS 4142, the rating level of any plant should remain below the background sound level during all periods of operation. Details of building services plant will be secured by way of condition to ensure the required limits are met.

8.296 Use of amenity areas: The report findings show that all external areas within the development fall below 55 decibels (dB) and that noise levels in the proposed private

garden areas are calculated to fall below the desirable level of 50 dB. No mitigation is therefore required.

- 8.297 Use of play space: Limited acoustic information has been provided in relation to the use of the play equipment, which is near some of the proposed units. Additionally, it is noted that the proposed residential units, particularly those within blocks B and W, would be closer to the school playing fields than the existing situation. The submitted Noise Impact Assessment states that noise levels obtained during the survey were sufficiently low regarding the existing play equipment and considers that noise from playgrounds is not likely to significantly increase the daytime levels over the residential criteria. It is noted that the play equipment is not proposed to be lit and would therefore be restricted to daytime use. A condition is recommended to ensure that the building fabric incorporates attenuation against externally generated noise sources.
- 8.298 Community Centre and Makers Lab: The submitted noise report states that any noise breakout at the Makers Lab or Community Centre is covered under fixed plant items, however, does not consider the noise breakout from the uses themselves within these buildings. Noting that the community centre includes music rooms and lounge areas, during the application additional information was sought. The applicant provided further detail on these uses, noting that the lounge would primarily be used to relax and that, whilst the demand for this space is currently unknown, on occasion there may be amplified speech or music in this area. The applicant also confirmed that the music spaces would be sound proofed, the details of which would be secured by condition. Concern remains about potential amplified speech/music and break out noise from the spaces. Noting that these final details on usage have not yet been determined, conditions in relation to amplified music and sound insulation are recommended for inclusion to prevent any undue noise breakout.
- 8.299 Makers lab: Similarly, the submitted noise report only considers plant noise from this building, however it is noted that the makers lab provides for a range of activities including woodwork, repairs, model-making and electronics which can require noisy machinery that has the potential to cause noise disturbance. Large plant will be covered by fixed plant conditions and building fabric conditions for the adjacent residential units will be secured as outlined above, a Noise Management Plan would be secured by condition which will be required to identify measures to further reduce the impact of noise on the community.
- 8.300 Use of basement: Having regard to the proximity of some units within block N, M, C and D, officers had concerns that the proposed roller shutter and general use of the basement had the potential to result in undue noise impact on the closest properties to the basement access ramp. During the application the shutters have been omitted, which is welcomed by the Officers. However, concern remains about the potential noise impact from vehicle movements; this can be dealt with by condition to secure the required noise insulation to these units.
- 8.301 Cumulative impact: The Noise Impact Assessment concludes that there are no expected significant cumulative effects from other development sites within the borough due to the intervening distance between the site and the other development sites.

Air pollution

- 8.302 The NPPF requires developments to sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, considering the presence of Air Quality Management Areas. Further, opportunities to improve air quality or mitigate impacts should be identified, such as traffic and travel management and green

infrastructure provision and enhancement (para. 186). This is reflected in both the London Plan (SI1) and Local Plan (LP10), which also require:

- An Air Quality Assessment
- Schemes to demonstrate they will not lead to future deterioration, create new areas that exceed limits or create unacceptable risk or high levels
- Developments to be at least Air Quality Neutral and include mitigation where necessary
- Where it can be demonstrated that emissions cannot be further reduced by on-site measures, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development
- Measures to protect the occupiers of the new development from existing sources
- Development to comply with the Non-Road Mobile Machinery Low Emission Zone and reduce emissions from the demolition and construction of buildings following best practice guidance

8.303 The entire borough is identified as an Air Quality Management Area (AQMA) due to exceedances of the NO<sub>2</sub> and PM<sub>10</sub> objectives. The proposed development is not located within an Air Quality Focus Area and would not introduce any new sensitive receptors to unacceptable air quality conditions.

8.304 An Air Quality Assessment was undertaken as part of the EIA. This considered the air quality impacts during the construction and operational phase of the proposed development, which includes a review of air quality data for the area surrounding the site and background pollutant maps; an assessment of the impact of the proposed development in accordance with the Mayor of London’s ‘air quality neutral’ policy; determines the location of nearby areas that maybe be sensitive to changes in local air quality and reviews traffic flow data, which has been used as an input to the air quality modelling assessment.

8.305 To assess the impact of emissions arising from the proposed development concentrations have been predicted at 14 existing sensitive receptors within the vicinity of the site which represent the location of nearby residential properties and St Paul’s C of E Primary School. The modelling assessment also predicted concentrations at four of the facades of the proposed development. Further to this, the modelling also includes one receptor at Richmond Park SSSI. The location of the receptor is at the worst-case location within the ecological site.

8.306 It is acknowledged that construction traffic would contribute to existing traffic levels on the surrounding road network and the potential for the greatest impacts in terms of air quality will be in the areas immediately adjacent to the principal means of access for construction traffic. The findings from the Air Quality Assessment have been summarised below:

<b>Cause of Impact</b>	<b>Comment</b>	<b>Impact</b>
Construction Traffic	25 Heavy Duty Vehicle (HDV) movements per day	Not significant
Construction Dust	Low to high risk	Mitigation required, set out below
Operational: Traffic NO <sub>2</sub> concentrations	Predicted concentrations are well below (less than 75%) the objective of 40 µg/m <sup>3</sup>	Negligible, no mitigation is therefore considered necessary
Operational: Traffic PM <sub>10</sub>	Predicted concentrations are	Negligible, no mitigation is

concentrations	well below (less than 75%) the objective of 40 µg/m3	therefore considered necessary
Operational: Traffic PM2.5 concentrations	Predicted concentrations are well below (less than 75%) the objective of 25 µg/m3	Negligible, no mitigation is therefore considered necessary

8.307 The impact of NOx concentrations on Richmond Park SSSI was also considered. The AQA sets out that the proposed development is predicted to result in an increase in NOx concentrations of up to 0.2 micrograms per cubic metre (µg/m3), which equates to 0.7% of the critical level (30 µg/m3). As the increase is less than 1% of the Critical Level the assessment concludes that the impact would be negligible. The proposed development is predicted to increase N-deposition rates by a maximum of 0.1 kilogram of nitrogen per hectare per year (kgN/ha/yr) which equates to 0.7% of the critical level (8kgN/ha/yr), such a change is considered to be negligible.

8.308 The Air Quality Assessment acknowledges the scheme would result in a high risk of dust soiling impacts and a low risk of human health (PM10) effects during the construction of the proposed development. Appropriate mitigation measures have therefore been identified, following the Institute of Air Quality Management (IAQM) guidance, including the following:

- Display contact details of the person accountable for air quality issues
- Record dust and air quality complaints and take appropriate measures to reduce emissions
- Undertake daily on and off site inspections, including dust soiling checks, to monitor compliance with dust management plan
- Plan site layout so that machinery and dust causing activities are located away from receptors as far as possible
- Erect solid screens or barriers around dusty activities
- Avoid site runoff or water or mud
- Keep site fencing, barriers and scaffolding clean using wet methods
- Remove materials than have a potential to produce dust from site as soon as possible
- Cover, seed or fence stockpiles to prevent wind whipping
- No idling vehicles
- Avoid use of diesel or petrol powered generators
- Impose and signpost a maximum speed limit of 15mph on surfaces and 10mph on un-surfaced haul roads
- Produce a Construction Logistics Plan
- Implement a travel plan that encourages sustainable travel by construction staff
- Ensure adequate water supply on site for effective dust suppression, only using cutting, grinding or sawing equipment with such
- Use enclosed chutes and conveyors and covered skips
- Minimise drop heights
- Ensure cleaning equipment is readily available
- Avoid bonfires and burning of waste materials
- Re-vegetate earthworks as soon as possible, only remove cover in small areas not all at once
- Ensure sand and other powdered materials are stored appropriately
- Use water assisted sweepers on the access and local roads, avoid dry sweeping of large areas
- Inspect all on site haul routes and instigate and record all repairs as soon as practicable

- Implement a wheel washing system, including adequate area of hard surfaced road between wheel wash facility and site exit
- Access gates to be located at least 10m from receptors where possible

8.309 The above mitigation would be secured via condition and as a result, the construction phase of the development would result in negligible impact. The Air Quality Assessment confirms that the development will be Air Quality Neutral. Compliance with the Non-Road Mobile Machinery Low Emission Zone for London standards would also be secured by condition.

#### Contaminated land

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

8.311 Chapter 7 of the ES considers existing land contamination and provides an assessment of potential impacts and effects of the proposed development as well as mitigation measures required. The chapter is supplemented by a Geo-Environmental Report and Ground Investigation Reports. The submitted information includes a desk study and ground investigation comprising 18 window sample boreholes, and 6 deep boreholes which revealed made ground deposits across the entirety of the site, likely from previous residential developments on site. The geo-environmental report also recorded slightly elevated Lead, Arsenic, Polycyclic Aromatic Hydrocarbons (PAH) and asbestos fibres.

8.312 The submitted report considers that the evidence of potential contamination is limited, and that it is unlikely that extensive removal or modification of sources of contamination would be required. Subject to the correct use of Personal Protective Equipment during construction, and the placement of a clean cap of imported top soils, these pollutant pathways would be effectively broken, providing remediation to protect future site users. The report considers that provided the recommendations of the report are implemented, there is no increased risk to human health from redevelopment of the site. Conditions are recommended to ensure that the requirements of LP10 are met.

8.313 In conclusion of issue vii, as noted above, the development has the potential to cause light and odour pollution without appropriate safeguarding conditions. Similarly, some of the proposed uses, including music rooms within the community centre and the external area of the makers lab have the potential to cause noise pollution. However, it is considered that such risks would be mitigated by conditions securing measures such as insulation and Noise Management Plans. It is accepted that a development of this nature would result in some noise pollution during the construction period. However, this would be temporary and subject to mitigation measures to be included within a construction management plan to be secured by condition. As such, subject to the inclusion of conditions outlined above, the proposal is not considered to result in any harm in this regard and would be in accordance with policy SI1 of the London Plan, policies LP8, LP10 and LP20 of the Local Plan and the aims and objectives of the NPPF.

#### **Issue viii: Flood Risk**

8.314 Paragraph 159 of the NPPF requires inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. Paragraph 167 continues by explaining that, when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. It is noted that the NPPG advice relating to Flood Risk & Climate Change was updated

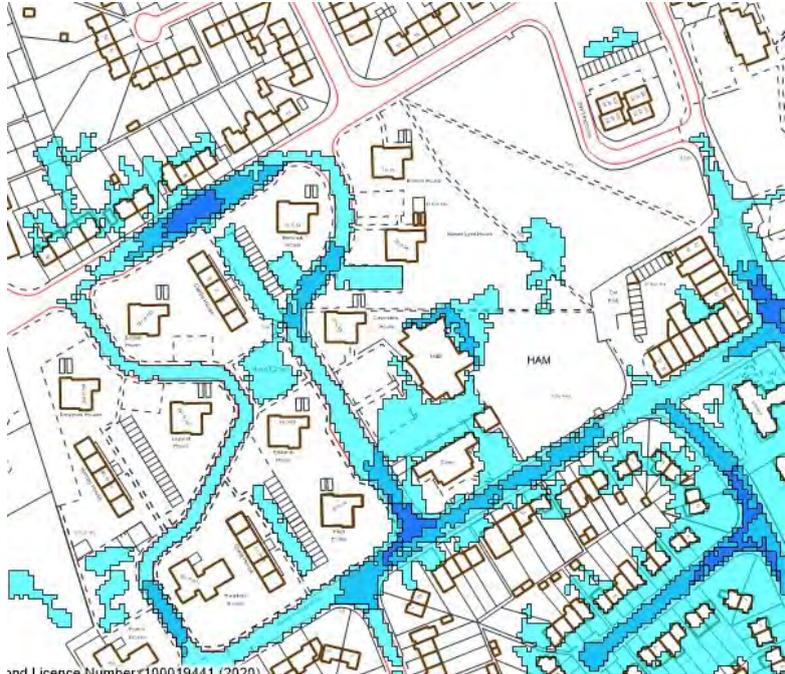
during August this year. It places renewed emphasis on flooding from all sources – not just fluvial and surface water – and emphasises the need to consider future sources and risk of flooding.

8.315 London Plan policy SI12 requires current and expected flood risk from all sources across London to be managed in a sustainable and cost-effective way in collaboration with the Environment Agency, the Lead Local Flood Authorities (LLFAs), developers and infrastructure providers. London Plan policy SI13 concerns sustainable drainage, and states that development proposals should aim to achieve greenfield run-off rates. The policy defines the appropriate drainage hierarchy.

8.316 Local Plan policy LP21 requires all developments to avoid, or minimise, contributing to all sources of flooding taking account of climate change. The policy also stipulates that Sustainable Drainage Systems (SuDS) will be incorporated into all development proposals. Further, policy D11 of the London Plan requires development to maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather. Schemes should ensure flood risk is minimised and mitigated and that residual risk is addressed (SI12).

8.317 The application site is in Flood Zone 1, at low risk of fluvial flooding. The application site includes areas that have been identified as being at very low, low, medium and high risk of surface water flooding, with the higher risk predominantly on areas of hard surfacing (1 in 30 years dark blue; 1 in 100 years medium blue; 1 in 1000 years light blue) as shown below in Plan 9:

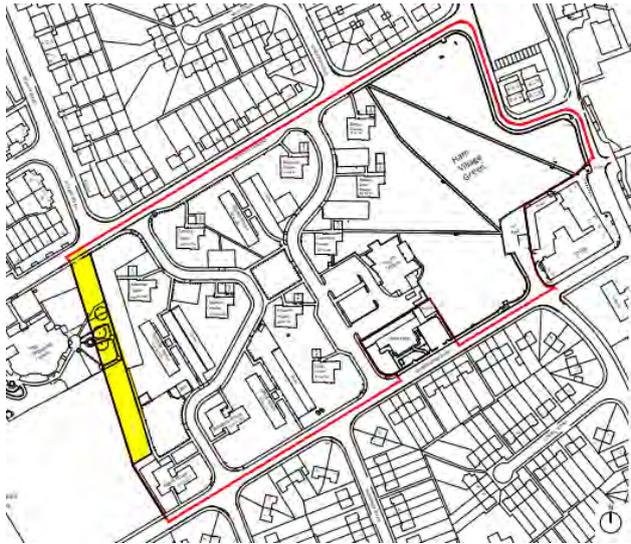
**Plan 9: Surface water flood risk**



- 8.318 The PPG describes the decision-making process when assessing flood risk, which includes:
- Assess – for example, from the SFRA and FRA.
  - Avoid – sequential test, change site layout to locate most vulnerable in areas of lowest risk; raise floor / ground levels.
  - Control – incorporate measures to control risk of flooding.
  - Mitigate – flood resistant / resilience; passive measures prioritised over active measures.

- Manage residual risk – flood warning / emergency plans etc.
- 8.319 As outlined in the NPPF, developments will be guided to areas with the lowest risk of flooding from any source, by applying the Sequential Test, and where necessary the Exception Test.
- 8.320 In terms of ‘assessing’ flood risk, in accordance with policy, a site specific FRA has been submitted, which considers all forms of flooding:
- Fluvial flooding: in flood zone 1 (low probability) and therefore defined as having less than a 1 in 1000 annual probability of river flooding.
  - Surface water flooding: There are a number of flood risk areas within the site, which correspond to topographical low points, which have gullies to ensure that the area is drained during rain falls. The risk of surface water flooding in the development has therefore been considered as low.
  - Groundwater flooding: The area is susceptible to groundwater flooding, and mitigation measures will be required. Notwithstanding this, it is acknowledged that the basement on site is proposed to be used for ‘less vulnerable’ uses.
  - Flooding from sewers: The site lies within an area classified as ‘0-10 incidents recorded’ which indicates a low risk of flooding from sewers. Additionally, Thames Water have confirmed that the neighbouring sewer network has sufficient capacity.
  - Flooding from Artificial sources: The site is safe from reservoir flooding while the river levels are normal. Risk of flooding from reservoirs is very low, as in line with the Reservoirs Act 1975, reservoirs need to be regularly inspected and maintained, therefore reservoir flooding is unlikely.
- 8.321 As part of the ‘avoiding’ consideration, policy LP21 states developments within flood zones 2 and 3a will only be considered if the Sequential Test has been applied, unless it has already been sequentially tested through the Local Plan site allocation process; and in flood zone 1, there are no land use restrictions, and the sequential test and exception test are not applicable. Notwithstanding, the Council’s Strategic Flood Risk Assessment requires a sequential test to be applied in Flood Zone 1 if there are existing flood issues from other sources, and the newly published PPG requires a sequential test on all major developments proposed in areas at risk of flooding (with the guidance not identifying any specific source). An exception is where the site is in an area at low risk from all sources of flooding. Further, the guidance states, “*a pragmatic approach needs to be taken where proposals involve comparatively small extensions to existing premises (relative to their existing size), where it may be impractical to accommodate the additional space in an alternative location*”.
- 8.322 As outlined previously, the site partially forms Site Allocation 15, and has therefore been subject to a sequential test as part of the local plan process. The proposed uses are consistent with the site allocation and in line with policy LP21 and the SFRA, the site would therefore not be required to be sequentially tested again. However, the strip of land to the west of the site does not form part of the site allocation, as shown in Plan 10 below, and includes more vulnerable land uses:

**Plan 10: Land not included within site allocation 15**



8.323 Notwithstanding this, having regard to the Environment Agency flood mapping and the submitted Flood Risk Assessment, the site has low risk from surface water flooding, sewer flooding and reservoir flooding, thereby meeting the PPG exceptions. Whilst the site is susceptible to ground water flooding, this is no difference to the wider site, which has been sequentially tested and found acceptable. Further, it is deemed an element of pragmatism needs to be applied and the inclusion of this strip represents a de-minimis exceedance to the main allocation site, whereby this strip only constitutes a minor element of this wider regeneration site and it is of no greater flood risk to the main allocation site, which has been sequentially tested. In response to the siting within Flood Zone 1, the exception test does not need to be applied.

8.324 Paragraph 167 of the NPPF states that development should only be allowed in areas at risk of flooding where, in the light of a site specific flood risk assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) Within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location.
- b) The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment.
- c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate.
- d) Any residual risk can be safely managed; and
- e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

8.325 In terms of controlling and mitigating flood risk on site, the submitted Flood Risk Assessment outlines that a specialist waterproofing design will be utilised for the proposed basement. It is noted that only parking and plant has been sited within the basement, with all habitable accommodation at ground floor level or above to locate the most vulnerable parts in areas at lowest risk. As such, in the event of waterproofing measures within the basement failing, consequences of flooding will be minimised and the uses within the basement could quickly be brought back into use without significant refurbishment.

8.326 As discussed further below, the proposed development follows the drainage hierarchy and will provide suitable drainage arrangements designed to accommodate all storms up to and including 1 in 100 year +40% climate change to mitigate the risk of surface water flooding. Furthermore, exceedance routes, which show where excess water

would run/collect during a flood event, have been included and demonstrate that water would be directed away from buildings and people and subsequently would not pose a risk to people or property.

8.327 Whilst no flood emergency plan has been submitted, it is considered that subject to this being secured by condition, the proposal would follow paragraph 167 of the NPPF.

Land use and flood zone suitability

8.328 In line with the Flood Risk Vulnerability Classification set out in Annex 3 of the NPPF, the residential buildings are considered a 'More Vulnerable' use. The community buildings are considered a 'Less Vulnerable' use. There are no land use restrictions in flood zone 1, and therefore the proposed uses are appropriate to its zoning. Notwithstanding the above, the FRA has set out the following flood resistant and resilient measures to ensure any residual risk is safely managed. Such measures will be secured by condition.

Drainage

8.329 In terms of selecting SuDS methods in line with the drainage hierarchy, this has been addressed as follows:

- Rainwater use as a resource – the proposals utilise green and blue roofs wherever possible.
- Rainwater infiltration – unsuitable for this site due to minimum space requirements for soakaways to be positioned away from structures and the underlying ground conditions.
- Rainwater attenuation in green infrastructure features – green roofs, raingardens and permeable paving will be utilised across the scheme.
- Rainwater discharge direct to watercourse – there is no suitable watercourse near the site.
- Controlled rainwater discharge to a surface water sewer or drain – it is proposed to discharge towards the neighbouring surface water sewers at greenfield runoff rates.
- Controlled rainwater discharge to a combined sewer – there are no combined sewers in the area.

8.330 The London Plan drainage hierarchy has been followed to provide a reduction in runoff rates to as close as possible to greenfield rates, for all storms of up to and including 1 in 100 years + 40% climate change. The proposals will discharge both surface and foul water towards the neighbouring sewers which is considered acceptable, discussed further within issue xv (Infrastructure).

8.331 In terms of surface water management, proposals would use green and blue roofs, raingardens, permeable paving and extensive green landscaping throughout the site to control runoff.

8.332 The site aims to discharge at greenfield runoff rates of 11.67 litres per second per hectare (l/s/ha), with a runoff rate of 34.6 l/s calculated for the positively drained area (2.9615ha). Having regard to the phasing of the development, the site has been split into catchments. Constraints within the ground, such as the Thames Water easement, tree root protections and the required space for the services limit how much attenuation can be provided within some of the catchments. As a result, one of the catchments (1b) is unable to provide all the necessary storage, this increases the total outflow from the development to 37 l/s, which the applicants consider is as close as possible to the greenfield rate.

- 8.333 This approach omits the need for pumping of surface water, which is encouraged by London Plan policy SI13 which states that development proposals should aim to get as close to greenfield run-off rates as possible depending on site conditions ... there should be a preference for ... drainage by gravity over pumped systems.'
- 8.334 The Lead Local Flood Authority (LLFA) has been consulted. It is recognised that although the runoff rates do not equal greenfield rates, they represent a 97% betterment over the existing regime and therefore the LLFA can accept the rate of 37 l/s for this major development site.
- 8.335 The LLFA did raise concerns that the runoff rate is only calculated based on the positively drained area of the site. However, the exceedance routes demonstrate that most soft landscaping flows away from the positively drained area of the site, so this is acceptable. The LLFA has requested the following additional information:
- The applicant must submit a final detailed drainage design including drawings and supporting calculations and updated Drainage Assessment Form.
  - A discharge consent for potential dewatering water to be discharged to the public sewer must be obtained from Thames Water. The applicant should provide a Site and Assessment Verification Form as per the Basement Assessment User Guide.
- 8.336 Officers and the LLFA consider that such information could appropriately be secured by way of conditioning a final detailed drainage design including drawings and supporting calculations prior to commencement of groundworks. A detailed management plan confirming routine maintenance tasks and responsibility for all drainage components shall also be conditioned to demonstrate how the drainage system is to be maintained for the lifetime of the development. A condition precluding infiltration as a means of drainage without the prior consent of the LPA is also recommended.

#### Basement

- 8.337 Local Plan policy LP11 requires basements and subterranean development to demonstrate that it will not increase or exacerbate flood risk on the site or beyond. Proposals for subterranean and basement developments are required to comply with the criteria stated in the policy.
- 8.338 Whilst the application site is in Flood Zone 1, it is within an area at more than 75% susceptibility to ground water flooding. The Council's SFRA requires applicants to undertake a screening assessment to address the impacts of the proposed subsurface development on the area's subterranean characteristics, land stability and flood risk and drainage. Where the screening assessment determines that the proposed subsurface development may have an impact on the local environment, or if it determines that further investigation work is required, then a basement impact assessment is required. A Basement Impact Assessment, including a Screening Assessment, has been submitted, which seeks to establish ground conditions and groundwater levels, and whether any further mitigation is required.
- 8.339 The soils below the site are classified as a Secondary A Aquifer over an Unproductive Aquifer and the geological records confirm the presence of sand and gravels with a very high to high permeability over London clay with a very low to low permeability. As such, the proposed basement construction may encounter shallow groundwater associated with the Kempton Park Gravel.
- 8.340 The screening assessment therefore considered that a ground investigation was required, this included several exploratory window sampler holes, between 27<sup>th</sup> and 29<sup>th</sup> April 2021, and six deep boreholes between 16<sup>th</sup> and 19<sup>th</sup> August 2021. A

subsequent visit was undertaken during October 2021 with six further window sampler holes in areas of car park where access was not previously permitted. Six soakaway tests were also undertaken.

- 8.341 During the application, more up to date ground water monitoring was undertaken and the results submitted to the LPA which reflected the groundwater levels found previously.
- 8.342 As evidenced above, the combination soil type is made ground, Kempton Park Gravels and London Clay, and groundwater has been encountered between 2.2 metres below ground level (mblg) and 4.3mblg. Given the basement will extend below this depth, there is potential risk for groundwater flooding.
- 8.343 The basement impact assessment therefore recommends that the basement is subject to robust flood proof mitigation measures to prevent groundwater ingress:
- Tanking
  - Use of a Secant Wall, consisting of interlocking piles and waterproof liner-concrete wall
  - De-watering the excavated basement
  - Requiring a threshold level of +150mm at all external entry points (new basement only)
  - Use of flood proof air bricks to external elevations of proposed basement areas
- 8.344 The LLFA is satisfied that the arrangement is acceptable subject to a condition to ensure that permission is obtained from Thames Water to enable dewatering water to be discharged into the public sewer.
- 8.345 In terms of the requirements of policy LP11, the basement would not provide habitable accommodation, it would include a 1m naturally draining permeable soil above the basement which is beneath the public realm, together with a 200mm drainage layer and provides a satisfactory landscaping scheme which will be conditioned.
- 8.346 In summary, the proposed land uses are appropriate for the flood zone, a site-specific FRA has been submitted, as well as a Basement Impact Assessment to demonstrate that the development is appropriately flood resistant and resilient, the also incorporates appropriate SuDS in line with the drainage hierarchy. As such, subject to the inclusion of conditions as outlined above, the scheme meets the aforementioned policies.

#### **Issue ix: Trees**

- 8.347 Paragraph 131 of the NPPF notes that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. It requires decisions to ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), and that appropriate measures are in place to secure the long-term maintenance of newly planted trees. There is a presumption against the loss of existing trees.
- 8.348 London Plan policies G5 - G7 and D8 require development proposals to, wherever possible, retain existing trees of value, and if planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments and major developments should

contribute to the greening of London, through high quality landscaping. The above policies are reflected in LP16 of the Local Plan. Trees, furthermore, are required by the policy to be protected during development in accordance with British Standard 5837.

8.349 There are no Tree Preservation Orders (TPOs) within or adjacent to the site. However, there is numerous mature trees on the adjacent public open space managed and maintained by the Council. The proposed development has the potential to adversely impact these trees by both direct and indirect construction activity such as delivery vehicles, movement of heavy plant and positioning of hoarding or scaffolding etcetera. As such, the impact on these trees needs to be adequately assessed.

Tree Removal

8.350 Arboriculture reports have been submitted, including a tree survey. This assesses the condition of existing significant trees (trees with a trunk diameter greater than 75mm at 1.5m above ground level) on and off site that might be affected by the development. The trees were assessed qualitatively, categorising their quality and value based on arboriculture, landscape and cultural features:

- Category U: Condition that cannot realistically be retained in the context of the current land use for longer than 10 years
- Category A: Trees of high quality, with an estimated life expectancy of at least 40 year
- Category B: Trees of moderate quality with an estimated remaining life expectancy of at least 20 years
- Category C: Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.

8.351 It is recognised the retention of Category C trees should not be at the expense of an efficient design; and category U trees are recommended for removal for sound arboricultural reasons.

8.352 There are 68 existing well established trees on site of which 42 have been identified for removal. This represents a 61% loss of established amenity tree cover, which would have a significant impact on the visual appearance of the site. Whilst the scheme seeks to mitigate the loss through the planting of 132 new trees, these young trees will still represent a loss of amenity tree cover in the short to medium term which cannot be fully compensated within the application site and is therefore identified as a harm.

8.353 Policy does acknowledge that planning applications do at times necessitate the removal of trees. A financial contribution to the provision of off-site trees in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT).

8.354 A CAVAT assessment has been carried out and a financial contribution offered to mitigate against the loss of tree cover within the site has been offered. Whilst the overall costs for the compensation for the tree loss and the replacement trees have been agreed at £409 per tree, a specific cost plan would be secured via the S106 legal agreement.

8.355 Concerns have been raised in regard to the suitability of the proposed planting above the basement in terms of soil depths. Tree pit volumes and depths have been provided together with an illustrative schedule showing species size and specification along with planting guidelines including seasonal timing and maintenance guidelines. A condition can secure precise tree pit specification, timings for planting and details of irrigation.

This would enable detailed design specifics such as root barriers or deflectors which would be subject to detailed design of individual areas.

#### Hard Surfacing and Footpaths

- 8.356 The use of Geoweb permanent no-dig construction is proposed to be used for areas of hard standing within the Root Protection Area (RPA) of retained trees and specifications have been submitted in respect of other areas of hard standing solutions. These are acceptable and ensure that no tree would be prejudiced by this element of the scheme.

#### Lighting Strategy

- 8.357 Lighting provision and positioning in relation to retained and newly planted trees needs to be considered to ensure that there are no conflicts between trees, when in leaf and the area of illumination from the lighting. Growth rates and ultimate size of trees need to be considered. The applicant has provided a lighting framework illustrating the proposed lighting strategy. Exact locations of columns would be subject to a detailed lighting design informed by the locations of existing/proposed trees and projected canopies. The principle of the framework provided to date is acceptable, further details can be secured by condition.

#### Shading

- 8.358 Shading from existing and proposed trees adjacent to proposed dwellings will intensify maintenance requirements and increase the frequency of such maintenance with budget implications for the landowner. Shading must be considered, and a shade assessment plan included as part of an Arboricultural Impact Assessment (AIA).
- 8.359 The scheme has been devised with Richmond Housing Partnership who will continue to be custodians of Ham Close and will maintain responsibility for its ongoing maintenance. In that regard, pruning and maintenance of trees can be undertaken as part of an overall estate management strategy to be agreed at detailed design stage, secured via condition. Further technical detail on shading can be secured by a condition to secure full details of the soft landscaping scheme which can ensure specific planting is reconciled with the detailed design.

#### Foundation Design

- 8.360 The foundation design and construction within the RPA of retained trees, needs to be considered and a firm commitment made to the use of "Minimally invasive foundations". Specialist foundation design may be required. Site specific details of foundation design and methodology for installation and construction that does not deleteriously impact nearby trees to include the use, access and footprint of any machinery used in the construction of these foundations and their impact on nearby trees. This would be secured by condition.

#### Indirect construction impacts

- 8.361 The submitted AIA and Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) details the protection measures for the proposed retained trees against the proposed development layout. The AIA and AMS also states the requirement to minimise the impact of indirect construction activity such as the storage of any materials and/or machinery and including the impact of any Ingress and egress routes, and cranes or lifting apparatus (including working arcs), on trees both within and adjacent to the project boundary, including the local authority-maintained trees. However, the location of material, plant storage, site office and welfare arrangements during all phases of the project are not shown on the TPP. It also does not show the position of supporting structures such as scaffolding or site boundary hoardings. This information would be secured by a planning condition.

#### Underground services

- 8.362 The pathing of excavations of drainage and other underground services will need to be investigated and their impact on the roots of existing trees properly assessed. Most proposed utilities run under hard surfacing and avoid soft landscape areas where trees are located. In instances where services are near proposed tree pits root barriers can be used to protect service corridors. An updated AIA/AMS assessing the impact of underground service elements of the scheme upon retained and proposed trees can reasonably be secured by condition.

#### Play Equipment & Tree T10

- 8.363 Concerns regarding the location of play equipment below T10 (Pine) have been raised, in response to soil disturbance and compaction over time within this tree's root zone and exposing children to the risk of falling pinecones and deadwood if not inspected, managed, and maintained on a regular basis, post development.
- 8.364 The applicant responded by clarifying that 20% of the RPA is, at present, located with an area of impermeable asphalt used for informal car parking. A large proportion of the remaining area is located within the play space associated with the adjacent nursery grounds. The area currently covered with asphalt is proposed to be replaced with a permeable bonded rubber mulch surface, and areas of soft landscape. The larger pieces of play equipment proposed to be in this area would utilise small pad foundations to minimise root disturbance. The precise location of play equipment can be influenced by the root structure once exposed. Some smaller balancing play elements are positioned within other areas of the RPA and will also follow the same principle. These matters would be managed by condition.
- 8.365 To manage hazards regarding the potential for falling pinecones and deadwood, the applicant has proposed a maintenance plan comprising dead-wooding to lessen the potential for falling wood and installing netting above the play area to catch any falling cones. This is deemed to overcome initial concerns, subject to suitable conditions. It is for the applicant/landowner to manage any risk arising/health and safety/future inspections of the tree.
- 8.366 In summary, the loss of trees would be significant and would impact upon the visual appearance of the site. It is recognised that any replacement planting would take time to establish. Concerns also remain in regard to the lack of detail on a number of items; planting specification, tree pit specifications, foundation design, lighting and underground surfaces. However, local planning authorities should consider whether otherwise unacceptable development could be made acceptable using conditions. In this instance, on balance, it is deemed the harm can be adequately mitigated via condition seeking additional detail on matters outlined above. Additionally, it is accepted that where there is shortfall in proposed tree cover, this can be compensated through off-site planting secured through a financial contribution as outlined above.
- 8.367 Based on the assessment set out in this section of the report, the development proposals, with the recommended conditions set out in section 12 of this report together with the mitigation secured through the legal agreement, are considered to comply with London Plan policy G5; Local Plan policies LP15 and LP16; and the advice contained in the NPPF. Matters relating to trees are subsequently held in neutral weight in the overall planning balance.

#### **Issue x: Public Realm**

- 8.368 The NPPF (para. 92) and London Plan (D5) require proposals to achieve the highest standards of accessible and inclusive design. Local Plan policy D8 encourages

opportunities to create new public realm, which is well designed, safe, accessible, inclusive, attractive, well connected, related to local and historic context and easy to maintain.

- 8.369 The provision of public open space has been discussed under Issue ii (POS, OOLTI and Playing Fields). Matters relating to the accessibility of the public realm have been dealt with within Issue i (Housing) and greening is discussed within issue xii (Ecology) of this report.

Hard and soft landscaping:

- 8.370 The landscape strategy underpinning the masterplan is based on the creation of a linear park, through the centre of the site, as a key public landscaped space to provide visual and pedestrian connection from Ham Village Green to the smaller playspace on the southwestern side of the site.
- 8.371 The linear park would predominantly comprise meadow grassland, which will be interspersed with naturalised areas, with grass lawns at the centre. Tree planting will be predominantly native species with Birch dominating the mix. Marker trees such as Lime will be used at the entrances, with cherry trees grouped in the formalised centre. Herbaceous borders are proposed to be located to the north of the formal lawn edging the space between the neighbouring 'marker' building in the centre of the space. Officers raised concerns about the scale of the proposed basement below this link, specifically in relation to the viability of the planting, however how concluded that the planting proposed in this area is acceptable.
- 8.372 Landscaped courtyards would provide communal amenity space to the occupants of the apartment blocks. Semi-private spaces would be planted with clipped hedgerows to provide structure and will form pockets of space within the courtyards. Occasional ornamental specimen trees such as magnolia are proposed. Herbaceous plants and shrubs are proposed to be planted within spaces denoted by the hedgerows to provide colour and seasonal variation. The proposed play area would include areas of ornamental grasses and structural shrubs.
- 8.373 The existing mature trees on the green would be retained as will the trees on the western end of the linear park and wherever practicable of Ashburnham and Woodville Road and within the linear park.
- 8.374 The hard landscape strategy proposes a range of concrete pavers, concrete setts and pavers, resin bound gravel, self-binding gravel and safety surfacing. A pallet of hard landscape materials would support the hierarchy of space and help denote movement and function. Coursing would be used to indicate direction of travel for vehicular and pedestrian/cycle movements. Boundary treatments are proposed to comprise brick walls, low key estate railings, high railings and timber fences. The strategy is appropriate along with the proposed boundary treatments. Details would be secured by condition.

Wind

- 8.375 London and Local policies (LP2 and D8) both require careful consideration of wind conditions around buildings, to ensure they do not compromise comfort and enjoyment of open spaces, or unacceptable diversion of wind speeds.
- 8.376 A Wind Microclimate Assessment (WMA) has been submitted, which has assessed the potential wind effects of the development on the local microclimate with reference to best practice guidelines for pedestrian comfort and safety, having regard to Lawsons Criteria. Lawsons Criteria is an accepted methodology, and considers a number of

categories including; sitting, standing, walking, business walking and uncomfortable, the correlating areas assessed within the Wind Microclimate Assessment are as follows:

- Thoroughfares: Business / Leisure walking during windiest season.
- Pavements and Walkways: Leisure walking during windiest season.
- Building entrances, bus stops, drop off areas: Standing throughout the year; and
- Outdoor amenity and seating areas: Sitting during the summer season.

8.377 Where appropriate, the report also identifies potential areas of wind acceleration and where mitigation measures are recommended to prevent, minimise or control likely adverse effects.

8.378 Wind data records from Heathrow Airport Met Weather Station, have been used to inform the qualitative assessment of the local wind conditions surrounding the Site, which was deemed to be the most reliable meteorological station closest to the site. The data illustrates that, for this region, the most frequent wind directions are the south-southwest, as demonstrated in Plan 11 below, and gusts towards the west representing the largest proportion of higher wind speeds.

**Plan 11: Wind direction**



Thoroughfares, Pavements and Walkways

8.379 The WMA outlines that as the prevailing wind from the south-west reaches the site and interacts with the proposed development, it is possible that localised pockets of wind acceleration will be created, especially around corners of taller blocks (C, R, S, V, E, I, M) and between buildings. However, by reason of the low-rise nature of the proposed development, its orientation in relation to wind direction, the wind effects on these pedestrian areas are not expected to be substantial and would allow these areas to be suitable for the intended use. The linear park, by virtue of its siting between the taller buildings, has the potential to create a wind tunnel effect. The linear park is on a more east-west axis than the prevailing wind direction, this relationship, in combination with the modest building heights, would retain a suitable comfort level for pedestrians using it.

8.380 As the density and massing of the proposed scheme is greater than the existing baseline condition it is likely to provide additional shelter to the wind flow, without being of such a height that the impact would be worsened. In addition, all pedestrian pavements and walkways within the site would be generally sheltered by the proposed landscape which would help moderate wind speeds locally. Therefore, wind conditions along pavements and walkways and around the proposed ground-level development would be expected to remain suitable for standing to leisure walking during the windiest season.

Entrances

8.381 Many of the entrances to the proposed development blocks are either recessed, such as the private entrances to Blocks G, K, P and Q and the primary entrances of Blocks A, B, C, D, N, R, S, W, V, or protected by a canopy such as the primary entrances of Blocks M, O, U and both primary and private entrances of Block E, I and T. These measures are likely to improve the wind conditions around the entrances by providing localised shelter. Therefore, wind conditions at entrances within the site would be suitable for the intended use without the need for additional mitigation.

Outdoor Amenity

8.382 There are different types of outdoor amenity spaces proposed, including private gardens, communal courtyards and private balconies. The WMA considers that the proposed landscaping will contribute to improving the wind conditions around the other amenity spaces and provide localised shelter along areas which may have increased wind acceleration (building corners).

8.383 Whilst none of the effects of localised windiness are expected to be significant, the assessment identifies the top terraces and corner balconies of Blocks E, I, M, C, R, S and V as areas which could potentially be subject to wind acceleration and could therefore, benefit from local mitigation (secured via condition), such as further planting, which could generally be helpful to mitigate wind speeds and improve the wind conditions of these areas.

8.384 In terms of pedestrian comfort and safety, the proposed development is not considered to result in any significant effects of localised windiness and the comfort levels for walking, sitting and standing are acceptable. Further the report concludes that the occurrence of winds in excess of 15 m/s for more than two hours per year are not expected, therefore all areas of the site and its close proximity are expected to be safe for all pedestrians.

8.385 In summary the proposed response to the landscaping strategy and public realm is appropriate, subject to mitigating conditions, and will accord with policies D5, D8, LP2 and the advice contained in the NPPF. Matters relating to landscaping and public realm are subsequently held in neutral weight in the overall planning balance.

**Issue xi: Ecology**

8.386 The NPPF sets the overall expectation for biodiversity, which is reflected in G5 and G6 of the London Plan, which outlines the requirement for developments to include green roofs; achieve an urban greening factor target of 0.4 for developments that are predominantly residential and a target score of 0.3 for predominately commercial; and manage the impacts on biodiversity with the aim to secure biodiversity net gain. Similarly, the Local Plan (LP15) will seek to protect and enhance the borough's biodiversity by protecting such, supporting enhancements and incorporating new habitats and biodiversity features, and setting the expectation for net gain. Further,

policy LP17 is prescriptive with the requirement for roofs over 100m<sup>2</sup> to include >70% green / brown roof provision, unless it can be demonstrated this is not feasible. If significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

- 8.387 Chapter 8 of the ES focusses on ecology matters and is supplemented by a Preliminary Ecological Appraisal (PEA), Bat Emergence Survey, Arboricultural Impact Assessment, Biodiversity Net Gain Assessment and Ecological Management Plan.
- 8.388 There are no statutory designations of national or international importance within the boundary of the site. However, Richmond Park, which is designated as a Special Area of Conservation; a National Nature Reserve; a Site of Special Scientific Interest; and Metropolitan SINC, is located 1.3km from the site. The submitted ES report concludes that due to the distance between the site and Richmond Park, the potential impact on Richmond Park is considered to be negligible. This is accepted by officers.
- 8.389 Two statutory sites of local importance are located within a 2km radius of the site; Ham Lands and Ham Common both of which are Local Nature Reserves. There are also 18 Sites of Importance for Nature Conservation (SINCs) which are of Metropolitan, Borough Grade II and Local Importance located within 2kms of the site. The report concludes that, given both LNRs and non-statutory sites are isolated from the site by a buffer of residential housing, the potential impact during construction would be negligible. Notwithstanding this, best practice construction mitigation will be implemented, and secured by way of condition, as a dust management plan and a Construction Environmental Management Plan, with specific measures outlined below.
- 8.390 It is also acknowledged that, without appropriate consideration, given its proximity to building works, there is potential for damage to the habitats present within Ham Village Green through dust deposition which would cause a significant short term negative effect at the Local Scale. Officers consider that securing a Dust Management Plan, by way of condition, would be acceptable mitigation.
- 8.391 In terms of impacts during operation of the proposed development, there is potential for recreational use of Ham Common and Ham Lands by new residents. The report concludes that significant negative impacts are not anticipated as these existing sites are subject to existing management for recreation and there are additional greenspaces closer to the development site. The nature of the designated sites means that footfall is likely to remain on existing paths and therefore effects to sensitive receptors such as woodland and grassland would be minimal. Impacts on the LNRs during the operational phase of the proposed development are therefore considered to be negligible.
- 8.392 A Preliminary Ecological Appraisal (PEA) has been submitted in support of the application which included walkover surveys conducted on the 8<sup>th</sup> and 14<sup>th</sup> September 2021. These surveys found that the site has negligible potential to support most protected/notable species with the exception of low potential for roosting bats (in seven of the existing buildings), low potential for badgers, moderate potential for hedgehogs and high potential for nesting birds on site.
- 8.393 Much of Ham Close is made up of amenity grassland, with some areas less regularly mown and managed as a wildflower meadow. These areas, along with the scattered trees of various ages, are of local value.

#### Badgers

- 8.394 Badgers are protected under the Protection of Badgers Act 1992. There are records of

badgers within a 2km radius of the site, owing to the large areas of grassland and woodland within the wider area. The grassland on site would present a suitable foraging habitat, it is isolated from the wider areas of woodland by existing buildings and roads. The report concludes that the potential for foraging badgers to be present on site is low and the loss of the habitats present within the proposed development footprint would have a negligible effect on the local badger population.

- 8.395 Notwithstanding this, the PEA recommends that best practice measures are incorporated into a detailed Construction Environmental Management Plan which will be secured by condition.

#### Bats

- 8.396 Bats and their roosts receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended) and under the Wildlife and Countryside Act 1981 (as amended). The PEA found that the overall potential for bats to be foraging on and adjacent to the site to be moderate through the scattered trees, although the value is limited due to the existing street and security lighting. The buildings and structures on site were found to be of limited value for bats, with all being considered to provide either low or negligible roosting potential. All trees, including those within the strip of land currently within the boundary of the Woodville Centre, were considered to provide negligible roosting potential owing to the lack of potential roosting features present.
- 8.397 Given that seven of the existing buildings were found to have low potential for roosting bats, emergence and re-entry surveys were required to be undertaken. These surveys were undertaken on various dates between 21 -29 September 2021 in suitable conditions in accordance with Bat Conservation Trust Guidelines. During the surveys, low levels of commuting and foraging were recorded but no roosting behaviour. The surveys therefore confirmed roosting bats are likely absent from the site.
- 8.398 Residents have raised concerns in about the timing of the bat surveys. The submitted ES acknowledges these were completed outside of the optimal survey season for when there is a low potential for roosting bats which is May to August. However, notes that weather conditions were highly suitable being well-above 10 degrees and with bats still recorded and clearly still active. The timings of the surveys, albeit not optimal, were therefore not considered to be a significant limitation. Officers accept this reasoning.
- 8.399 There is evidence of foraging and commuting bats on site, the development proposals would lead to the loss of bat foraging and commuting resources in the short term until the replacement planting matures. The report concludes that, based on current data, the loss of all buildings on site would have a negligible impact on roosting bats given none were found. However, the report also acknowledges that, given the phased nature of the development, there is potential for the buildings in the latter phases of the development to become occupied by roosting bats. Therefore, in the absence of updated emergence/re-entry surveys for these phases there would be potential for bat roosts to be destroyed meaning there would be a Significant Permanent Negative effect at a Local scale. It is therefore considered reasonable and necessary to secure further bat surveys prior to the commencement of works on phases 2 and 3, by condition.
- 8.400 During the operational phase of development, it is acknowledged that additional disturbance is possible from new external lighting and footpaths and it is therefore necessary to secure details of this by condition.
- 8.401 The report concludes that, given the bat activity recorded and the existing levels of light

on the site, the impact on local populations is negligible. Notwithstanding this, the report makes several recommendations to enhance the value of the site for bats including the following, which will be secured via condition.

- Incorporation of areas of green roof
- Wildlife friendly landscaping
- Inclusion of bat boxes
- Implementation of wildlife sensitive lighting scheme

#### Birds

8.402 Wild birds and their nests and eggs are protected under the Wildlife and Countryside Act 1981 (as amended). Birds listed on Schedule 1 of this Act receive additional protection from disturbance whilst nesting. There are several scattered trees and shrubs on site which have been identified as having high potential to provide nesting habitat for a range of common and widespread bird species. As such, appropriate conditions will be required to ensure appropriate mitigation during construction such as preventing vegetation clearance from being carried out other than outside of the bird nesting season (March to September inclusive) and ensuring trees proposed for removal are checked for nesting birds ahead of their removal.

#### Hedgehogs

8.403 The site itself provides some suitability for hedgehog in the form of shrubs and grassland with additional surrounding offsite habitat in the form of the private residential gardens. Overall, the potential for hedgehog to be present on site is moderate. The mitigation measures outlined to prevent harm to badgers are considered appropriate for mitigating against harm to hedgehogs. Additionally, it is recommended that during site clearance, the removal of dense vegetation is undertaken in two phases, one cut to 30cm, then checked for mammals, then to ground level after that, such mitigation will be detailed within a CEMP to be secured by condition.

#### Invertebrates

8.404 The existing trees and shrubs on site are likely to provide a foraging resource for common invertebrate species. Whilst stag beetle has been recorded in the locality, the site is considered to be of limited value for this species given the lack of deadwood. However, it is acknowledged that the sections of wildflower meadows could be impacted by dust deposition during construction and as such, appropriate mitigation in the form of a dust management plan will be secured by condition. It is acknowledged there will be a short term negative effect whilst the replacement landscaping matures.

#### Other species

8.405 The potential for all other protected and notable species including water vole, otter, dormouse, Great Crested Newts, and reptiles was considered negligible given the nature of the existing site with formal landscaping present.

8.406 In summary, it is acknowledged that the development proposals seek the removal of most habitats within the proposed development footprint except for some of the existing trees. The submitted report concludes that there will be some significant negative impacts arising from the development in relation to habitats and foraging of bats, in the short term whilst the site is cleared and replacement landscaping matures. It is necessary to secure mitigation and compensation to ensure that a significant permanent negative impact does not arise from the development. It also concludes that there are several positive impacts to arise during operation such as additional landscaping and, if the recommended ecological enhancement measures are incorporated into the scheme, the overall proposed development is predicted to have

a permanent positive impact on local biodiversity. To mitigate the effects during construction, a Construction Environmental Management Plan will be secured by condition.

Net gain and urban greening factor:

8.407 Notwithstanding the loss of habitats outlined above, included with the application are biodiversity net gain calculations using the Defra 3.0 metric which assessed that the proposed development would result in approximately 23.2% increase in net gain which exceeds the 10% targeted by emerging legislation, as well as 100% net gain in linear diversity features as a benefit arising from the scheme. A final ecological enhancements plan would be secured by condition, to also include appropriate management and maintenance details:

- Biodiverse living roofs/green walls
- Species rich SuDS planting
- Wildflower grassland
- Planting of 200+ trees
- Integrated bird and bat boxes
- Stag beetle loggias
- Raptor ledges
- Invertebrate habitat features

8.408 In addition, the scheme achieves an Urban Greening Factor of 0.441 which exceeds the 0.4 target score in the London Plan for predominantly residential development, which is identified as a benefit.

Green roofs

8.409 Policy LP17 requires at least 70% of any potential roof plate area to be utilised as a green/brown roof. The onus is on the applicant to provide justification if a green roof cannot be incorporated.

8.410 The proposal seeks to incorporate biodiverse roofs on all the apartment blocks and the community centre, in all cases covering a minimum of 70% of the available roof plate of each building. Taking into account those buildings which will not have green roofs, the overall biodiverse roof cover across the site is 56%. It is acknowledged that this is below the 70% aim outlined within policy LP 17, the applicant has sought to provide justification. The Makers Lab does not propose a biodiverse roof as the pitch is too great. Biodiverse roofs are not proposed to house and some sections of the flat blocks due to the inability to access them safely for maintenance purposes or due to plant requirements. Where biodiverse roofs cannot be accommodated on the houses, climbing plants are proposed to flank walls to provide vertical greening elements.

8.411 The submitted biodiverse roof strategy provides indicative sections of the depths of the biodiverse roof build up layers, to include wildflower and grass mix. It also includes a management and maintenance strategy, requiring a minimum of two inspections a year and various vegetation maintenance tasks to be carried out annually. The provision is considered to comply with the aims of policy LP17.

**Issue xii: Transport**

8.412 Chapter 9 of the NPPF relates to 'Promoting Sustainable Transport' and directs new development to locations that are highly accessible by public transport, walking and cycling, recognising that an integrated transport system is necessary to support a strong and prosperous economy. Paragraph 111 of the NPPF clarifies that that development should only be prevented or refused on highway grounds if there would

be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.

- 8.413 London Plan policy T2 relates to “healthy streets”, to deliver patterns of land use that facilitate residents making short, regular trips by walking or cycling. Proposals should be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport, dominance of vehicles should be reduced. Similarly, policy T5 requires developments to play a role in removing barriers to cycling through the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well located, and in accordance with the minimum standards.
- 8.414 Policy T6 and T6.1 of the London Plan states car parking should be restricted in line with levels of existing and future public transport and connectivity, and defines maximum parking standards, with all residential parking spaces in communal spaces leased rather than sold and all should provide infrastructure for electric vehicles (20% active provision and passive provision for remaining spaces). Disabled parking should be provided for new residential developments. Adequate provision should also be made for efficient deliveries and servicing and emergency access. Local Plan policy LP44 encourages Sustainable Travel Choices, whilst Policy LP45 sets out the Council’s Parking Standards.

#### Context

- 8.415 The site is over 4km from the nearest point on the Transport for London Road Network (TLRN). Richmond station is also around 4km from the site, providing access to National Rail, London Overground, and London Underground (District Line) services. Bus service number 371 can be accessed from stops located on Ashburnham Road, directly to the south of the site, which serves Kingston and Richmond. The site has a Public Transport Access Level (PTAL) of 1b, on a scale of 0 to 6b, where 6b represents the greatest level of access to public transport services. The site is not well connected to the strategic cycling network, but access to the Thames Path can be achieved within 1km of the site.

#### Proposed Layout

- 8.416 It is accepted that the masterplan has been devised with an east-west linear park at the centre of the site to deliver several benefits, explored within this report. Alternative masterplan options explored were discounted at early stages as continuing the North and South roads through the linear park would result in the loss of 884 sqm of publicly accessible open space and the displacement of 50 sqm of under 4s doorstep play together with residents’ concerns in respect of ‘rat running’. It would also have prejudiced the replacement OOLTI.
- 8.417 Consultation with residents highlighted access as a key concern. The principle of avoiding cut throughs across the site was adopted at an early stage in the interests of returning the site to a pedestrian friendly environment, placing landscaping at the heart of the proposal, maximising potential for safe play, and health benefits of keeping traffic away from residential receptors. Access to the central linear park is via a series of streets, with turning circles to allow for the safe movement of vehicles. The layout is considered to be acceptable.

#### Trip Generation

- 8.418 TRICS multi-modal trip generation analysis for the existing residential land use, 192 affordable flats, in an area with a public transport accessibility level (PTAL) of 1-3 identifies the existing dwellings create 257 two-way person trips in the AM weekday peak hour, of which 59 would be by car as the main driver, 41 would be on-foot, 21 by London Underground, 26 by train, 36 by bus, and 72 as passengers of a private car.

Applying this methodology, the existing development would create 133 two-way person trips at the PM weekday peak hour, of which 29 would be as a driver of a private car, 21 as a passenger of a private car, 39 on-foot, 17 by bus, 12 by train, and 11 by the London Underground. The submission also completes a sensitivity test to allow for the fact that the existing site provides 228 off-street parking spaces for 192 flats. In this, trips by car as the main driver increased by 15 two-way vehicle trips in the AM peak compared to the initial analysis, and by 9 x two-way trips in the PM weekday peak hour. All other modes saw a decline in person trips compared to the original analysis.

- 8.419 Another way of assessing the person trip mode share is to extract the person trips at the AM and PM weekday peak hours set out by TRICS and then apply resident travel to work mode share data from the Census of 2011 for the mid-level super output area (MSOA) in which this site is located to estimate the likely mode share. Like TRICS, this has obvious weaknesses given that it assumes that all trips made at the AM and PM weekday peak hours are for work and it is based on what respondents say they usually do rather than what they might do. The results are not significantly different, particularly for those travelling to work by car as the driver but provides a useful comparison to serve as baseline conditions.
- 8.420 A TRICS assessment for the proposed development, a mix of market and affordable housing, shows a net increase of 63 x two-way vehicular trips in the AM weekday peak hour and 112 in the weekday PM peak hour. Officers consider the trip generation forecast to be robust accepting the estimation of the net impact of the proposed residential development on the highway, in terms of vehicular and pedestrian trips, and consider service vehicle trips will not have a significant impact on the operation of the highway network. The submission possibly underestimates the net impact on bus services, particularly as most rail and London Underground users will need to use the bus to get to and from Richmond (or Kingston) Station. The Council's own analysis shows a net increase of 43 x two-way bus trips in the AM weekday peak hour and 51 x two-way bus trips in the PM weekday peak hour. Regardless, the net increase in bus travel is not sufficient to support or warrant the provision of additional service capacity.
- 8.421 The proposed net increase in community centre floorspace of 101m<sup>2</sup> will not create enough additional person trips to amount to a significant impact on the transport network. Similarly, no objection is raised to the estimated future background traffic growth arising from the Makers Lab.

#### Future Impact on the Highways Network

- 8.422 The only junction that is vulnerable to being made to operate more than the recommended ratio of vehicular flows to safe capacity is the Sandy Lane/A307 Petersham Road mini-roundabout junction. This is because of the T-shape of the junction and the high existing and forecast flows on the northern and southern arms, and the fact that it has a pedestrian activated signalised pedestrian crossing south of its southern arm. Given the robust vehicular trip generation analysis and explanation of the video surveys undertaken, as referred to in the transport assessment, it is accepted that the forecast development traffic increases the average queue on the northern arm from 62 to 75 passenger car units, the average delay from 225 seconds to 285 seconds at this arm, and the ratio of flow to safe capacity from 1.12 to 1.14.
- 8.423 As a sensitivity test, the applicant assessed this junction as a standard T-junction access from Sandy Lane as the minor arm, rather than as a mini roundabout. The northern arm of the junction can operate within an acceptable ratio of flow to capacity of 84% in 2027 with the development traffic. The average queue length will increase from 6 single passenger car units to 9 and the average delay from 14 seconds to 23 seconds. It is concluded that this junction can operate safely in 2027 with the addition

of the forecasted vehicular trips arising from a net increase of 260 dwellings. Mitigation at this junction is therefore not required.

#### Vehicular Parking for Residents

- 8.424 The scheme proposes 274 off-street vehicular residential parking spaces for a gross total of 452 new dwellings.
- 8.425 The site is not within a controlled parking zone. The maximum off-street parking standards for a development in PTAL 1b are set out in Local Plan (2018) at 1 space per 1-2 bed dwelling and 2 spaces per 3+ bed dwelling. This would establish up to 515 off-street vehicular parking spaces for proposal, as a maximum. The London Plan maximum standard of 1.5 spaces per dwelling would mean 678 spaces. The amount of car parking proposed overall, at a ratio of 0.6 spaces per unit, therefore complies with development plan policy. MSOA data has been used to provide an alternative evidence-based method of assessing car parking demand.
- 8.426 In terms of allocated parking, 16 town houses located within the site will be provided with one under-croft space per dwelling. The 14 town houses fronting Ashburnham Road will be provided with either one frontage space accessed from Ashburnham Road via individual vehicular crossover accesses or parking located at either end of the terrace, off Ashburnham Road. The 12 town houses fronting Woodville Road will have no allocated off-street parking as the inset layby located on the southern side of Woodville Road, fronting the town houses, which is proposed to be enlarged to accommodate 18 cars, is public highway and cannot be regarded as parking to serve the houses exclusively.
- 8.427 Applying the standards to this part of the scheme in isolation, the parking provision for the houses falls below the maximum London Plan and Local Plan standards by 33-54 spaces respectively. However, applying MSOA data this represents an under provision of 24 spaces. The provision is acceptable.
- 8.428 The proposed flats would be served by a basement car park with 238 spaces and an internal car park for residents in the west of the site with 6 spaces. 244 car parking spaces would serve 410 flats. Mid-Level Super Output Area (MSOA) data from the Census of 2011 shows that households living in flats with at least one occupant (aged 17 or over) owned a mean average of 0.45 vehicles per dwelling. At the time of the census households living in flats with at least two occupants (aged 17 or over) owned a mean average of 0.75 vehicles per dwelling. Were these levels of car ownership to be replicated among the households occupying the new flats, 241 off-street spaces would be needed to meet the estimated demand arising from 410 flats. The scheme is in line with the maximum standards, the 2011 Census data allows another check to ensure that the parking for the flats will likely meet the needs arising from the development.
- 8.429 In line with the London Plan it is also recommended the off-street residential spaces allocated to the flats are leased with the flats at a maximum rate of one permit per household. It is recommended that this be secured via condition (Parking Management Plan). Residents who choose not to lease a space will be excluded from any CPZ that may be implemented in the future via the Section 106 agreement.
- 8.430 To address the total shortfall of 24 parking spaces (applying MSOA demand data), arising from the dwelling houses, Officers considered whether it would be reasonable to require the applicant to consider the feasibility of a Controlled Parking Zone (CPZ). Feasibility only because CPZs fall under separate legislation and cannot be controlled by planning. A future CPZ could prevent overspill parking from the development

occurring on the public highway.

- 8.431 The applicant claims that a CPZ would be unnecessary, rendering the scheme unviable and prejudicing the delivery of affordable housing. The applicant's assessment of on street car parking stress shows that with the on-street spaces lost to accommodate the proposed development average on-street capacity will reach 79%, with further spare capacity for 24 spaces within 200m of the site before the 85% threshold of unacceptability is reached as set out in Supplementary Planning Guidance. Therefore, even if there was further unpredicted demand arising from the proposed development, there is still spare capacity within the area. On the basis of this further material planning consideration it is considered that a CPZ would be unnecessary.
- 8.432 The proposed car parking is within adopted maximum standards and would not result in danger or inconvenience on the public highway. The parking offering may serve to encourage occupants to choose to use more sustainable modes of transportation such as public transport, walking or cycling and thus aligns with other sustainability objectives and plan policy.
- 8.433 The vehicular crossovers serving the town houses on Ashburnham Road will need to be provided in advance of occupation of the development and laid out in accordance with the Council's Transport Supplementary Planning Guidance. This can be secured by the Section 106.
- 8.434 With respect to disabled parking, 14 blue badge bays are provided, one will be available at ground level within Phase 1; 5 within phase 2 (within the first phase of the underground car park), and a further 8 within the second phase of the basement which will be built prior to the occupation of Phase 3 of the development. Basement level car parking spaces will be allocated to disabled residents based on future demand and will be managed through a Car Parking Management Plan, secured via condition. This proposed arrangement is acceptable.

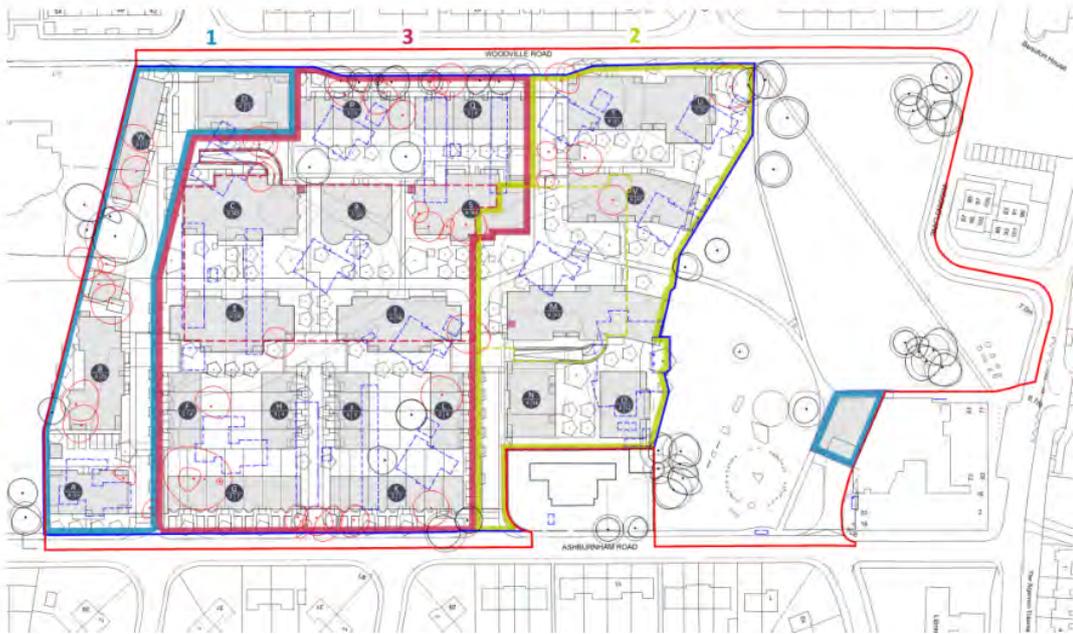
#### Car Parking for Community Uses

- 8.435 Community Centres should be car-free, except for those users who are in greatest need of off-street parking. The development makes provision for 2 x disabled off-street vehicular parking spaces for the proposed Community Centre and 1 x disabled parking space for the Maker's Labs. The proposed provision is appropriate for the land use in accordance with the London Plan (2021).

#### Highway Works Phasing

- 8.436 The phasing of the work can fall within the remit of a S278 Agreement. Phase 1 of the site will comprise 70 flats plus the Community Centre and the Maker's Labs (area identified in blue on Plan 12 below). The proposed site layout plan shows that the only means of access to, and egress from, this phase will be two new simple priority bell-mouth accesses on to Woodville Road and Ashburnham Road. These two new accesses will need to be built before the first occupation of Phase 1 of the site.

### **Plan 12: Phasing of the development**



- 8.437 The through road (as part of the linear park), that will run from the new eastern access from the south of Woodville Road, east of Blocks Q & S in a southerly direction and south of Blocks C, R, & S in a westerly direction, is proposed to be built in its entirety in phase 2 of the development and is capable of being used by large service vehicles. This would give large service vehicles a clear route through the site in perpetuity, delivery to be secured via a pre-commencement planning condition. The eastern part of the underground car park, together with the ramp, would be built out during Phase 2.
- 8.438 The enlarged layby on Woodville Road would be constructed as part of Phase 3 as would the vehicle crossovers that are proposed to serve the dwellings on Ashburnham Road.
- 8.439 Due to the phasing of the development and the displacement of car parking that arises from it, based on worst case scenarios, there is the potential for any overspill parking into the surrounding streets to represent a stress level of between 88% and 95%. This risk would be relevant for a three year period (which the submission estimates to be between May 2027 and March 2030). It is considered these levels would be reasonable for a temporary period of three years. This is on the basis that the worst case scenario might never be realised, as people may choose to park more than 200 metres from their home and some of the parked cars recorded in the parking survey may well not be present during the construction phase if they belong to occupants who choose not to be re-housed within the new scheme.
- 8.440 With the Applicant indicating an unwillingness to fund a feasibility exercise looking at the CPZ. This three year period together with the 89% to 95% worst case stress scenario, needs to be weighed as a harm in the planning balance. Given the consequences to highway convenience posed by on-street parking pressure, this matter should be held in minor negative weight in the overall planning balance.
- 8.441 The scheme also results in the need to reconfigure the car park at the adjacent Woodville Day Centre, which currently accommodates 16 parked vehicles safely, or 15 cars and one minibus. It is acknowledged that the existing car parking spaces are not formally laid out, and as such users are more likely to park more spaced out. The

scheme would result in a reduction to the car park, allowing only the ability for 12 cars and one minibus, amounting to a net loss of three vehicular parking spaces.

- 8.442 It is noted that there are very few vehicular parking restrictions within 500m walking distance of the site and no CPZ. In addition to this, the current centre Manager has provided an assessment of the centre's current parking needs in coordination with the key stakeholders and users of the space, which concluded the need for 11 spaces and a dedicated area for minibus parking which is less than the provision being made. Based on the assessment above it is a reasonable position that three vehicles would be able to be safely parked at these times without pushing on-street parking stress beyond 85% of on-street parking capacity. The proposed arrangement is therefore considered to be acceptable.

#### Cycle Parking

- 8.443 Secure cycle parking spaces would be provided at ground floor level at each block of flats. These would be in two-tier stands. This is appropriate and would meet the minimum standards set out in the London Plan. Short stay Sheffield stands would also be provided in accordance with the standards.

- 8.444 Four cycle parking spaces have been proposed to serve the Maker Labs and 14 cycle parking spaces would serve the community centre. The cycle stands within the public realm have used the London Cycling Design Standards to inform their location. The stands are spaced a minimum of 1m apart and would allow for 1.4sqm per space with a 2m zone clear of obstructions for each cycle. In all locations there are generous circulation areas on three sides in accordance with Cycling Design Standards (LCDS). The cycle parking arrangements are found to be acceptable, details will be secured through a pre-occupation condition.

#### Travel Plan

- 8.445 A draft Travel Plan has been submitted and includes the objective to reduce the number of car trips by 5% over the five-year period of the travel plan. This is reasonable and in response to the low PTAL for the area, walking and cycling for shorter journeys must be encouraged, as well as car club membership, to reduce car ownership and on-street parking stress. Proposed targets to increase the percentage of journeys by bicycle and on foot over the five-year period of the travel plan should be included in future iterations of the Travel Plan. Development of the Travel Plan, its implementation and monitoring will be secured through the S106 legal agreement.

#### Servicing and Refuse Collection

- 8.446 The submitted vehicle tracking drawing for a refuse HGV of 10.4m x 2.5m shows that this vehicle can service Block W safely if the western access on to Woodville Road is built. This access road is not a through-road, so whilst the refuse vehicle would have to reverse 12m to get refuse operatives within 20m of the refuse collection area for Block W, this accords with the Council's Refuse and Recycling Storage and Collection SPD. The refuse vehicle would reverse 22m to get operatives within 20m of the refuse collection point for Block B, which is contrary to the guidance and could increase the risk of collisions between refuse vehicles, pedestrians, and cyclists. However, this arrangement would only occur until the main service route (along the linear park) is constructed, and therefore would be tolerable. The refuse vehicle would also have to reverse up to 30m to get within 20m of the most northern houses in Blocks H and J. This is contrary to guidance set out in Manual for Streets and in the Council's own guidance. However, this situation would be time limited time until phase 3 of the development is built. The risk is acceptable in the short-term as a non-permanent risk.

- 8.447 The scheme relies on the linear park to provides a shared space access road to service

Blocks C, R, S, E, and I. Shared space roads are normally expected to be 6m wide to allow two-way vehicular traffic, pedestrians, cyclists, and vulnerable road users, to share the space safely. Due to the positioning of the ramps to the basement level car park, and the presence of demountable bollards, north of the turning areas to which these ramps egress; it is likely that only service vehicles will use the shared space route through the site. The shared space has been widened to 4.1m, and whilst this remains below the guidance, would allow a refuse vehicle or other HGVs to pass a pedestrian or a cyclist safely. The shared space route would be required to operate one-way for vehicular traffic to mitigate for this reduced width and the applicant must place signage in safe places to make sure motorists are aware. This can be agreed via condition.

- 8.448 TfL originally raised concerns that delivery and servicing trips had been underestimated in the light of recent increased trends for home delivery. The applicant undertook a sensitivity analysis and found that even with a higher delivery and servicing trip rates this would not result in detrimental highway safety impacts. This testing and conclusion have been accepted by TfL subject to a delivery and service management plan being secured by condition, as recommended.

#### General Comments on General Arrangement

- 8.449 The proposed access roads have 5.5m wide carriageways and 2m wide footways, which is acceptable if parking is prohibited on the carriageways or restricted to one side of them and to prevent motorists parking on the privately maintained access roads or in any turning areas. Yellow lines can be secured through a Traffic Management Order Double. In addition signage, ensuring one-way direction for vehicular traffic will be secured.
- 8.450 All internal roads would be privately maintained at the applicant's expense. A clause would be inserted into the S106 agreement whereby all the internal roads and streets are fully accessible to the public except when they need to be closed for maintenance purposes.
- 8.451 The submitted Framework Lighting Strategy is acceptable from a highways point of view subject to more details being secured by condition.
- 8.452 The shared space road running through the linear park is proposed to comprise 200mm x 200mm x 80mm buff concrete block paving. No details have been provided as to how this would be laid. It would be preferable to use tegula paving blocks or natural stone blocks to ensure durability. This would be addressed using the recommended pre-commencement conditions in section 12 of this report.
- 8.453 TfL initially requested enhancements for pedestrians on the site boundary as recommended in the Active Travel Zone (ATZ) assessment. On Ashburnham Road TfL requested tactile paving to be provided as required, the space around the bus stop be increased for pedestrians to remove pinch-points, and places for pedestrians to stop and rest be included within the site. In response, approximate locations for tactile paving have been indicated on the proposed hard landscape plans at the crossing points with the junctions into the site from both Ashburnham Road and Woodville Road.
- 8.454 A variety of seating options have also been proposed through the linear park in three locations, separated from the surrounding activity by planting and low hedges, and highlighted on the proposed seating location plan. Picnic seating with tables are proposed to be provided alongside banks of bench style seating with circulation space to allow less able users easy access. The access through the linear park provides a direct connection with the access across the Village Green where five benches are

proposed to be located adjacent to footpaths. A bench on the southern boundary is also proposed, located at the corner of Ashburnham Road by the NHS Clinic. TfL has subsequently raised no objection to the proposed tactile paving and seating arrangement to be secured through a S278 agreement to provide highways works. TfL has also accepted that to increase the footway around the bus stop would have a detrimental impact through reducing the available public open space.

#### Construction Management and Phasing

- 8.455 The applicant proposes that demolition and construction vehicles would travel to and from the site via the A3, and the A307, and then via Sandy Lane to approach the site from the east. No construction or demolition vehicles would approach the site from the west. This is the safest route to the site. A Travel Plan will be drafted in respect of construction site employees.
- 8.456 Due to the scale of this project, and the HGV trips made to and from the site, there is potential for the deterioration to the condition of the carriageway on the construction route. A full highway condition survey would be agreed and carried out before demolition work starts. This would be secured by condition.
- 8.457 Due to the site's proximity to two schools, it is recommended that large deliveries and collections from the demolition or construction sites must be restricted so as to only take place between the hours of 09.00 - 15.00 to avoid conflict with school traffic.
- 8.458 The estimated number of construction vehicular journeys would peak at 25 per day but it is unclear as to whether these are two-way or one-way trips. A construction phasing plan will need to be provided estimating the number of vehicular trips per day during each phase, specifying which type of vehicle these trips will be made by, and providing vehicular tracking drawings demonstrating that these vehicles can enter and exit the site in forward gear. Construction site plans will also need to be provided showing wheel washing facilities and other measures employed to keep the highway safe and free of construction debris. A more detailed Demolition & Construction management plan will need to be secured via a pre-demolition planning condition.
- 8.459 TfL has highlighted the need for construction phasing and access to be managed to minimise impact to pedestrians, cyclists and public transport in the vicinity of the site. A draft CLP was provided by the applicant and is acceptable in principle. The detailed CLP would be secured by condition.

#### Mitigation

- 8.460 In addition to the mitigation referred to in the sections above, the following mitigation measures are also recommended to be secured within the S106 legal agreement:
- The applicant obtaining an order under S247 of the Town and Country Planning Act 1990 to stop up:
    - the current eastern and western access roads into Ham Close, which run between Ashburnham Road and Woodville Road. The western road will need to be stopped up before the demolition of the existing site that will encompass Phase 1 begins, and the eastern access road will need to be stopped up prior to the demolition of the part of the site that will encompass Phase 2 of the development begins.
    - the current Ham Close/Woodville Road simple priority bell-mouth access junctions on the southern side of Woodville Road, and their restoration as footway, and the construction of two new relocated simple priority bell-mouth access junctions, as set out indicatively in the masterplan drawing (the western access to be constructed before first occupation of Phase 1 of

the site, and the eastern one prior to the first occupation of Phase 2).

- The applicant entering into an agreement with LBRuT under S278 of the Highways Act 1980 to deliver the following highway works subject to the technical approval of the Borough Engineer:
- Creation of an enlarged inset vehicular parking layby (93m x 3m) on the southern side of Woodville Road as set out indicatively in the masterplan drawing (to be built prior to the first occupation of phase 2 of the site).
- Creation of 7 x new vehicular crossover accesses on the northern side of Ashburnham Road as set out indicatively in the masterplan drawing (to be constructed prior to the first occupation of Phase 3 of the site).
- Relocation of the existing western simple priority bell-mouth access junction on the northern side of Ashburnham Road, as set out indicatively in the masterplan drawing (to be constructed before the first occupation of Phase 1 of the site). The bell-mouth will need to be tightened to 5m.
- Tightening of the bell-mouth access at the Sheridan Road/Ashburnham Road access junction to 5m to improve road safety.
- The construction of a new simple priority bell-mouth access junction on the northern side of Ashburnham Road north-west of the Ashburnham Road/Mowbray Road junction, as set out indicatively in the masterplan drawing (to be constructed before the first occupation of Phase 2 of the site).
- The tightening of the bell-mouth at the Stuart Road/Woodville Road bell-mouth access junction to 5m to improve road safety.
- All the bell-mouth access junctions into the site to be fitted with dropped kerbs and tactile paving to improve the pedestrian experience for people with disabilities.
- Traffic Management Order to enable the Council to install double yellow lines at all the bell-mouth access junctions into the site to reduce the risk of unsafe parking. The applicant to pay a Traffic Management Order contribution of £2,961.00 to fund the Council's administrative costs.
- Hard surfacing and seating

#### Highways Matters Summary

8.461 In summary, the quantum of car parking provided is within the maximum standards. As demonstrated through the parking stress surveys, the car parking strategy is considered acceptable, would not pose a risk to highway safety and convenience, and would assist in promoting walking and cycling as more sustainable alternatives compared to the use of private motor vehicles. The cycle parking arrangements are acceptable, subject to conditions. Electric vehicle parking would be secured by condition. The trip generation associated with the development and future impacts on the highways network has been considered and found not to amount to a severe or cumulative impact on the highway network and key junctions will continue to function at an acceptable level without mitigation being required. Overall, with the proposed mitigation, the site layout and connections to the existing road network and the level of parking pose no severe threat to highway safety and convenience, subject to conditions and Heads of Terms secured within the legal agreement.

8.462 In terms of the period during construction, there are shortcomings. There is potential risk to highway safety from conflict between pedestrians and service vehicles, and potential for unacceptable on street parking stress. In response to their temporary nature, these are held in minor negative weight in the planning balance.

#### **Issue xiii: Waste Management**

8.463 Local Plan policy LP24 relates to waste management and requires all developments to provide adequate refuse and recycling storage space and facilities, which allows for

ease of collection and which residents and occupiers can easily access. The provision should be made in line with the guidance and advice set out in the Council's SPD on Refuse and Recycling Storage Requirements (April 2015).

#### Residential

- 8.464 The proposed residential refuse strategy has been developed in accordance with the Council's Refuse and Recycling Storage Requirements SPD. The proposed dwelling houses of 3+ beds would be provided with 360 litres of refuse storage per household, 2 no x 55 litre dry recycling boxes and 1 no x 23 litre food waste container. Each dwelling house will be served by a brick-built, covered external bin store at the property to accommodate the volume of waste specified above.
- 8.465 The flats are proposed to be provided with 70 litres of refuse storage per bedroom which is accommodated in communal waste containers. Dry recycling will be provided at a rate of 4 no x 360 litre bins for 12 to 17 flats; 2 no x 1100 litre bins for 18 to 25 flats; and 4 no x 1100 litre bins for 26 to 45 flats. Space would be accommodated within each bin store to store items for bulky waste collection (e.g, redundant household goods). No communal collection regime for food waste is currently available yet 1 no x 240 litre food waste bin will be made available in each block to accommodate any future food waste collection regime. Each block of flats is proposed to be provided with a ground floor level refuse store with level, step free access and space for wheelchair manoeuvring.
- 8.466 Officers require the specification of the bins to be agreed by way of condition to ensure they are functional in their proposed layout and that appropriate signage is provided to indicate what should be disposed of in the relevant bin. A cage could be used to secure and demark the area for use for bulky waste. This could all reasonably be secured by condition as part of a waste management plan.
- 8.467 Any future increased space requirement for food waste may be at the expense of bulky waste storage. Whilst a condition will ensure appropriate signage for the various waste areas based on current standards this could be reviewed at any time through the variation of such a condition post consent. The applicant cannot now be reasonably be expected to cater for future requirements, it would be a management issue for the applicant for the future.

#### Community Uses

- 8.468 There is no specific waste standard for community uses. Commercial requirements are thus referred to. The Council requires commercial development to be served by 2.6 m<sup>3</sup> for every 1,000 sq m of floorspace (gross). 50% should be retained for storing recyclable waste.
- 8.469 The proposed Community Centre has a gross floor space of 716 sq m so the required storage is 2.6m<sup>3</sup>. The proposed community centre includes 8 sq m of enclosed and gated refuse storage which will accommodate 2 x 770 litre bins (1,220 (w) x 770 (l) x 1,360 (h)) which would meet the 2.6m<sup>3</sup> requirement. One bin would be used for general waste and the other for the storage of recyclables.
- 8.470 The Makers Lab has a floor area of 130 sq m and is proposed to be served by bins located in an enclosed gated outdoor space located to the southwest of the proposed building. Approximately 6m<sup>2</sup> is reserved for recycling. The required volume for waste storage is 2.6m<sup>3</sup> which is accommodated in 2 x 770l bins (1,220 (w) x 770 (l) x 1,360 (h)). The bins would be brought to the street frontage on collection days.
- 8.471 Level hard standing and drop kerbs are proposed for ease of bin movement in the

vicinity of the Community Centre and Makers Lab. The push routes and drop kerbs can reasonably be secured by condition.

- 8.472 It is noted that the Community Centre is proposed to be built on land that currently houses a public recycling site (PRS) containing communal recycling bins. To offset this loss, the existing and proposed dwellings would be served by a weekly twin recycling sack collection service, to collect paper and card and mixed recycling. Two textile banks are to be provided at the Woodville Day Centre.
- 8.473 In summary, the waste storage proposals accord with the Council's Refuse and Recycling Storage SPD and any outstanding matters can reasonably be controlled by the condition listed in section 12 of this report. With the use of this condition the proposals accord with Local Plan policy LP24 and the guidance contained in the SPD. Matters relating to waste are subsequently held in neutral weight in the overall planning balance.

**Issue xiv: Sustainability**

- 8.474 Development needs to be resilient to the future impacts of climate change, and in doing so policies LP20 and LP22 sets out necessary credentials to be achieved, including; BREEAM excellent for non-residential uses; zero carbon; for developments to follow the Energy Hierarchy (lean, clean, green); maximum daily water usage standards and for developments to contribute towards the Mayor of London target of 25% of heat and power to be generated through localised decentralised energy (DE) systems by 2025 – including connecting to DC networks where feasible; considering the provision of onsite decentralised energy networks and Combined Heat and Power (CHP), and if not feasible, provision made for future connection.
- 8.475 The above is reflected in London Plan policies SI2 and SI4 which also add the additional requirement of 'be seen' (monitor, verify and report on energy performance) in the energy hierarchy; for onsite reductions of at least 35% beyond Building Regulations of which 15% is achieved through energy efficiency measures; for any shortfall in zero carbon targets to be provided by cash in lieu to the boroughs carbon offset fund; and for the cooling hierarchy to be followed to reduce the potential for internal overheating and reliance on air conditioning systems.
- 8.476 The application has been accompanied by an Energy Strategy; Detailed Circular Economy Statement; Overheating Assessment; a Sustainability Statement; a BREEAM Pre Assessment and a Sustainable Construction Checklist which confirm the following:
- Overall carbon reductions of 66%, thereby exceeding the 35% target
    - Domestic: 66%
    - Non-Domestic: 60%
  - The domestic part of the scheme has applied the energy hierarchy:
    - 'Be Lean' – 10% reduction, meeting 10% target, achieved through:
      - Passive design measures including energy efficient building fabric; insulation to heat loss floors, walls and roofs; double glazed windows; low energy lighting; and efficient heating and ventilation systems
      - Measures to prevent overheating
    - 'Be Clean' - 0% reduction, justified through:
      - The inability to connect to an existing or planned heat network, and the all electric Air Source Heat Pump (ASHP) led system proposed, which is capable of connecting to any future District Heat Network should one become available.

- 'Be Green' – 56% reduction achieved through:
  - o An all-electric, highly efficient ASHP strategy
  - o Renewables contribution maximised by the inclusion of solar photovoltaics (PV)
- 'Be Seen' – Commitment to post occupation monitoring through:
  - o Providing all apartments with individual smart metres to allow monitoring
  - o Promotion of ways of reducing unregulated energy demands to occupants through home user guides and building user guides
- The non-domestic part of the scheme has applied the energy hierarchy:
  - 'Be Lean' – 37% reduction, exceeding 15% target, achieved through:
    - o Passive design measures including energy efficient building fabric; insulation to heat loss floors, walls and roofs; double glazed windows; low energy lighting; and efficient heating and ventilation systems
    - o Measures to prevent overheating
  - 'Be Clean' - 0% reduction, justified through:
    - o The inability to connect to an existing or planned heat network, and the all electric Air Source Heat Pump (ASHP) led system proposed, which is capable of connecting to any future District Heat Network should one become available.
  - 'Be Green' – 24% reduction achieved through:
    - o An all-electric, highly efficient ASHP strategy
    - o Renewables contribution maximised by the inclusion of solar photovoltaics (PV)
  - 'Be Seen' – Commitment to post occupation monitoring through:
    - o Providing community buildings with individual smart metres to allow monitoring

8.477 The development is intending to achieve the zero-carbon target through a 66% reduction in CO2 emissions, with the remainder being made up through a carbon-offset payment of £517,978.00 to be secure through a S106 agreement.

8.478 In terms of other renewable energy options, the submitted energy statement considered the potential for other alternatives including wind and biomass. Whilst the statement recognises there are various options, many of these have been discounted through a combination of project constraints including capital expense, return on investment, air quality and visual impact. This reasoning is accepted.

8.479 A Sustainable Construction Checklist has been submitted which confirms that the scheme aims to achieve a score of A+ and will achieve maximum water consumption of 110 litres per person per day for homes (including an allowance of 5 litres or less per person per day for external water consumption) for the residential units. This will be achieved through water efficient sanitaryware, a leak detection mechanism and water monitoring.

8.480 The BREEAM Pre-Assessment Report has been submitted for the proposed Community Centre and Makers Lab which confirms that these parts of the scheme are seeking to achieve an 'Excellent' rating with a score of 74.8%. This will be secured by condition. It also confirms that the community buildings will achieve the relevant water standards, including a 40% water demand reduction over the BREEAM baseline through water efficient sanitaryware, exceeding the London Plan improvement requirement of 12.5%.

#### Overheating

8.481 In accordance with the GLAs cooling hierarchy, an overheating risk assessment has been submitted with the application outlining measures to reduce overheating with a focus on passive design solutions:

- Improved building fabric
- Natural ventilation
- Mechanical Ventilation in all habitable rooms
- Balconies and overhangs to create shading
- Increased tree planting to create shading

8.482 A sample of 23 dwellings at highest risk of overheating were assessed as well as some corridors with results demonstrating that all living spaces will comply with Criterion 1 of Chartered Institute of Building Service Engineers Technical Memo 52, and that all assessed bedrooms do not exceed 26 degrees for more than 1% of the annual hours from 10pm to 7am. None of the assessed corridors were shown to exceed 28 degrees for more than 3% of annual hours.

8.483 However, the overheating assessment also assesses overheating in relation to the heat island effect using enhanced climate change weather file scenarios (DSY1, DSY2 and DSY3), where the scheme does not comply. As a result, this will be identified as a harm and further mitigation sought by way of condition.

8.484 It is noted that some of the rooms within the proposed community centre would fail to comply with the relevant criteria with just passive design measures. However, with the inclusion of cooling via Mechanical Ventilation with Heat Recovery (MVHR) and Variable Refrigerant Flow (VRF) systems, adequate cooling is achieved.

#### Heating Networks

8.485 The site is located outside of a Heat Network Priority Area and there are no existing or proposed heat networks within the vicinity of the site. However, to future proof the development, a phased, site wide communal network comprising of 1 energy centre serving phase 1 apartments, and 1 energy centre serving phase 2 and 3 apartments is proposed. The communal network proposed will be capable of connecting to any future District Heat Network should one become available.

8.486 The applicant explored the possibility of accommodating a Combined Heat and Power (CHP) system, this has been considered unacceptable due to the decarbonisation of the national grid meaning that CHP systems are not a long-term low carbon solution. The use of CHP engines can have a significant negative impact on local air quality. It is therefore accepted that a CHP engine would not be suitable in this instance.

8.487 It is proposed to serve the houses with individual Air Source Heat Pumps (ASHPs) and the non-domestic buildings shall be served by VRF heat pumps. It is acknowledged that individual ASHPs are lower down the heating hierarchy, the applicant has demonstrated that carbon savings are higher for the houses with individual ASHPs (47% with communal and 68% with individual). There are also embodied carbon savings to be had by providing individual heating systems, and heat loss from running pipework to houses minimised.

8.488 The proposals have adopted a fabric first approach to minimise heat loss and includes a phased site wide communal Air Source Heat Pump network comprising two separate energy centres. The first will serve phase 1 and the second will serve phases 2 and 3. Individual ASHPs will serve the houses. These ASHPs will be complemented by Photovoltaic panels.

### The Circular Economy

- 8.489 Policy SI7 of the London Plan promotes resource conservation, waste reduction, increases in material re-use and recycling and reductions in waste going for disposal and requires applications of this nature to provide a Circular Economy Statement.
- 8.490 The submitted Circular Economy Statement demonstrates how materials arising from demolition and construction will be re-used or recycling, how the buildings design reduces material demands, and how the waste from the proposal will be managed, in accordance with the waste hierarchy.
- 8.491 The applicant has demonstrated that ongoing refurbishment and maintenance of the existing buildings is not sustainable over the long term, the proposals include measures to re-use several of the building materials, for example existing masonry and brick will be crushed and used as piling mat, and the architectural masonry of the community centre will contain 20% recycled content. The Circular Economy Statement confirms that the proposal will comply with the following circular economy targets:
- 98% of demolition waste to be diverted from landfill and reused, recycled or recovered.
  - 95% of excavation waste to be diverted from landfill and reused, recycled or recovered.
  - 95% of construction waste to be diverted from landfill and reused, recycled or recovered.
  - 65% of municipal waste to be diverted from landfill and reused, recycled or recovered
  - Materials shall have a minimum 20% recycled content.
- 8.492 A pre-demolition audit has been undertaken to assist in a resource management plan to ensure the development process is in line with the waste hierarchy, i.e. maximise reuse and closed loop recycling and minimise waste to landfill. The pre-demolition audit identifies that the potential recycling and diversion from landfill rate for the site is 98%, which complies with the London Plan Policy SI 7 minimum target.
- 8.493 As a predominantly residential scheme, it is acknowledged that the proposed development is not intended for regular change and re-use. Notwithstanding this, high strength paving, brick and tile hangings will be utilised which will have a lifespan beyond the design life of the buildings. Lightweight partitions, which are not load bearing, will be used in the community centre and makers lab to allow internal remodelling for future users rather than the buildings potentially needing to be demolished. Building connections have been designed to be reversible to facilitate disassembly and use. Layer independence has also been employed where practicable, so that those layers with shorter lifespans can be replaced without causing damage to those with longer lifespans.

### Whole Life-Cycle Carbon Assessment (WLCA)

- 8.494 A WLCA has been carried out which sets out the carbon impact of the proposed development and sets out actions taken by the design team to reduce embodied carbon and explores opportunities to reduce this further. The assessment confirms that all proposed buildings within the development have been modelled in line with the GLA Whole Life Cycle Carbon Assessments guidance. The estimated total carbon emissions are set out below:

Life Cycle Module	Description	Kg CO <sub>2</sub> em/m <sup>2</sup> GIA
Materials Embodied Carbon Module A1-A5 (excluding sequestration)	Construction materials Transport Construction site	708.25
In Use and End of life Module B-C (Excluding B6&B7)	Use Maintenance Repair Replace Refurbishment	185.39
A-C (excluding B6 & B7, including sequestration)	Construction materials Transport Construction site Re-use, recycling or disposal	881.81

	GLA Residential Benchmark CO <sub>2</sub> e/m <sup>2</sup> GIA over 60 years
Materials Embodied Carbon Module A1-A5 (excluding sequestration)	<850
In Use and End of life Module B-C (Excluding B6&B7)	<350
A-C (excluding B6 & B7, including sequestration)	<1200

8.495 The WLCA confirms that the design has incorporated sustainable measures where feasible, and the above demonstrates that the WLC emissions for the proposed design are within GLA WLCA benchmark. All efforts have been made to reduce the embodied carbon during conception design. However, additional measure have been identified for further reduction during the Technical Design. The results show that the worst offending materials for embodied emissions are the concrete and steel used for substructure and superstructure elements. These should therefore be the focus for improvements as they will generate the largest reductions.

8.496 The following steps have been taken to reduce the overall likely carbon emissions for the proposed development:

- Use of ready mixed concrete with 40% cement replacement for concrete foundations, frames and slabs.
- Use of steel reinforcement with 97% recycled material.
- Use of structural steel with a minimum of 90% recycled material.
- Used of aluminium windows and doors with 60% recyclable material.
- Re-use of materials existing materials on site such as concrete which can be crushed as pile matt and fill material.
- Low carbon materials will be procured where possible with a focus on selecting materials with Environmental Product Declarations (EPDs).

8.497 As outlined above, the submitted WLCA concludes that the developments carbon emissions are in line with GLA benchmarks, indicating that the proposed development incorporates the most feasible sustainable design options. An 'As Built' WLCA will be completed post construction, and a condition is recommended to secure this.

- 8.499 In summary, it is considered that, subject to the inclusion of conditions, the proposal complies with the aims and objectives of policies SI2 and SI4 of the London Plan, and policies LP20 LP22 of the Local Plan.

**Issue xv: Infrastructure**

- 8.500 It is recognised major developments are likely to put an additional burden on existing facilities. Therefore, schemes proposing more than 10 residential units, such as this site, are required to assess the potential impacts on existing infrastructure to demonstrate there is sufficient capacity to accommodate the needs arising from the new development. Where necessary, measures will need to be put in place to mitigate the impacts, secured either by condition or a Section 106 legal agreement.

**Water resources and infrastructure**

- 8.501 London Plan policy S15 requires proposals for strategically or locally defined growth locations with particular flood risk constraints or where there is insufficient water infrastructure capacity to be informed by Integrated Water Management Strategies at an early stage. It also requires adequate wastewater infrastructure capacity to be provided. Local Plan policy LP 23 requires major developments, such as this, to ensure that there is adequate water supply, surface water, foul drainage, and sewerage treatment capacity to serve the development and planning permission will only be granted, which increases the demand for off-site service infrastructure, where sufficient capacity already exists or extra capacity can be provided to serve the development, to ensure that the environment and residential amenities are not adversely affected.
- 8.502 Thames Water has confirmed that there is capacity in the foul water sewage network to accommodate the development provided a sewer diversion is provided, which will be secured via condition. Conditions are also recommended to secure a method statement to ensure protection of a strategic sewer and to ensure a Groundwater Risk Management Permit is obtained if discharging groundwater into a public sewer.
- 8.503 In respect of water supply, Thames Water has requested a pre-occupation condition to secure details of all water network upgrades required to accommodate the additional demand to serve the development or a development and infrastructure phasing plan. This will ensure that the development benefits from adequate water pressure and to identify network reinforcement works that might be necessary to ensure sufficient capacity is made available to accommodate additional demand anticipated from the new development.
- 8.504 With the use of the recommended conditions the development is deemed to meet the aims of the aforementioned policies. This matter is held in neutral weight in the planning balance.

**Health**

- 8.505 Policy GG3 of the London Plan requires the impacts of development on health and wellbeing of communities to be considered and any negative impacts appropriately mitigated. Policy LP30 requires major developments to be accompanied with a Health Impact Assessment (HIA), that assesses the health impacts of the development, identifying mitigation measures for any potential negative impacts. This is reflected in policy LP28 and the NPPF.
- 8.506 The application was accompanied by an Environmental Statement which included a chapter on socio-economic issues resulting from the development which was supplemented by a Health Impact Assessment. These documents have been reviewed by both the Clinical Commissioning Group (CCG) and London Heathy Urban Development Unit (HUDU).

- 8.507 In terms of healthcare capacity, it has been identified that there is 1 GP surgery within a 1km walking distance of the site, the Lock Road Surgery, which is a branch of Seymour House Surgery and which has an average GP patient ratio of one GP to 1,930 patients, above the best practice ratio of one GP per 1,800 patients. This suggests there is little or no capacity for this GP surgery to accommodate new residents. (Whilst Ham Clinic is located to the south of the site, this does not provide GP services as it functions as a community healthcare centre providing podiatry and school healthcare).
- 8.508 It is therefore considered reasonable and necessary to secure a section 106 contribution towards health infrastructure to ensure the development does not place unreasonable pressure on such. The Richmond Clinical Commission Group, on the basis HUDU Planning Contributions Model, has recommended a health care contribution of £161,855 which will be secured through a S106 agreement. With such contribution, the service will be able to cater for the needs of the development.

### **Education**

- 8.509 Policy LP28 requires applications to assess the potential impacts on existing social infrastructure in order to demonstrate there is sufficient capacity to accommodate the needs arising from the development.
- 8.510 Using the GLA child yield calculator, it is estimated the development will generate a net additional 102 children; 50 children aged 0—4 years, 35 children aged 5 -11 years and 17 children aged 12-18 years.
- 8.511 Achieving for Children confirms the three local state funded primary schools currently have some spare capacity and are capable of expansion should additional places be required. However, in terms of secondary school places, medium to long term demand for places across the eastern half of Richmond borough can only be met by the establishment of a fourth state funded secondary school, as is proposed for part of the Stag Brewery site (that is currently a live application under consideration). Achieving for Children has confirmed that the new school proposed through that application, if approved would provide enough additional capacity to meet likely demand from the Ham Close site, however, have raised concerns as a decision on that application will not be made in advance of this application being determined, and there are no guarantees of this being implemented.
- 8.512 The Council has a statutory duty to ensure the provision of sufficient state-funded school places for all residents who want them for their children. Where a new development generates a need for new school places, developer contributions towards additional capacity may be required. This application is subject to a substantial Community Infrastructure levy (CIL) sum towards Borough infrastructure, including educational provision. Whilst recognising the uncertainty over whether the educational need arising from the development can be met, in response to the CIL contribution and the Council's statutory duty for education provision, the potential pressure on the education service is not identified as a harm and has potential to be addressed.

### Playspace

- 8.513 Policy S4 of the London Plan requires schemes not to result in a net loss of play provision (unless there is no ongoing or future demand) and developments that are likely to be used by children and young people to increase opportunities for play and informal recreation. Residential developments are required to incorporate good quality, accessible play provision for all ages. At least 10sqm of playspace should be provided per child which is in a stimulating environment, forms an integral part of the

development, incorporates greenery, is overlooked to enable passive surveillance and not segregated by tenure. In large scale developments, it is recognised incidental play can be provided.

- 8.514 There is currently no dedicated playspace at Ham Close. Instead, the existing residents rely on the play space on Ham Village Green and the informal grassland in between the buildings.
- 8.515 Applying the GLAs playspace calculator, the applicant has confirmed that there will be a child yield of 254 from the development, with 82 of those children already living on Ham Close. This generates a playspace provision requirement of 2,540sqm.
- 8.516 The proposal seeks to provide dedicated play space within the development, including, a formal playspace to the west end of the linear park, an explorer trail through the linear park, and a playable route where children can interact with the planting, courtyard spaces and playable lawns for interpretive play. The proposed play provision comprises the following:

Age Group	Quantum	Location
0 - 4 years	1,232sqm	Doorstep play provision within communal gardens and linear park
5 - 11 years	868sqm	Provision to be split between on site facilities and existing offsite facilities: <ul style="list-style-type: none"> <li>• 512sqm equipped playspace within linear park</li> <li>• 356sqm existing provision on Ham Village Green</li> </ul>
12 +	446sqm	Offsite provision on Ham Village Green
<b>Total:</b>	<b>2546sqm</b>	<ul style="list-style-type: none"> <li>• <b>1744sqm onsite</b></li> <li>• <b>802sqm offsite</b></li> </ul>

- 8.517 Play provision within the courtyards would be largely informal/natural integrated with the soft landscape, with some fixed equipment. Provision in the public realm would include pieces of fixed equipment integrated in a play trail throughout the linear park, as well as a play area to the west of the site which will incorporate fixed pieces such as low spinning bowls. Officers accept that lawns and trails can be multifunctional, however during the application requested an increase in the number of fixed play items within the explorer trail to ensure this could be considered genuinely playable, which has been provided.
- 8.518 Officers originally had concerns that the proposed play equipment was not accessible enough for those with disabilities, and in response, the applicant amended one of the combination climbing frames to provide additional inclusive pieces including an accessible bucket swing. Other inclusive features include a seesaw with specialised seating, wobble dishes, sensory elements including the chimes and play hatches around the climbing frames. Pathways through the play spaces are level with solid surfaces. The integration of planting also promotes sensory play through colour, texture and sound.
- 8.519 Following the addition of more fixed equipment, as well as clarification on those pieces which were to be accessible, they are sufficient to ensure that the type of provision will be 'dedicated' and 'genuinely playable' space in line with the Development Plan

requirements.

- 8.520 It is unfortunate the play needs arising from the development would not be provided on land within the applicant's ownership. However, officers accept the provision of the required 356sqm for ages 5-11 can be accommodated using the existing facilities on the Village Green. Further, the 12+ age group required provision (446sqm) can be provided at Riverside Drive, which is within the 800m reasonable walking distance of the site. In response to the necessity for offsite provision, a financial contribution of £68,644 has been secured, via a S106 Legal Agreement, for equipment for those aged 12+ to enhance existing local provision by extending the fitness area on the Village Green and the west of the play area at Riverside Drive. This includes a contribution towards play maintenance for a period of 5 years.
- 8.521 The proposals are therefore not deemed to compromise the aims of policies S4 and LP31 in terms of playspace provision, subject to the inclusion of conditions and the financial contribution as set out above.

### **Open Space**

- 8.522 Policy LP31 of the Local Plan requires applicants for major developments to provide an analysis of existing open space provision in line with the Councils accessibility standards which are as follows:
- 15 minute walk time (1200m) for Parks and Gardens
  - 15 minute walk time (1200m) for Natural and Semi-natural Greenspace
  - 5 minute walk time (400m) for Amenity Greenspace (including small local parks and open spaces as well as pocket parks)
- 8.523 The submitted Open Space Assessment confirms that the site falls within the required accessibility catchment for the above open space typologies. Therefore, all residents will be within walking distance of the different types of open space, in line with the requirements of policy LP31 of the Local Plan. Additionally, the Assessment notes that the Councils Open Space Assessment sets out that the 'Richmond' analysis area, in which the site is located, has a surplus of the following open space typologies:
- Parks and Gardens – exceeds standard by 0.22 ha per 1000 population
  - Natural and Semi-Natural Greenspace: exceeds standard by 1.64 ha per 1000 population
  - Amenity Greenspace: exceeds standard by 0.23 ha per 1000 population
  - Provision for Children and Young People: exceeds standard by 0.02 ha per 1000 population
- 8.524 In summary, whilst the development will go some way to meeting the play needs of the site, the scheme does not cater fully for the 12+ age group, and will place pressure on the Primary Health Service, and secondary school education service. However, it is considered such potential harm could be mitigated with contributions for offsite play provision, a contribution towards providing additional capacity in the local health service and the CIL sum which is capable of being a material consideration. The former two of which are secured via a legal agreement, and with such a harm is not identified.

### **Issue xvi: Fire Safety**

- 8.525 The London Plan (D5 and D12) requires developments to achieve the highest standards of fire safety, allowing for fire access, and to be designed to incorporate safe and dignified emergency evacuation for all building users.
- 8.526 A Fire Strategy Statement has been produced by Affinity Fire Engineering for the whole

development, split into two parts; Part 1 addresses the residential elements; and Part 2 addresses the non-residential elements, including the Community Centre and Richmond Makers Labs.

- 8.527 The Fire Strategy Statement includes details of access and equipment for firefighting vehicles; details of means of escape including layouts of units demonstrating travel distances to final exits; the use of fire resistant construction to minimise fire spread; evacuation lifts and features to reduce the risk to life and injury, such as fire detectors and alarms and sprinklers. The statement also includes an evacuation assembly point for the non-residential parts of the scheme.
- 8.528 The Fire Strategy has been prepared by a suitably qualified assessor who holds a Bachelor/Master of Engineering and are Associates with the Institution of Fire Engineers and has been reviewed by independent consultants. It is concluded that the proposals are appropriate to meet the intent of The London Plan and it is therefore considered that the level of information provided is appropriate for this stage in the development process and as such, meets the aims and objectives of the aforementioned policies. In addition, any building would also be covered by the requirement to meet Building Regulations.

**Issue xvii: Public Sector Equality Duty**

- 8.529 Public authorities, under the Equality Act 2010, have a public sector equality duty, whereby they must have due regard to, or consciously think about, when carrying out their functions the need to achieve the objectives set out under section 149 of the Equality Act 2010, namely:
  - Eliminate discrimination, harassment and victimisation
  - Advance equality of opportunity
  - Foster good relations between different people when carrying out their activities
- 8.530 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
  - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
  - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- 8.531 The Equality Duty does not:
  - Impose a legal requirement to conduct an Equality Impact Assessment
  - Require public bodies to take a disproportionate action on equality
  - Require public bodies to treat everyone the same
- 8.532 The Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 stipulate planning decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 8.533 As set out in Sections 8 of this report, the proposed scheme has been fully assessed against the development plan, including the Local Plan, London Plan, and National Planning Policy Framework. Such documents and policies contained therein have been subject to an Equality Impact Assessment process and found to meet the requirements of Section 149 of the Equality Act. Given the development is found to be in general compliance with the Development Plan as a whole, it is fair to conclude the development also meets the aspirations of the Equality Act.

8.534 Notwithstanding the above, an Equalities Impact Assessment has been submitted in support of the application to assess the impact of the proposed development at Ham Close on persons who share a relevant protected characteristic and whether mitigation should be secured as part of any permission to advance equality of opportunity. The Equalities Impact Assessment identifies several potential equality risks, and those groups who may be affected, the impact, and the opportunities and mitigation required to avoid such impacts. Potential risks investigated are as follows:

- loss of social cohesion
- health effects
- safety and security
- accessibility
- information and communication
- loss or disruption of green and open space
- running off community facilities
- housing provision

8.535 The EIA concludes that many protected groups will experience a minor adverse effect during demolition and construction, but minor to moderate beneficial effect during operation. The overall impact of the development is beneficial for protected groups.

#### **Issue xviii: Other Matters**

##### Community Engagement

8.536 The NPPF actively encourages early community engagement, noting applications that can demonstrate early, proactive, and effective engagement with the community should be looked on more favourably than those that cannot (para. 132).

8.537 This is echoed by the London Plan which states early engagement with local people leads to better planning proposals (para. 1.1.5), with policy GG1 encouraging early and inclusive engagement with stakeholders, including local communities, in the development of proposals.

8.538 A Statement of Community Involvement has been submitted which demonstrates the extent of pre-submission engagement undertaken by Richmond Housing Partnership (RHP), LBRuT and latterly Hill Residential in preparation for the redevelopment.

8.539 As the proposals progressed, consistent engagement with Ham Close residents, local residents, community groups, interested parties and elected representatives was undertaken, via a variety of methods, including flyers, notice boards, public events, forums and workshops as well as RHP enabling their customers to engage with the Regeneration Team in person, by email, phone and by post. A dedicated website was also set up for the redevelopment with access to material such as previous copies of newsletters and FAQs. In addition, consultation boards were taken to various local events including Ham Fair, Achieving for Children and Ham and Petersham Neighbourhood SOS Garden Party. Two main engagement forums were set up for stakeholders and residents to engage with the project team; the Stakeholder Reference Group (SRG) and the Resident Engagement Panel (REP).

8.540 Key points raised by the local community during the early engagement stages were:

- integrate Ham Close into the more traditional street patterns of the surrounding area
- use materials and architectural characteristics of local buildings
- incorporate a green link

- do not develop on village green
  - no vehicular cut throughs on site
  - include EV charging points
- 8.541 A series of design workshops were also held which covered a range of issues; Traffic and Transport, Design Approach, Open Space and Landscaping, Community Facilities and Local Services, Impact of Construction.
- 8.542 Following the appointment of Hill Residential as a development partner, the community engagement continued with a digital first approach, due to the pandemic, with many meetings undertaken virtually, which were supplemented with in-person events when these were permitted. Consultation tools used were:
- New consultation website
  - Stakeholder update emails
  - Online meetings
  - In-person consultation and engagement events
  - In-person workshops
  - 1-21 meetings between RHP and Ham Close Residents
- 8.543 More detailed comments arose from these consultations, including existing residents' preferences for bathrooms to have windows, the option to have some living spaces open plan and some separate, and to have multi-functional external spaces. These requests have been incorporated into the proposal where possible.
- 8.544 Areas of support, such as the proposed materials, as well as areas of concern, such as the heights of the buildings were also raised. The biggest category of concerns was transport. In response to these concerns, there are fewer 6 storey blocks in the final proposal than there were originally, and there are several transport documents to support the development and alleviate some of the concerns raised by residents.
- 8.545 In terms of the replacement community centre, the existing users requested more accessible storage, an accessible kitchen, and more rooms for multi functional community use. These requests have been incorporated into the proposed building.
- 8.546 In summary, the submitted Community Involvement Statement has satisfactorily demonstrated that the community have been consulted and engaged throughout the development of the proposals. It also illustrates how some of the community's concerns have been addressed. The proposals are therefore considered to be in line with the aims and objectives of the NPPF and the London Plan in this regard.

## **9. SECTION 106 AGREEMENT**

- 9.1 Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations must only be sought where they meet all of the following tests:
- Necessary to make the development acceptable in planning terms
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development (para. 57 of the NPPF).
- 9.2 In order to mitigate the impacts of the development that have been identified in Section 8, and to make it acceptable in planning terms the following Heads of Terms have been

agreed to be secured in a legal agreement under Section 106 of the Planning Act:

<p><b>Affordable Housing</b></p>	<ul style="list-style-type: none"> <li>• Quantum: by units (221) and habitable room</li> <li>• Delivery and phasing</li> <li>• Tenure:             <ul style="list-style-type: none"> <li>○ 143 Replacement Social Rent                 <ul style="list-style-type: none"> <li>○ 21 London Affordable Rent</li> <li>○ 10 London Living Rent</li> <li>○ 47 Shared Ownership</li> </ul> </li> </ul> </li> <li>• Nominations Agreement – for social rent homes (that are not required for re-provision to existing estate residents) and London Affordable Rent</li> <li>• Intermediate housing – must meet the Council’s Intermediate housing Policy Statement:             <ul style="list-style-type: none"> <li>○ Two thirds affordable to household incomes up to £50k per annum, with the remaining third affordable to those on household incomes up to the GLA intermediate housing income threshold of £90k per annum for shared ownership.</li> <li>○ Marketing plan – to be approved by LBR at least 9 months before practical completion - units are marketed for 3 months (for sale or letting) to those living or working in Richmond with housing need, and prior to launch of sales that two thirds are affordable at gross household incomes of below £50,000.</li> <li>○ London Living Rent homes – maximum income cap of £60k, and rent benchmarks are published by the GLA on a ward basis annually</li> </ul> </li> <li>• Affordability – overall housing costs (including service charge) should be affordable to the income thresholds for intermediate as well as those which would be assumed for general needs rent.</li> <li>• Agreement on inputs (TBC)</li> <li>• Review mechanisms (early and mid to consider grant reviews)             <ul style="list-style-type: none"> <li>○ Early – if development not occurred within 18 months</li> <li>○ Mid stage – 50% completion of all homes or mid-way through phase 2</li> <li>○ Late stage – sale of 75% of the open market homes (also to include public grant review)</li> </ul> </li> <li>• Occupational health input into wheelchair housing</li> <li>• Access to all communal areas</li> </ul>
<p><b>Healthcare Contribution</b></p>	<ul style="list-style-type: none"> <li>• Primary healthcare s106 contribution of £161,855.</li> </ul>
<p><b>Transport / highways</b></p>	<ul style="list-style-type: none"> <li>▪ Car club - Provision of 5 car club spaces prior to first occupation</li> <li>▪ Provision of 3 years Car club membership within one month of occupation.</li> <li>▪ Traffic Management Order administration costs - £2,961</li> <li>▪ Residential Travel plan – 5 years, £1000 per year.</li> <li>▪ Parking permits removal for future CPZ - All occupants of the development (residential and business).</li> <li>▪ Highway works – Section 278 Agreement and S247 Works of the Highways Act 1980 to secure the following works:</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Creation of an enlarged inset vehicular parking layby (93m x 3m) on the southern side of Woodville Road (to be built prior to the first occupation of phase 2 of the site).</li> <li>▪ Creation of 7 x new vehicular crossover accesses on the northern side of Ashburnham Road (to be constructed prior to the first occupation of Phase 3 of the site).</li> <li>▪ Relocation of the existing western simple priority bell-mouth access junction on the northern side of Ashburnham Road, (to be constructed before the first occupation of Phase 1 of the site). The bell-mouth will need to be tightened to 5m.</li> <li>▪ Tightening of the bell-mouth access at the Sheridan Road/Ashburnham Road access junction to 5m to improve road safety.</li> <li>▪ The construction of a new simple priority bell-mouth access junction on the northern side of Ashburnham Road north-west of the Ashburnham Road/Mowbray Road junction, (to be constructed before the first occupation of Phase 2 of the site).</li> <li>▪ The stopping up of the current Ham Close/Woodville Road simple priority bell-mouth access junctions on the southern side of Woodville Road, and their restoration as footway, and the construction of two new relocated simple priority bell-mouth access junctions, (the western access to be constructed before first occupation of Phase 1 of the site, and the eastern one prior to the first occupation of Phase 2).</li> <li>▪ Stopping up the current eastern and western access roads into Ham Close, which run between Ashburnham Road and Woodville Road. The western road will need to be stopped up before the demolition of the existing site that will encompass Phase 1 begins, and the eastern access road will need to be stopped up prior to the demolition of the part of the site that will encompass Phase 2 of the development begins.</li> <li>▪ The tightening of the bell-mouth at the Stuart Road/Woodville Road bell-mouth access junction to 5m to improve road safety.</li> <li>▪ All of the bell-mouth access junctions into the site to be fitted with dropped kerbs and tactile paving to improve the pedestrian experience for people with disabilities.</li> <li>▪ Traffic Management Order to enable the Council to install double yellow lines at all of the bell-mouth access junctions into the site to reduce the risk of unsafe parking.</li> </ul>
<p><b>Employment Skills Plan &amp; or Construction Skills Plan</b></p>	<p>Local employment agreement for construction, to be agreed prior to commencement of works, to include:</p> <ul style="list-style-type: none"> <li>○ Sustainable construction jobs filled by local people</li> <li>○ Apprenticeships for local people</li> <li>○ Local youth employment opportunities</li> </ul>
<p><b>Public Open Space</b></p>	<ul style="list-style-type: none"> <li>• Open space works specification and management plan</li> <li>• Prior to the occupation of any dwelling within the relevant phase, provision of public realm</li> <li>• Provision of drinking water, prior to the occupation of phase 1</li> <li>• To maintain the Open Space in accordance with the Management Plan at all times from occupation date</li> </ul>

<b>Play</b>	<ul style="list-style-type: none"> <li>Financial contribution of £68,644 covering both capital and 5 years' maintenance for gym equipment on Ham Village Green and 12+ play at Riverside Drive</li> </ul>
<b>Ham Village Green</b>	<ul style="list-style-type: none"> <li>Financial contribution towards Ham Village Green improvements (improvements to paths, buffer zone and mitigation landscaping) – £23,266; payment on commencement of development.</li> </ul>
<b>Trees</b>	<ul style="list-style-type: none"> <li>Financial contribution (£423,578) to the provision for off-site trees in line with the monetary value of the existing tree to be felled will be required in line with the 'Capital Asset Value for Amenity Trees' (CAVAT)</li> </ul>
<b>Legal Fees</b>	<ul style="list-style-type: none"> <li>Payment of the Council's legal fees and monitoring costs</li> </ul>
<b>Sustainability</b>	<ul style="list-style-type: none"> <li>Carbon Off-setting payment – £517,978.00</li> <li>Be Seen energy monitoring for 5 years, starting prior to the occupation of each phase</li> </ul>
<b>Community facilities</b>	<ul style="list-style-type: none"> <li>Community Centre specification</li> <li>To construct the community centre prior to the closure of the existing community centre and prior to the occupation of dwellings</li> <li>Makers Lab specification</li> <li>To construct the makers lab prior to the closure of the existing makers lab and prior to the occupation of dwellings</li> <li>Management of Makers Lab and Community Centre</li> </ul>
<b>Construction</b>	<ul style="list-style-type: none"> <li>Registration with Considerate Constructors Scheme</li> <li>Community Liaison Plan prior to commencement of development</li> <li>Community Liaison Officer to be appointed prior to the commencement of development</li> </ul>

**10. LOCAL FINANCE CONSIDERATIONS**

- 10.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. The weight to be attached to a local finance consideration remains a matter for the decision maker. The Mayor of London's CIL and Richmond CIL are therefore material considerations.
- 10.2 On initial assessment this development is considered liable for the Mayoral and Richmond CIL. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed. If the proper CIL process is followed and a claim for social housing relief is granted, the CIL charges will be as followed:
- 10.3 The estimated amount of Mayoral and Richmond CIL for this development is outlined below. The actual amount of CIL can only be confirmed once all relevant details are approved and any relief claimed. If the proper CIL process is followed and a claim for social housing relief is granted, the CIL charges will be as followed:

Phase 1 – Construction

<b>Community Infrastructure Levy (CIL) estimate</b>	
Mayoral CIL	£132,977.07
Borough CIL	£194,386.69

Phase 2 – Construction

<b>Community Infrastructure Levy (CIL) estimate</b>	
Mayoral CIL	£614,405.23
Borough CIL	£2,014,812.15

Phase 3 – Construction

<b>Community Infrastructure Levy (CIL) estimate</b>	
Mayoral CIL	£1,517,863.76
Borough CIL	£4,977,513.47

**11. PLANNING BALANCE AND CONCLUSION**

- 11.1 Any planning decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004), and it is for the decision maker to decide what weight is to be given to the material considerations in each case. The report sets out an assessment of the proposal against the relevant policies contained within those documents which make up the Development Plan, Officers overall conclusion on which the recommendation is based is that the proposal complies with the Development Plan when taken as a whole which is explained below.
- 11.2 The NPPF is a material consideration that must be taken into account. The Framework outlines the purpose of the planning system is to contribute to the achievement of sustainable development, and achieving sustainable development means that the planning system has 3 overarching objectives (economic, social, and environmental), that are interdependent and need to be pursued in a mutually supportive way. Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 11.3 The assessment of this application has considered the Development Plan policies referred to in Section 5 and throughout this report, and notes where the proposal is considered to comply with those policies or not, and whether the assessment is on balance and where there may be residual harm which cannot be mitigated. The scheme has generated significant objection, on several different material planning grounds, all of which have been thoroughly considered by officers in the assessment of the application.
- 11.4 There are shortcomings with the scheme identified in the report, with elements not meeting policy targets and thereby identified as harms. The proposed layout of the scheme is such that some separation distances between the residential blocks are less than desirable and sought by policy, which diminishes the standard of residential amenity for the future occupants in terms of outlook, sense of enclosure and privacy experienced. Levels of light reaching parts of the internal rooms fails to meet the BRE standards, and there remains some single aspect units. The phasing of the

development is such that it will require multiple moves for occupants of Hatch House; and there is an absence of marketing details to support the community centre offering. The scheme will cause a degree of impact on existing residents, on matters of light, outlook and privacy; the development will have a degree of impact on the openness and character of the OOLTI to the west of the site, and the harm arising from the onsite car parking on Ashburnham Road.

- 11.5 The report also identifies some harm in terms of the loss of significant tree cover on site; the failure to meet the overheating targets in certain environments and the loss of ecological habitats. However, as outlined within the report, conditions are being recommended to secure mitigation to offset such harms which will result ensure that the proposal does not depart from policy on these matters.
- 11.6 Similarly, the scheme has the potential to cause harm to the archaeological remains of the site; cause noise, odour, light pollution; on the primary health service, and on play provision for the 12+ age group. However, with mitigation secured via condition, it is deemed there would be no residual harm thus securing compliance with the development plan. There remains some criticism with elements of the design of some of the blocks, however these have not been identified as harms, just missed opportunities.
- 11.7 The other aspects of the scheme that are in compliance with the development plan as a whole include the delivery of an allocated site, with significant provision of housing which contributes towards the Boroughs housing targets, providing the appropriate mix, wheelchair housing, and affordable housing in line with policy requirements in both tenure and mix, assisting in meeting the Boroughs acute need for affordable housing. The delivery of housing is a significant benefit of the scheme.
- 11.8 The site is within Flood Zone 1 and is susceptible to surface water and groundwater flooding. The application has followed the flooding decision making process, assessing, avoiding, controlling, mitigating and managing flood risk. The development has appropriately followed the drainage hierarchy and, whilst the development does not achieve greenfield runoff rates, it achieves a betterment of 87%.
- 11.9 The development achieves, and in some instances exceeds, the required energy credentials including BREEAM excellent for the non-residential uses, 35% reduction in CO2 emissions for both domestic and non domestic buildings, water consumption targets and zero carbon. The development achieves air quality neutral, and construction will have negligible impact with safeguarding conditions.
- 11.10 In terms of design and layout, it is acknowledged that the development is more dense than the surroundings, however this is a product of the most efficient use of the land, and as demonstrated from the townscape appraisal and visual impact assessment, the density, height and layout are not such that they would cause harm to the character of the area and the proposal would preserve the character and setting of the nearby heritage assets. In some instances, including the siting and design of the proposed community centre, Officers consider the scheme would enhance such settings which is a benefit.
- 11.11 There are clear benefits the scheme will deliver; including the delivery of an estate regeneration scheme where as a whole the residential units would be of a good quality standard that not only contributes greatly to the Boroughs housing stock, but provides much improvements on the existing offer; the scheme enhances the provision of community facilities over and above the existing providing purpose built accommodation with more opportunities for use by the wider community; an uplift in

quality and quantity of open space, of which is deemed to meet the criteria of OOLTI in the form of a multifunctional linear park which will be of greater value than existing.

- 11.13 **Conclusion:** Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, Officers conclude that the identified harm is outweighed by the benefits the scheme will deliver, and the development proposed accords with the Development Plan and Statute as a whole, subject to the mitigation secured through recommended conditions set out in Section 12 and subject to a legal agreement under Section 106 of the Act to secure those heads of terms outlined in Section 9 of this report. Officers have reviewed all relevant material considerations and have concluded that these do not “indicate otherwise” such that the Council should determine the application otherwise than in accordance with the Development Plan.

**RECOMMENDATION: The Committee is recommended to DELEGATE authority to the Assistant Director, Environment & Community Services (Planning & Transport Strategy) to APPROVE the application subject to:**

- iii. **referral to the GLA at Stage 2 and no adverse direction being received in response from the Greater London Authority; and**
- iv. **conditions and informatives set out in Sections 12 and 13 of the report.**

## **12. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

### **NS01 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.

## **PRIOR TO COMMENCEMENT OF DEVELOPMENT**

### **NS02 Phasing**

Notwithstanding the details submitted, prior to the commencement of development, a phasing plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the following:

- Programme for demolition
- Programme for construction of basement
- Delivery of affordable and market housing
- Delivery of community centre and Makers Lab
- Delivery of playspace
- Delivery of public realm
- Phasing of the road network within the site

The development shall not be implemented other than in accordance with the approved plan.

REASON: To ensure a satisfactory form of development.

### **NS03 Demolition and Construction Management Statement/Logistics Plan**

No development of the relevant phase shall take place, including any works of demolition, until a Construction Management Statement / Logistics Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved details through the demolition / construction period, unless otherwise previously agreed in writing with

the Local Planning Authority. The document shall demonstrate compliance with the guidance found in the Construction Logistics Plan for developers produced by Transport for London and LBR Air Quality SPD and include:

- a. Construction phasing and access
- b. The size, number, routing, and manoeuvring tracking of construction vehicles to and from the site and holding areas for these on/off site. (No delivery vehicle will be permitted to wait inside roads before entering the site. Any construction vehicle which arrives early must either be accommodated on site or use a holding bay, away from Ham Village until contacted by the site manager when clear access is confirmed).
- c. Number of vehicles expected per phase of implementation
- d. Hours of deliveries (should avoid 08:30-09:30 and 15:00-16:00 Monday to Friday)
- e. Site layout plan showing manoeuvring tracks for vehicles accessing the site to allow these to turn and exit in forward gear.
- f. Details and location of parking for site operatives and visitor vehicles
- g. Travel Plan for construction workers
- h. Method of transportation for construction trips
- i. Existing condition survey of pavement / roads
- j. Details and location where plant and materials will be loaded, unloaded, stored
- k. Details of any necessary suspension of pavement, road space, bus stops and/or parking bays
- l. Details of any highway licenses and traffic orders that may be required
- m. Details where security hoardings (including decorative displays and facilities for public viewing) will be installed, and the maintenance of such.
- n. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including excavation, location and emptying of skips).
- o. 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.
- p. Details of the phasing programming and timing of works.
- q. 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'
- r. A 24-hour emergency contact number.
- s. Communication strategy for residents
- t. Air Quality measures, including but not limited to:
  - o Holding locations
  - o Confirmation that no vehicle will be permitted to idle its engine whilst waiting/unloading on or off site.
  - o wheel washing facilities and a monitored sweeping scheme at site exit
  - o sweeping regime
  - o No bonfires
- u. Cumulative impact of a-t, with each additional phase if being construction concurrently.

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

#### **NS04: Environmental Construction Management Plan**

Prior to the commencement of development (including demolition) an Ecological Construction Management Plan shall be submitted to and approved in writing by the local planning authority and the development thereafter constructed only in accordance with the approved Plan. The Details shall include, but not be limited to:

- a. Written in accordance with the recommendations set out in Chapter 8 of the

Environmental Statement and the Construction Environmental Management Plan by Hill Residential.

- b. Storage, use and handling of substances and materials
  - c. Reporting of ecological outcomes.
  - d. Providing any trenches or deep pits that are to be left open over night
  - e. Inspection of trenches/pits each morning
  - f. Keeping to a minimum the storage of soft building materials in mounds, and any essential mounds subject to daily inspections
  - g. Storage of chemicals and liquids in such a way they are unable to be knocked over
  - h. Preventing food and litter left within the site over night
- REASON: To prevent harm to wildlife and protect existing biodiversity

**NS05: Construction Waste Management Plan**

Prior to the commencement of the relevant phase of development, a Construction Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This should follow the waste management hierarchy (reduce, reuse and recycle, and include soft striping prior to demolition works). The development shall not be implemented other than in accordance with the approved details.

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

**NS06: Dust and Air Quality Management Plan**

1. Prior to the commencement of the relevant phase of development, a Dust Management Plan for the ground works, demolition and construction phases shall be submitted to and approved by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme. The dust management plan shall include the following details:
  - a) Demonstrate compliance with guidance found in the Control of Dust and Emissions from Construction and Demolition Best Practice produced by the Greater London Authority
  - b) A risk assessment of dust generation for each phase of the demolition and construction. The assessment and identified controls must include the principles of prevention, suppression and containment and follow the format detailed in the guidance above. The outcome of the assessment must be fully implemented for the duration of the construction and demolition phase of the proposed development and include dust monitoring where appropriate.
  - c) Where the outcome of the risk assessment indicates that monitoring is necessary, a monitoring protocol including information on monitoring locations, frequency of data collection and how the data will be submitted to and approved by the Local Planning Authority
  - d) Details of dust generating operations and the subsequent management and mitigation of dust demonstrating full best practicable means compliance and covering construction activities, materials storage, on and off site haul routes, operational control, demolition, and exhaust emissions
  - e) Where a breach of the dust trigger level may occur, a response procedure should be detailed, including measures to prevent repeat incidence.
  - f) Cumulative impact considerations of a-e from other phases that may be undertaken at the same time.
2. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance.

Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>.

- a) All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. The development shall be constructed in accordance with the approved details. All sites will be inspected for compliance. In this instance, with existing sources of power close to vulnerable receptors at St Richards Primary School, use of plug in power/electric generator will be required from the outset. No diesel generator will be permitted on site at any time.

REASON: To safeguard the amenities of neighbouring residents and to ensure there is not a deterioration of air quality.

#### **NS07: Noise and Vibration Construction Method Statement (NVCMS)**

Prior to commencement of the relevant phase of development, a Noise and Vibration Construction Method Statement (NVCMS) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved details. The NVCMS should include an acoustic report undertaken by a suitably qualified and experienced consultant and include all the information below:

- A. Baseline Noise Assessment – undertaken for at least 24-72 hours under representative conditions to determine the pre-existing ambient noise environment
- B. Construction Noise and Vibration Limit Levels detailed and based upon and baseline noise assessment data and significance effects detailed in BS8233 Annex E BS5288:2009 Part 1
- C. Noise Predictions should be included for each phase of the demolition and construction and should also include vehicular movements
- D. Where piling forms part of the construction process, a low vibration method must be utilised wherever possible and apply good practice guidelines detailed in Annex B BS5288:2009 Part 2
- E. All piling activities undertaken near sensitive receptors must include continuous vibration monitoring and must include audible and visual alarms
- F. Details of noise mitigation measures must be included and must reference BS5288 part 1
- G. Permanent and 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.

REASON: In order to safeguard the amenities of neighbouring residents.

#### **NS08: Piling**

No piling or other foundation designs using penetrative methods shall take place within any relevant phase until a Piling Method Statement has been submitted to and approved in writing by the local planning authority in consultation with Thames Water and the Environment Agency.

The piling method statement must include the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the risk to groundwater and potential for damage to subsurface sewerage infrastructure, and the programme for the works. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The ensure piling does not cause failure of local underground sewerage utility infrastructure or result in unacceptable levels of water pollution.

**NS09: Drainage**

Prior to commencement of groundworks (excluding site investigations and demolition) of the relevant phase the following shall be submitted to and approved in writing by the Local Planning Authority:

- a. A final detailed drainage design including drawings and supporting calculations that demonstrates the greenfield run off rates have been achieved.
- b. A detailed management plan confirming routine maintenance tasks, frequencies, and responsibility for all drainage components to demonstrate how the drainage system is to be maintained for the lifetime of the development.

The approved details shall be implemented in full prior to the first occupation of the development and be thereafter retained and maintained as approved.

REASON: To prevent the risk of flooding to and from the site.

**NS10: Contaminated Land – Remediation Statement**

No development of the relevant phase shall occur until a detailed remediation statement, (to include all improvements to be undertaken, proposed remediation objectives and remediation criteria, timetable of the improvements and site management procedures) to make the site suitable for its intended use and remove risks to human health, buildings, land, and environment, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme, and be implemented in full prior to the first occupation of the development hereby approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

**NS11: Written Scheme of Investigation**

No demolition or development of the relevant phase shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- b) Where appropriate, details of a programme for delivering related positive public benefits
- c) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON: To safeguard any archaeological interest of the site.

**NS12: Scheme of Public Engagement**

No development of the relevant phase shall commence until details of an appropriate programme of public engagement including a timetable have been submitted and

approved in writing by the local planning authority. The development shall be carried out in accordance with the approved programme.

REASON: To encourage archaeological public engagement.

**NS13: Noise Protection Scheme**

Prior to the commencement of works above ground level on the relevant phase, details of the final glazing fabrication and sound insulation acoustic specifications for the building shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in accordance with approved details prior to the occupation of the relevant part of the development and be so maintained. Façade sound insulation shall be of a standard to achieve noise levels within bedrooms and living rooms of the residential dwellings as recommended in Table 4 of BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings'. Where achieving the recommended internal levels requires windows to be closed shut, alternative ventilation shall be provided as necessary.

The developer shall certify to the local planning authority that the noise mitigation measures have been installed. The approved scheme shall be completed prior to occupation of the development and shall be permanently maintained thereafter.

REASON: To protect the amenities of future occupants.

**NS14: AMS & Tree Protection**

Prior to the commencement of development of the relevant phase, the following shall be submitted to and approved in writing by the Local Planning Authority, and the development shall not be implemented other than in accordance with the approved details:

1. A method statement in accordance with BS 5837 outlining the sequence of development on the site including demolition, building works and tree protection measures. This shall include full details of the following:
  - Foundation design and methodology
  - Location of material and plant storage; site office and welfare arrangements
  - Location of any scaffolding and hoarding
  - Underground services
  - Tree protection fencing
  - Ground protection specifications
  - Lighting design
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres. The approved fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:
  - There shall be no changes in ground levels.
  - No materials or plant shall be stored.
  - No buildings or temporary buildings shall be erected or stationed.
  - No materials or waste shall be burnt.
  - No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.
3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections /

meetings shall be submitted to the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

REASON: To ensure the sustainability of existing and proposed trees on site.

**NS15: Play provision**

1. Prior to the commencement of the landscaping of the relevant phase of the development hereby permitted, full details (siting, equipment, design, materials, surface treatment, accessibility sensory provision, and implementation programme) of the play provision shall be submitted to and approved in writing by the Local Planning Authority.
2. The approved scheme for the play equipment to the west of the site shall be implemented in full and ready for use prior to the first occupation of the development. The approved scheme shall remain in situ thereafter.

REASON: To ensure a suitable play space environment with sufficient facilities for the occupants and visitors to the site.

**NS16: Digital Connectivity**

Prior to the commencement of the relevant phase of development hereby permitted, excluding any demolition of buildings above ground, a scheme demonstrating digital connectivity in line with policy SI 6 of the London Plan must be submitted to and approved in writing with the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme which shall be fully installed prior to the first occupation of the development hereby approved.

REASON: To ensure full fibre connectivity infrastructure to all end users.

**NS17: Ecological Enhancements**

Prior to the commencement of the relevant phase of development above ground, an Ecological Enhancement Plan (in accordance with the Preliminary Ecological Appraisal by Greengage, Nov 2021) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include, but not be limited to:

- a. exact locations within the building on the elevations of bat and bird boxes. These should not be next to lights/balconies
- b. copy of an annual monitoring compliance report to be completed by management to ensure regular cleaning of bird boxes and checks for breeding is undertaken.
- c. Stag beetle loggeries
- d. Raptor ledges
- e. Invertebrate habitat features
- f. Management and maintenance details

The development shall be implemented only in accordance with the approved scheme and maintained as such for the lifetime of the development.

REASON: To enhance conservation interest.

**NS18: Boundary treatment**

Prior to the commencement of development above ground level, details indicating the positions, design, materials, and type of boundary treatment to be erected within the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the occupation of the relevant phase. Development shall be carried out in accordance with the approved details and maintained as approved for the lifetime of the development.

REASON: To safeguard the visual amenities of the locality and the privacy/amenities of the adjoining properties.

**PRIOR TO RELEVANT WORKS**

**NS19: Biodiverse Green Roof**

Prior to the construction of roof structures in each phase, full details of all biodiverse roofs shall be submitted to and approved in writing by the Local Planning Authority such details to include:

- a) Detailed section (min depth 80mm)
- b) Specifications
- c) Planting bed dimensions
- d) Species mix (should focus on wildflower planting with no more than max 25% sedum coverage)
- e) How levels of light, moisture, aeration, and nutrients will be achieved
- f) Maintenance
- g) Implementation

The development shall not be implemented other than in accordance with the approved details and implemented in full prior to the first occupation of the development hereby approved and maintained for the lifetime of the development.

REASON: To protect/safeguard the amenities of the locality and nature conservation interests.

**NS20: Sample Panels of Brickwork**

Sample panels of facing brickwork showing the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the Local Planning Authority before the relevant parts of the works are commenced and the sample panels shall be retained on site until they are approved, and work is completed. The development shall not be implemented other than in accordance with the approved details and shall be maintained as such for the lifetime of the development.

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

**NS21: Materials to be approved**

The external surfaces of the development hereby approved (including fenestration), shall not be constructed other than in materials details/samples of which shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be managed and maintained as approved for the lifetime of the development.

REASON: To ensure that the proposed development does not prejudice the appearance of the locality and are of a high finish and quality.

**NS22: External Lighting Scheme**

No external lighting shall be installed, other than in accordance with details which shall previously be submitted to and approved in writing by the Local Planning Authority and thereafter constructed and maintained in accordance with these details. Such details shall accord with the CIBSE guide LG6 and ILP/BCT Bat guidance note 8 and shall include:

- a) Locations
- b) Design of lighting columns
- c) Technical specifications
- d) Vertical lux plan
- e) Ground level horizontal lux plan
- f) 4m height horizontal lux plan
- g) Timings
- h) Measures to reduce spillage
- i) Phasing and implementation programme

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, neighbour amenity and for reasons of highway safety.

**NS23: Residential Building Details**

The residential buildings hereby approved shall not be carried out other than in accordance with detailed drawings (scale of not less than 1:20) and samples as applicable; that shall have been previously submitted to and approved in writing by the local planning authority and shall thereafter be retained as approved for the lifetime of the development. The details shall show:

- a) Fenestration/reveals
- b) Section through façade treatment (to show reveal depth)
- c) Railings
- d) Any plant and associated enclosure
- e) Balconies/balustrades

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

**NS24: Community Centre Details**

The community centre hereby approved shall not be constructed other than in accordance with detailed drawings (scale of not less than 1:20) and samples as applicable; that shall have been previously submitted and approved in writing by the local planning authority, which shall be insitu in full prior to the first occupation and shall be retained as approved for the lifetime of the development. The details shall show:

- a) Fenestration/reveals
- b) Section through façade treatment (to show reveal depth)
- c) Railings
- d) Any plant and associated enclosure
- e) Balconies/balustrades

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

**NS25: Makers Lab Details**

The Makers Lab hereby approved shall not be constructed other than in accordance with detailed drawings (scale of not less than 1:20) and samples as applicable; that shall have been previously submitted and approved in writing by the local planning authority, which shall be insitu in full prior to the first occupation and shall be retained as approved for the lifetime of the development. The details shall show:

- a) Fenestration/reveals
- b) Section through façade treatment (to show reveal depth)
- c) Railings
- d) Any plant and associated enclosure
- e) Balconies/balustrades

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

**NS26: Basement Noise**

Prior to construction of the basement car park structure, a scheme to protect adjoining residents shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that residents are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms

at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens. Any works which form part of the scheme shall be completed in full in accordance with the approved details before the first use of the proposed development and, as detailed by the approved scheme, maintained as agreed for the lifetime of the development.

REASON: To protect the amenities of future occupants.

**NS27: Detailed Drainage Design**

A. Prior to commencement of groundworks (excluding site investigations and demolition), of the relevant phase final detailed drainage design including, drawings and supporting calculations and updated Drainage Assessment Form (aligned with the Flood Risk Assessment & Drainage Strategy (dated April 2022) and associated drawings) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also:

- Demonstrate that the site will not flood as a result of the 1 in 30 year rainfall event, that there will be no flooding of buildings as a result of events up to and including the 1 in 100 year rainfall event, and on-site flow as a result of the 1 in 100 year event with a climate change consideration must be suitably managed.
- Include consent for the proposed drainage connections from Thames Water prior
- Include a detailed management plan confirming routine maintenance tasks for all drainage components to demonstrate how the drainage system is to be maintained for the lifetime of the development.

B. If the development is to be delivered in a phased approach, a drainage statement should be prepared for each phase to confirm the extent of the phase, proposed drainage features, runoff rates, attenuation volumes, updated drainage calculations, and an explanation of how this relates to the wider site drainage which will have a total runoff rate of 37 l/s.

The scheme shall be implemented/constructed only in accordance with the approved detailed drainage design and maintained as agreed for the lifetime of the development.

REASON: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy SI 13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Richmond's Local Plan Policy LP 21.

**NS28: Sound Insulation**

Prior to the construction of the community centre, a scheme for the sound insulation of the building, including music spaces, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the first use and retained thereafter as approved.

REASON: To protect neighbour amenity.

**NS29: Dewatering**

Prior to the construction of the basement, a discharge consent for potential dewatering water to be discharged to the public sewer must be obtained. The applicant should provide a Site and Assessment Verification Form as per the Basement Assessment User Guide.

Reason: To comply with Richmond's Basement Assessment User Guide and ensure that flood risk to the basement is minimised.

**NS30: Energy – monitoring:**

Prior to the occupation of the relevant phase, a scheme shall be submitted to and approved in writing by the Local Planning Authority to detail measures that will be

implemented to ensure there is a robust plan for monitoring both residential and non-residential uses and annual reporting (for at least 5 years), in accordance with the London Plan Be Seen layer of the energy hierarchy. The development shall not be implemented other than in accordance with the approved scheme.

REASON: In the interests of energy conservation in accordance with the Development Plan.

**NS31: Overheating**

1. The development shall not be carried out other than in accordance with strategies to mitigate potential for overheating as detailed within the Overheating Assessment R03, dated August 22 by Energist.
2. Prior to the commencement of development above ground level of the relevant phase, further details to mitigate potential for overheating during extreme temperatures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide full details of specifications, implications on the cooling hierarchy, noise assessments (where applicable), siting, design and implementation. The development shall not be implemented other than in accordance with the approved scheme, which shall be fully installed and operational prior to the occupation of any of the units and be maintained as approved for the lifetime of the development.

REASON: To mitigate the potential of overheating and ensure satisfactory living conditions.

**NS32: Residential Refuse & Waste Management Strategy**

Prior to the commencement of development above ground level of the relevant phase, the following details shall be submitted to and approved in writing by the Local Planning Authority

- a) details of the push routes between the bin stores and the vehicle waiting area. The details shall demonstrate the service is smooth, hard standing, drop kerbs, and free of any steps or steep slopes.
- b) Details of signage to indicate the purpose of the different types of refuse storage
- c) Details of the means of storage of bulky waste items
- d) Full details of the proposed layout of the waste storage areas
- e) Full details of the waste containers to be provided in the waste storage areas
- f) Details of management plan to ensure effective operation of the waste storage areas

The development shall not be implemented other than in accordance with the approved scheme and maintained as such.

REASON: To ensure appropriate provision and access to waste storage and to encourage recycling.

**PRIOR TO OCCUPATION**

**NS33: Car park management plan**

Prior to the occupation of the relevant phase of the development hereby approved, a scheme detailing car park management, including leasing of spaces, and provision and uplift of disabled parking spaces, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme and shall be maintained as approved for its lifetime.

REASON: To accord with the terms of the application and to ensure acceptable parking provision.

**NS34: Servicing and Delivery Plan**

Prior to the occupation of the relevant phase of the development hereby approved, a Servicing and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied other than in accordance with the approved scheme and shall be maintained as approved for its lifetime.

REASON: In the interests of highway safety and residential amenity.

**NS35: Mechanical Services Noise Control**

- a) Prior to the first use of any mechanical services plant, including heating, ventilation and air conditioning (HVAC), and kitchen extraction plant to which the application refers, a scheme shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved.
- b) The cumulative measured or calculated rating level of noise emitted from the mechanical services plant including heating, ventilation, and air conditioning (HVAC), and kitchen extraction plant to which the application refers, shall be 5dB(A) below the existing background noise level at all times that the mechanical system operates. The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises, or 1m from the façade of the nearest first floor (or higher) noise sensitive premises, and in accordance with the latest British Standard 4142. Alternative positioning for assessment/measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.
- c) The plant shall be isolated so as to ensure that vibration amplitudes which causes re-radiated noise do not exceed the limits detailed within table 4 in section 7.7.2 of BS8233:2014 Guidance on sound insulation and noise reduction for buildings.
- d) The plant shall be supported on adequate proprietary anti-vibration mounts to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter.
- e) A commissioning acoustic test and report shall be undertaken within 2 weeks of mechanical services commissioning, in order to demonstrate that condition 1(a & c) above have been achieved. The results of the acoustic test shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the amenities of neighbouring and future occupants.

**NS36: Landscape Maintenance Plan**

Prior to the occupation of the development hereby permitted, excluding any demolition of buildings, a 10 year landscape maintenance and management plan of all communal and public open space submitted to and approved in writing with the local planning authority. The plan must set out details of how all parts of the open space is to be managed in a coherent and comprehensive way, including works, timings, responsibilities, and necessary works to / around the tree within the play area to the west of the site. The development shall not be implemented other than in accordance with the approved Plan and maintained as such, unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the appropriate management and maintenance of the soft landscaping.

**NS37: Whole Life Cycle Carbon**

Prior to the occupation of the relevant phase of the development, the post-construction tab of the GLAs Whole Life-Cycle Carbon Assessment template shall be completed in line with the GLAs Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to the GLA at:

[ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk), along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of development.

REASON: In the interests of sustainable development and to maximise on-site carbon dioxide savings.

**NS38: Contaminated Land – Verification Report**

Prior to the first occupation of the relevant phase of the development hereby approved, a verification report demonstrating completion of the remediation set out in the approved remediation statement and the effectiveness of the remediation shall be submitted to and approved by the local planning authority. The report shall include results of sampling and monitoring completed out to demonstrate that the site remediation criteria for residential use have been met. If, during development, further contamination not previously identified is found to be present at the site the local planning authority is to be informed immediately and no further development shall be conducted until a report detailing contamination and how it is to be remediated is submitted to and agreed in writing by the local planning authority, and any required remediation shall be detailed and verified as an amendment to the remediation statement and accordingly conducted.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised.

**NS39: Water contamination**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 170 of the National Planning Policy Framework.

**NS40: Tree Planting Scheme**

- a. No development above ground of the relevant phase, except demolition, shall take place until a specification of all proposed tree planting has been submitted to and approved in writing by the local planning authority such specification to include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. All tree planting included within the approved specification shall be carried out in accordance with that specification and in accordance with BS 3936:1986 (parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).
- b. If within a period of 5 years from the date of planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the local planning authority seriously damaged or defective), another tree of the same species and size originally planted shall be planted at the same place in the next planting season/within one year of the original tree's demise unless the local planning authority gives its written consent to any variations.
- c. All tree planting shall be carried out in accordance with the details so approved and

in any event prior to occupation of any part of the development within the relevant phase.

REASON: To safeguard the appearance of the locality.

**NS41: Hard & Soft Landscaping Scheme**

Notwithstanding the details illustrated, prior to the commencement of above ground works of the relevant phase, full details of both hard and soft landscaping works (including tree planting) shall be submitted to and approved in writing by the local planning authority.

- A. These hard surfacing details shall include
  - proposed finished levels or contours
  - car parking layout
  - other vehicle and pedestrian access and circulation areas
  - hard surfacing materials.
  - Hard Landscaping Management and Maintenance Plan
- A. Soft landscape works shall include
  - planting plans
  - written specifications (including cultivation and other operations associated with plant and grass establishment)
  - Specifications shall detail the quantity, density, size, species, position and the proposed time or programme of planting of all shrubs, hedges, grasses etc., together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. (The species should include wildflower grassland and species rich SUDs planting)
  - Tree pit specification
  - 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.
  - Irrigation system
  - All tree, shrub and hedge planting included within that specification shall be carried out in accordance with BS 3936:1986 (Parts 1, 1992, Nursery Stock, Specification for trees and shrubs, and 4, 1984, Specification for forest trees); BS 4043: 1989, Transplanting root-balled trees; and BS 4428:1989, Code of practice for general landscape operations (excluding hard surfaces).
- B. All hard and soft landscape works shall be carried out in accordance with the approved details and in any event prior to the occupation of any part of the development.
- C. Any planting carried out as part of the approved details and which dies or is removed within the first five years shall be replaced in the next available planting season with a similar size and species to be agreed in writing by the Local Planning Authority.

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

**NS42: Air Quality and emissions control**

The development shall not be implemented other than in accordance with the recommendations within the Air Quality Assessment.

- a. The development hereby approved shall achieve Air Quality Neutral.
- b. The development hereby approved shall be served by non-combustion heating and cooling Air Source Heat Pumps, as per the Approved Air Quality Assessment, prior to their first occupation within that relevant phase, and thereafter maintained as approved.

REASON: To protect air quality for nearby receptors and to accord with the terms of the application.

**NS43: Commercial Kitchen Odour Control**

A scheme for the extraction and treatment of fumes and odours generated from cooking or any other activity undertaken on the premises shall be submitted to and approved in writing by the Local Planning Authority. Any equipment, plant or process approved pursuant to such details shall be installed prior to the first use of the premises and shall be operated and retained in accordance with the approved details and operated in accordance with manufacturer's instructions.

REASON: To prevent undue odour pollution.

**NS44: Commercial Kitchen Extraction System Noise Control**

Before the kitchen extraction plant to which the application refers is first used at the proposed community centre, a scheme shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with upon installation and shall thereafter be retained as approved:

- a. The cumulative measured or calculated rating level of noise emitted from the kitchen extraction plant to which the application refers, shall be 5dB(A) below the existing background noise level, at all times that the mechanical system etc. operates. The measured or calculated noise levels shall be determined 1 metre from the facade of the nearest second floor noise sensitive premises, and in accordance with the latest British Standard 4142; An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.
- b. The plant shall be isolated so as to ensure that vibration amplitudes which causes re-radiated noise not to exceed the limits detailed in table 4 detailed in section 7.7.2 of BS8233:2014 Guidance on sound insulation and noise reduction for buildings
- c. A commissioning acoustic test and report shall be undertaken within 2 weeks of mechanical services being in first use, in order to demonstrate that parts a and b of this condition above has been achieved. The results of the test shall be submitted to and approved in writing by the LPA.
- d. If the commissioning acoustic test identified the limits are not achieved, the plant shall be operational until a scheme for further mitigation to enable such limits be reached are submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained as approved.

REASON: To ensure the development does not cause unreasonable noise pollution.

**NS45: Vehicle parking**

The parking spaces as outlined in the approved drawings shall be provided in accordance with a phasing strategy, including phasing and delivery (taking account of occupation of buildings) that has first been submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme. The parking spaces on the approved drawing shall be made available for vehicle parking only and retained as such for the lifetime of the development.

REASON: To accord with the terms of the application.

**NS46: EV Parking**

Prior to the first occupation of each phase of the development hereby approved there shall first be submitted to and approved in writing by the Local Planning Authority a scheme showing provision on site of electric vehicle charging points, and which shall

be implemented in full as approved prior to the first occupation within that phase. These details shall show the location, quantum and specification of the electric vehicle charging points within that phase. The scheme of electric vehicle charging shall be retained thereafter as approved. Following the implementation of the scheme, should a charging point become damaged or ineffective; it should be repaired within one calendar month.

REASON: To facilitate the use of less polluting vehicles.

**NS47: Noise Management Plan**

Prior to the first use of the Makers Lab, a Noise Management Plan (NMP) arising from the use of the Makers Lab shall be submitted to and approved in writing by the Local Planning Authority, which shall include as a minimum, written details of the following information.

- i. Measures to be taken to prevent fugitive noise emissions from the makers lab and the outside space
- ii. In the event of a complaint, the mechanism by which such complaints are logged, investigated and actions taken recorded
- iii. Documentation of an annual review of the NMP
- iv. How the NMP will be made available upon request by the Environmental Health Department in the event of a complaint

The Makers Lab shall not be occupied other than in accordance with the approved NMP.

REASON: To protect neighbour amenity.

**NS48: Sound Attenuation Scheme**

1. The building envelope of the development to which the application refers shall be constructed so as to provide sound attenuation against externally generated noise sources including those arising from the use of the play areas so as to achieve the internal ambient noise levels detailed below. The measured or calculated noise levels shall be determined in accordance with the latest British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings. Any works which form part of the scheme shall be completed in accordance with the approved details before the dwellings are occupied and shall thereafter be retained as approved.
2. Internal noise levels should be achieved with windows open for rapid ventilation purposes. Where this cannot be achieved alternative means of ventilation and cooling will be required. Where whole house ventilation is provided then acoustically treated inlets and outlets should ideally be located away from the façade(s) most exposed to noise (and any local sources of air pollution).

Situation	Location	07:00-23:00 hrs	23:00-07:00 hrs
<b>Resting</b>	Living room	35 dB LAeq, 16 hour	-
<b>Dining</b>	Dining room/area	40 dB LAeq, 16 hour	-
<b>Sleeping (daytime resting)</b>	Bedroom	35 dB LAeq, 16 hour	30 dB LAeq, 8 hour
<b>Sleeping</b>	Bedroom	-	45dB LAMax (several times in any one day)

3. The measured or calculated noise levels activity shall be determined in accordance with the latest British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings.

REASON: To ensure a suitable standard of accommodation.

**NS49: Urban Greening Factor**

Prior to the first occupation of the development hereby approved, unless otherwise agreed in writing, confirmation that the whole development achieves an urban greening factor score of 0.44 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be maintained as approved.

REASON: To ensure the development meets the greening and biodiversity aspirations of the Local and London Plan and complies with the terms of the application submission.

**NS50: Secure by Design**

The development hereby approved shall achieve 'Secure by Design' accreditation awarded by the Design-Out Crime Officer from the Metropolitan Police Service on behalf of the Association of Chief Police Officers (ACPO). Evidence of such accreditation to be submitted to the Local Planning Authority prior to occupation of any part of the development hereby permitted.

REASON: to promote the wellbeing of the area and to ensure the development provides a safe and secure environment.

**NS51: Zero Carbon**

Upon practical completion of the residential development hereby approved, a scheme demonstrating zero carbon standards (including any Carbon Off-Set contribution) have been met shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of energy conservation in accordance with the Development Plan.

**NS52: Zero Carbon**

Prior to the occupation of the community centre and Makers Lab, a scheme demonstrating zero carbon standards (including any Carbon Off-Set contribution) have been met shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of energy conservation in accordance with the Development Plan.

**NS53: Water Capacity**

No development of the relevant phase shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

**NS54: Foul Drainage**

The development hereby approved shall not be occupied until all foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON - Network reinforcement works are required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

**NS55: Lift Maintenance and Management**

Prior to the occupation of the first occupation blocks B, C, E, I, M, O, S, T/U and V a

lift maintenance and management plan for the building shall be submitted to and approved in writing by the Local Planning Authority. The building shall not be occupied other than in accordance with the approved scheme.

REASON: To ensure appropriate fire safety and access.

**NS56: Cycle Parking (Community Centre and Makers Lab)**

Prior to the first use of the community centre and makers lab full details of the cycle parking to serve these facilities shall first be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be first provided before first occupation of the respective buildings they will serve and shall be retained only for cycle parking as approved thereafter.

REASON: To promote the use of sustainable modes of transport and details of the phasing of construction of internal roads, to be secured via pre-commencement planning conditions.

**NS57: Residential Cycle Parking**

The cycle parking spaces as outlined on drawing HCR-BPTW-S01-ZZ-DR-A-0105 C02 shall be provided as approved prior to the first occupation of the relevant building and shall be retained only for cycle parking as approved thereafter.

REASON: In the interests of air quality and to promote sustainable forms of travel.

**NS58: Streetlighting**

Prior to the first occupation of Phase 1 of the development a Streetlighting Strategy, based on the principles set out in Lighting Strategy Framework (LUC May 2022) shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include location, height, type and direction of light sources and intensity of illumination. No phase of the development shall be occupied until the scheme of streetlighting for that relevant phase has been carried out in accordance with the approved details. Any lighting that is so installed shall not thereafter be altered other than for routine maintenance which does not change its details.

REASON: To ensure highway safety, to ensure the sustainability of existing and proposed trees and in the interests of good urban design.

**NS59: Installation of Drainage Scheme**

No building hereby permitted shall 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 the proposed drainage components for the lifetime of the development.

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 Choose and Richmond's Local Plan Policy LP 21.

**NS60: Servicing and Delivery Management Plan**

Prior to the occupation of any part of the development hereby approved, a detailed Delivery and Servicing Plan (DSP) for the relevant phase shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall consider the cumulative impact of each phase of development and coordination with other phases. Thereafter the development shall not be occupied other than in accordance with the approved details.

REASON: To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking and loading facilities in compliance.

**NS61: Communal Gardens**

Prior to the occupation of those blocks which share a communal garden, details of access to and maintenance of the communal garden shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied other than in accordance with the approved scheme.

REASON: In the interest of inclusive access in accordance with Council's policy.

**NS62: Street furniture details**

Prior to the first occupation of the relevant phase of development hereby approved, details (including design, location, materials, manufacturers product design / care information) of all street and public realm furniture shall be submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to:

- a. Bins
- b. Benches / seating
- c. Bollards, barriers, gates
- d. Railings
- e. Water fountains
- f. Coordination with other phases of development

The development shall be carried out in accordance with the approved details and be insitu prior to the occupation of any part of the development within that phase and thereafter maintained only as approved.

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

**NS63: Flood Emergency Evacuation Plan**

Prior to the occupation of the relevant phase of development hereby permitted, a Flood Emergency Evacuation Plan shall be submitted and approved in writing by the Local Planning Authority. The Flood Emergency Evacuation Plan shall be written in accordance with the Strategic Flood Risk Assessment and NPPF and taking into account 'Guidance on producing a Flood Emergency Plan'. The development shall not be occupied other than in accordance with the approved scheme, which shall thereafter be annually reviewed and updated as required.

REASON: To minimise the risks from flooding.

**NS64: Wind Mitigation Measures**

Prior to the occupation of the top floor units and corner units of blocks E, I, M, C, R, S and V, a scheme to mitigate wind speeds and improve the wind conditions of these areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented other than in accordance with the approved scheme, and thereafter maintained as approved for the lifetime of the development.

REASON: To improve comfort levels within these areas.

**COMPLIANCE**

**NS65: Approved Drawings**

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

**Received 9<sup>th</sup> May 2022:**

Daylight, sunlight and Overshadowing Report April 2022

Environmental Statement

Flood Risk Assessment and Drainage Strategy v2 April 2022

Outline Construction Logistics Plan v 1.1 April 2022

Parking management plan v. 1.1 April 2022

Planning Statement – April 2022

Playing field assessment v 3 April 2022  
Statement of Community Involvement March 2022  
Transport Assessment v 2.3 April 2022

**Received 10<sup>th</sup> May 2022:**

BREEAM 2018 Pre-Assessment Report R03 April 2022  
Design and Access – April 2022 C01  
Viability Statement April 2022  
Sustainability Statement R02 April 2022  
Utilities Assessment March 2022  
Drawing numbers: HCR-BPTW-B01-00-DR-A-1010 C01;  
HCR-BPTW-B01-01-DR-A-1011 C01; HCR-BPTW-B01-02-DR-A-1012 C01;  
HCR-BPTW-B01-03-DR-A-1013 C01; HCR-BPTW-B01-04-DR-A-1014 C01;  
HCR-BPTW-B02-00-DR-A-1020 C01; HCR-BPTW-B02-01-DR-A-1021 C01;  
HCR-BPTW-B02-02-DR-A-1022 C01; HCR-BPTW-B02-03-DR-A-1023 C01;  
HCR-BPTW-B02-04-DR-A-1024 C01; HCR-BPTW-B03-00-DR-A-1030 C01;  
HCR-BPTW-B03-01-DR-A-1031 C01; HCR-BPTW-B03-02-DR-A-1032 C01;  
HCR-BPTW-B03-03-DR-A-1033 C01; HCR-BPTW-B03-04-DR-A-1034 C01;  
HCR-BPTW-B03-05-DR-A-1035 C01; HCR-BPTW-B03-06-DR-A-1036 C01;  
HCR-BPTW-B04-00-DR-A-1040 C01; HCR-BPTW-B04-01-DR-A-1041 C01;  
HCR-BPTW-B04-02-DR-A-1042 C01; HCR-BPTW-B04-03-DR-A-1043 C01;  
HCR-BPTW-B04-04-DR-A-1044 C01; HCR-BPTW-B05-00-DR-A-1050 C01;  
HCR-BPTW-B05-01-DR-A-1051 C01; HCR-BPTW-B05-02-DR-A-1052 C01;  
HCR-BPTW-B05-03-DR-A-1053 C01; HCR-BPTW-B05-04-DR-A-1054 C01;  
HCR-BPTW-B05-05-DR-A-1055 C01; HCR-BPTW-B05-06-DR-A-1056 C01;  
HCR-BPTW-B09-00-DR-A-1090 C01; HCR-BPTW-B09-01-DR-A-1091 C01;  
HCR-BPTW-B09-02-DR-A-1092 C01; HCR-BPTW-B09-03-DR-A-1093 C01;  
HCR-BPTW-B09-04-DR-A-1094 C01; HCR-BPTW-B09-05-DR-A-1095 C01;  
HCR-BPTW-B09-06-DR-A-1096 C01; HCR-BPTW-B13-00-DR-A-1130 C01;  
HCR-BPTW-B13-01-DR-A-1131 C01; HCR-BPTW-B13-02-DR-A-1132 C01;  
HCR-BPTW-B13-03-DR-A-1133 C01; HCR-BPTW-B13-04-DR-A-1134 C01;  
HCR-BPTW-B13-05-DR-A-1135 C01; HCR-BPTW-B13-06-DR-A-1136 C01;  
HCR-BPTW-B14-01-DR-A-1141 C01; HCR-BPTW-B14-02-DR-A-1142 C01;  
HCR-BPTW-B14-03-DR-A-1143 C01; HCR-BPTW-B14-04-DR-A-1144 C01;  
HCR-BPTW-B01-ZZ-DR-A-2001 C01; HCR-BPTW-B02-ZZ-DR-A-2002 C01;  
HCR-BPTW-B03-ZZ-DR-A-2004 C01; HCR-BPTW-B03-ZZ-DR-A-2005 C01;  
HCR-BPTW-B04-ZZ-DR-A-2006 C01; HCR-BPTW-B04-ZZ-DR-A-2007 C01;  
HCR-BPTW-B05-ZZ-DR-A-2008 C01; HCR-BPTW-B05-ZZ-DR-A-2009 C01;  
HCR-BPTW-B09-ZZ-DR-A-2011 C01 (Elevations 1 & 2);  
HCR-BPTW-B09-ZZ-DR-A-2011 C01 (Elevations 3 & 4);  
HCR-BPTW-B13-ZZ-DR-A-2012 C01; HCR-BPTW-B13-ZZ-DR-A-2013 C01;  
HCR-BPTW-B14-ZZ-DR-A-2014 C01; HCR-BPTW-ZZ-ZZ-DR-A-2040 C01;  
HCR-BPTW-B01-ZZ-DR-A-2210 C01; HCR-BPTW-B02-ZZ-DR-A-2211 C01;  
HCR-BPTW-B03-ZZ-DR-A-2212 C01; HCR-BPTW-B04-ZZ-DR-A-2213 C01;  
HCR-BPTW-B05-ZZ-DR-A-2214 C01; HCR-BPTW-B09-ZZ-DR-A-2215 C01;  
HCR-BPTW-B13-ZZ-DR-A-2216 C01; HCR-BPTW-B13-ZZ-DR-A-2217 C01;  
HCR-BPTW-B14-ZZ-DR-A-2218 C01; HCR-BPTW-XX-XX-SA-A-0100 C01;  
HCR-BPTW-XX-XX-SA-A-0101 C01; HCR-BPTW-XX-XX-SA-A-0104 C01

**Received 11<sup>th</sup> May 2022:**

Drawing numbers: HCR-BPTW-SE-ZZ-DR-A-0001 C01;  
HCR-BPTW-SE-ZZ-DR-A-0002 C01; HCR-BPTW-SE-ZZ-DR-A-0003 C01;  
HCR-BPTW-SE-ZZ-DR-A-0004 C01; HCR-BPTW-SE-ZZ-DR-A-0005 C01;  
HCR-BPTW-SE-ZZ-DR-A-0006 C01; HCR-BPTW-SE-ZZ-DR-A-0007 C01;  
HCR-BPTW-SE-ZZ-DR-A-0008 C01; HCR-BPTW-SE-ZZ-DR-A-0009 C01;  
HCR-BPTW-SE-ZZ-DR-A-0015 C01; HCR-BPTW-SE-ZZ-DR-A-0016 C01;  
HCR-BPTW-SE-ZZ-DR-A-0017 C01; HCR-BPTW-SE-ZZ-DR-A-0018 C01;  
HCR-BPTW-SE-ZZ-DR-A-0019 C01; HCR-BPTW-SE-ZZ-DR-A-0020 C01;  
HCR-BPTW-SE-ZZ-DR-A-0021 C01; HCR-BPTW-SE-ZZ-DR-A-0022 C01;

HCR-BPTW-SE-ZZ-DR-A-0023 C01; HCR-BPTW-SE-ZZ-DR-A-0024 C01;  
HCR-BPTW-SE-ZZ-DR-A-0025 C01; HCR-BPTW-SE-ZZ-DR-A-0026 C01;  
HCR-BPTW-SE-ZZ-DR-A-0027 C01; HCR-BPTW-SE-ZZ-DR-A-0028 C01;  
HCR-BPTW-SE-ZZ-DR-A-0029 C01; HCR-BPTW-SE-ZZ-DR-A-0030 C01;  
HCR-BPTW-SE-ZZ-DR-A-0031 C01; HCR-BPTW-SE-ZZ-DR-A-0032 C01;  
HCR-BPTW-SE-ZZ-DR-A-0033 C01; HCR-BPTW-S01-ZZ-DR-A-0100 C01;  
HCR-BPTW-S01-B1-DR-A-0127 C01; HCR-BPTW-S01-ZZ-DR-A-0160 C01;  
HCR-BPTW-S01-ZZ-DR-A-0161 C01; HCR-BPTW-S01-ZZ-DR-A-0162 C01;  
HCR-BPTW-S01-ZZ-DR-A-0163 C01; HCR-BPTW-S01-ZZ-DR-A-0164 C01;  
HCR-BPTW-B15-01-DR-A-1151 C01; HCR-BPTW-B15-02-DR-A-1152 C01;  
HCR-BPTW-B15-03-DR-A-1153 C01; HCR-BPTW-B15-04-DR-A-1154 C01;  
HCR-BPTW-B18-00-DR-A-1180 C01; HCR-BPTW-B18-01-DR-A-1181 C01;  
HCR-BPTW-B18-02-DR-A-1182 C01; HCR-BPTW-B18-03-DR-A-1183 C01;  
HCR-BPTW-B18-04-DR-A-1184 C01; HCR-BPTW-B18-05-DR-A-1185 C01;  
HCR-BPTW-B19-00-DR-A-1190 C01; HCR-BPTW-B19-01-DR-A-1191 C01;  
HCR-BPTW-B19-02-DR-A-1192 C01; HCR-BPTW-B19-03-DR-A-1193 C01;  
HCR-BPTW-B19-04-DR-A-1194 C01; HCR-BPTW-B19-05-DR-A-1195 C01;  
HCR-BPTW-B19-06-DR-A-1196 C01; HCR-BPTW-B22-00-DR-A-1220 C01;  
HCR-BPTW-B22-01-DR-A-1221 C01; HCR-BPTW-B22-02-DR-A-1222 C01;  
HCR-BPTW-B22-03-DR-A-1223 C01; HCR-BPTW-B22-04-DR-A-1224 C01;  
HCR-BPTW-B22-05-DR-A-1225 C01; HCR-BPTW-B22-06-DR-A-1226 C01;  
HCR-BPTW-B24-00-DR-A-1240 C01; HCR-BPTW-B24-01-DR-A-1241 C01;  
HCR-BPTW-B24-02-DR-A-1242 C01; HCR-BPTW-B24-03-DR-A-1243 C01;  
HCR-BPTW-B24-04-DR-A-1244 C01; HCR-BPTW-T02-ZZ-DR-A-1270 C01;  
HCR-BPTW-T03-ZZ-DR-A-1271 C01; HCR-BPTW-T01-ZZ-DR-A-1272 C01;  
HCR-BPTW-T04-ZZ-DR-A-1273 C01; HCR-BPTW-T04-ZZ-DR-A-1274 C01;  
HCR-BPTW-B18-ZZ-DR-A-2016 C01; HCR-BPTW-B19-ZZ-DR-A-2017 C01;  
HCR-BPTW-B19-ZZ-DR-A-2018 C01; HCR-BPTW-B22-ZZ-DR-A-2019 C01;  
HCR-BPTW-B22-ZZ-DR-A-2020 C01; HCR-BPTW-B23-ZZ-DR-A-2021 C01;  
HCR-BPTW-B24-ZZ-DR-A-2023 C01; HCR-BPTW-B24-ZZ-DR-A-2024 C01;  
HCR-BPTW-T01-ZZ-DR-A-2030 C01; HCR-BPTW-T02-ZZ-DR-A-2031 C01;  
HCR-BPTW-T03-ZZ-DR-A-2032 C01; HCR-BPTW-T04-ZZ-DR-A-2033 C01;  
HCR-BPTW-T04-ZZ-DR-A-2034 C01; HCR-BPTW-S01-ZZ-DR-A-2201 C01;  
HCR-BPTW-B15-ZZ-DR-A-2219 C01; HCR-BPTW-B18-ZZ-DR-A-2220 C01;  
HCR-BPTW-B19-ZZ-DR-A-2221 C01; HCR-BPTW-B24-ZZ-DR-A-2222 C01;  
HCR-BPTW-B22-ZZ-DR-A-2223 C01; HCR-BPTW-B23-ZZ-DR-A-2224 C01;  
HCR-BPTW-T01-ZZ-DR-A-2230 C01; HCR-BPTW-T02-ZZ-DR-A-2231 C01;  
HCR-BPTW-T03-ZZ-DR-A-2232 C01; HCR-BPTW-T04-ZZ-DR-A-2233 C01;  
HCR-BPTW-S01-ZZ-DR-A-2241 C01; HCR-BPTW-S01-ZZ-DR-A-2242 C01;  
HCR-BPTW-S01-ZZ-DR-A-2243 C01; HCR-BPTW-S01-ZZ-DR-A-2244 C01  
Community Centre: WRAP GA A 0100 P01; WRAP GA A 0101 P01; WRAP A 0102  
P01; WRAP GA A 0120 P01; WRAP A A 0121 P01; WRAP GA A 0122 P01; WRAP  
GA A 0123 P01; WRAP GA A 0165 P01; WRAP GA A 0167 P01; WRAP GA A 0168  
P01; WRAP GA A 0169 P01; WRAP GA A 0175 P01; WRAP GA A 0177 P01; WRAP  
GA A 0178 P01; WRAP GA A 0185 P01; WRAP GA A 0186 P01; WRAP GA A 0600  
P01; WRAP GA A 0601 P01; WRAP GA A 0602 P01  
Makers Lab: WRAP GA A 0117 P01; WRAP GA A 0116 P01; WRAP GA A 0115 P01;  
WRAP GA A 0605 P01; WRAP GA A 0606 P01; WRAP GA A 0301 P01; WRAP GA  
A 0168 P01; WRAP GA A 0185 P01; WRAP GA A 0167 P01; WRAP GA A 0186 P01;  
WRAP GA A 0165 P01; WRAP GA A 0302 P01; WRAP GA A 0103 P01

**Received 13<sup>th</sup> June 2022:**

- Biodiverse roof strategy v 2.0 May 2022
- Heritage, Townscape and Visual Impact Assessment May 2022
- Lighting strategy framework May v1.0 2022
- Open Space Assessment v7 April 2022
- Sequential Assessment May 2022
- Odour Assessment v1.1 April 2022

Drawing numbers: HCR-BPTW-SE-ZZ-DR-A-0040 C01;  
HCR-BPTW-SE-ZZ-DR-A-0041 C01; HCR-BPTW-SE-ZZ-DR-A-0042 C01;  
HCR-BPTW-B01-00-DR-A-5901 C01; HCR-BPTW-B02-00-DR-A-5902 C01;  
HCR-BPTW-B03-00-DR-A-5903 C01; HCR-BPTW-B04-00-DR-A-5904 C01;  
HCR-BPTW-B05-00-DR-A-5905 C01; HCR-BPTW-B09-00-DR-A-5906 C01;  
HCR-BPTW-B13-00-DR-A-5907 C01; HCR-BPTW-B18-00-DR-A-5910 C01;  
HCR-BPTW-B19-00-DR-A-5911 C01; HCR-BPTW-B22-00-DR-A-5912 C01;  
HCR-BPTW-B23-00-DR-A-5913 C01; HCR-BPTW-B24-00-DR-A-5914 C01  
Makers Lab: WRAP GA A 0300 P02  
Landscaping: 11265-LD-PLN-214 B; 11265-LD-PLN-215 B

**Received 14<sup>th</sup> June 2022:**

WRAP A 0176 P02

**Received 3<sup>rd</sup> August 2022:**

Sustainable construction checklist 2020 v 1.2

**Received 22<sup>nd</sup> September 2022:**

11265-LD-PLN-225 C

**Received 23<sup>rd</sup> September 2022:**

T10 maintenance and management plan

Landscaping: 11265-LD-PLN-211 D; 11265-LD-PLN-212 E; 11265-LD-PLN-213 E;  
11265-LD-PLN-221 P01

**Received 28<sup>th</sup> September 2022:**

HCR-BPTW-S01-ZZ-DR-A-0102 C02; HCR-BPTW-S01-ZZ-DR-A-0104 C03 ;  
HCR-BPTW-S01-ZZ-DR-A-0105 C02; HCR-BPTW-S01-ZZ-DR-A-0106 C02;  
HCR-BPTW-S01-ZZ-DR-A-0107 C02; HCR-BPTW-S01-ZZ-DR-A-0108 C02;  
HCR-BPTW-S01-ZZ-DR-A-0109 C02; HCR-BPTW-S01-ZZ-DR-A-0110 C02;  
HCR-BPTW-S01-ZZ-DR-A-0111 C02; HCR-BPTW-S01-ZZ-DR-A-0112 C02;  
HCR-BPTW-S01-ZZ-DR-A-0113 C02; HCR-BPTW-S01-00-DR-A-0120 C02;  
HCR-BPTW-S01-01-DR-A-0121 C02; HCR-BPTW-S01-02-DR-A-0122 C02;  
HCR-BPTW-S01-03-DR-A-0123 C02; HCR-BPTW-S01-04-DR-A-0124 C02;  
HCR-BPTW-S01-05-DR-A-0125 C02; HCR-BPTW-S01-06-DR-A-0126 C02;  
HCR-BPTW-S01-ZZ-DR-A-0130 C02; HCR-BPTW-S01-ZZ-DR-A-0140 C02;  
HCR-BPTW-B14-00-DR-A-1140 C03; HCR-BPTW-B15-00-DR-A-1150 C02;  
HCR-BPTW-B23-00-DR-A-1230 C02; HCR-BPTW-B23-01-DR-A-1231 C02;  
HCR-BPTW-B23-02-DR-A-1232 C02; HCR-BPTW-B23-03-DR-A-1233 C02;  
HCR-BPTW-B23-04-DR-A-1234 C02; HCR-BPTW-B02-ZZ-DR-A-2003 C02;  
HCR-BPTW-B15-ZZ-DR-A-2015 C02; HCR-BPTW-B23-ZZ-DR-A-2022 C02;  
HCR-BPTW-B14-00-DR-A-5908 C03; HCR-BPTW-B15-00-DR-A-5909 C02  
Community Centre: WRAP A 0190 P02; WRAP GA A 0166 P03  
Makers Lab: WRAP GA A 0166 P03; WRAP GA A 0190 P02  
Landscaping: 11265-LD-PLN-100 E; 11265-LD-PLN-201 P07; 11265-LD-PLN-202  
P07; 11265-LD-PLN-203 P09; 11265-LD-PLN-204 P07; 11265-LD-PLN-401 P05;  
11265-LD-PLN-402 P05; 11265-LD-PLN-403 P05; 11265-LD-PLN-404 P05

**Received 30 September 2022:**

Equalities impact assessment Aug 2022

Groundwater depths June 2022

PV Panel schedule

Detailed Circular Economy Statement R05 Sept 2022

Fire Strategy Statement April 2022

Framework travel plan v 2.1 August 2022

Overheating assessment R03 August 2022

Whole Life Carbon Assessment R06 April 2022

Climate Based Daylight Modelling and Sunlight Report Sept 2022

**Received 4<sup>th</sup> October 2022:**

11265-LD-PLN-226 C

**Received 10<sup>th</sup> October 2022:**

Delivery and servicing plan v 2.1 September 2022

**Received 12<sup>th</sup> October 2022:**

Energy strategy R05 October 2022:  
Appendix 3 – GLA Carbon Emission Reporting Spreadsheet  
Appendix 4 – Be Lean/Be Green SAP/BRUKL data  
GLA Consultation – Marked up Energy Memo 2022  
WLC Assessment template

**Received 27<sup>th</sup> October 2022:**

HCR-BPTW-SE-ZZ-DR-A-0117 C02  
HCR-BPTW-SE-ZZ-DR-A-0118 C01

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

**NS66: SuDS – EA**

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants.

**NS67: Vegetation Removal**

Vegetation clearance shall not be carried out other than outside of the bird nesting season (March to September inclusive). If this is not feasible, prior to any clearance, a scheme shall be submitted to and approved in writing outlining the safeguarding measures that will be undertaken to ensure ecological impacts are avoided. This shall include, but not be limited to, checking all vegetation by an experienced ecologist no more than 5 days prior to the works and an exclusion zone set up or works delayed as necessary. The development shall only be implemented in accordance with the approved scheme.

REASON: To ensure that ecological impacts are avoided or mitigated.

**NS68: Basement**

The development shall not be implemented other than in accordance with the recommendations as outlined in the approved Basement Impact Assessment, which shall thereafter be maintained.

REASON: To mitigate the risk of flooding.

**NS69: 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.

**NS70: Community Centre Hours of Use**

The community centre hereby approved shall not be open for use other than during the following times, unless otherwise agreed in writing with the Local Planning Authority:

- Monday to Saturday 07:00 – 22:00
- Sundays and Bank Holidays 08:00 – 21:00

REASON: To ensure the development does not result in unacceptable noise and

disturbance to surrounding occupants.

**NS71: Makers Lab Hours of Use**

The Makers Lab hereby approved shall not be open to use other than during the following times:

- Monday to Saturday 09:00 – 22:00
- Sundays and Bank Holidays 08:00 – 21:00

REASON: To ensure the development does not result in unacceptable noise and disturbance to surrounding occupants.

**NS72: Amplified music**

a. Makers Lab: No music or amplified sound system shall be used or generated which is audible outside the premises or within adjacent buildings. No amplified music or musical equipment shall be used in the outdoor grounds of the makers lab hereby approved at any time.

b. Community Centre: No music or amplified sound system shall be used or generated which is audible outside the premises or within adjacent buildings.

REASON: To ensure the development does not result in unacceptable noise and disturbance to surrounding occupants.

**NS73: PV panels**

Prior to the occupation of each phase of the development hereby approved, details of the siting, gradient, and number of PV panels to be installed within each phase shall be submitted to and approved in writing by the Local Planning Authority; and implemented as approved and thereafter maintained as approved.

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

**NS74: Contaminated land recommendations**

The development hereby approved shall not be implemented other than in accordance with the recommendations as outlined in Chapter 7 of the Environmental Statement by Greengage.

REASON: To ensure the health and safety of the site, workers and surrounding occupants.

**NS75: Fire Safety**

The development hereby approved shall not be constructed or occupied other than in accordance with the approved Fire Safety Statement by Affinity and maintained as such, unless otherwise agreed in writing and necessitated by Building Control and / or the Building Safety Regulator.

REASON: To ensure a safe form of development.

**NS76: Ecological Mitigation and Bat Survey**

1. The development shall not be constructed other than in accordance with the recommendations as set out in the Preliminary Ecological Appraisal by Greengage, Nov 2021.

2. All recommendations as per the Greengage Preliminary Ecological Appraisal and Emergent/Re-Entry Survey dated November 2021 and March 2022 respectively shall be implemented in full during construction works and prior to occupation of the relevant phase of development.

3. Prior to the commencement of demolition phases 2 and 3, a further bat emergent/re-entry survey shall be submitted to and approved in writing by the Local Planning Authority.

Should works not start prior to March 2024 or before each phase an up to date survey

may be required.

REASON: To ensure bat data is current and in accordance with good practice.

**NS77: 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.

**NS78: Restriction on 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 building(s) hereby approved shall be used as a balcony or terrace nor shall any access be formed thereto except for the roof terraces identified within the approved plans.

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

**NS79: BREEAM**

Unless otherwise agreed in writing by the Local Planning Authority, the non-residential uses hereby approved shall achieve BREEAM Rating of 'Excellent' in accordance with the terms of the application & the requirements of the BREEAM Guide (or such national measure of sustainability for design that replaces that scheme).

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

**NS80: Energy Reduction**

1. The energy reduction for both residential and non-residential uses shall be achieved in line with the strategies outlined in the Energy Strategy, by Energist (R05, Oct 2022)
2. The residential uses hereby approved shall achieve not less than 66% reduction in Carbon dioxide emissions beyond Building Regulations requirements (2013).
3. The non-residential uses hereby approved shall achieve not less than 60% reduction in Carbon Dioxide emissions beyond Building Regulations requirements (2013).

The development shall not be implemented other than in accordance with the approved scheme. REASON: In the interests of energy conservation in accordance with the Development Plan.

**NS81: Accessible Homes**

- a) The development hereby approved shall comprise 12 no. affordable rent, 8 no. shared ownership, 6 no. leaseholder re-provision and 19 no. private for sale residential units constructed to accord with the technical specifications of Section M4(3) for a Wheelchair Accessible dwelling as set out in Approved Document M.
- b) 90% of the dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and all such provisions shall remain in place for the life of the building.

REASON: To ensure that the development offers inclusive housing solutions

**NS82: Trees to be Retained**

- a) Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or

severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

- b) Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area

**NS83: Non-residential land uses**

- a. The non-residential land uses hereby permitted shall not be occupied other than in accordance with the following uses:
  - Community Centre (Class F2)
  - Makers Lab (Class F2)
- b. 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 change of use shall be carried out to any of the non residential uses hereby approved without prior written consent from the Local Planning Authority.

REASON: To safeguard the community uses, the amenities of nearby residents and to accord with the terms of the application.

**13. INFORMATIVES RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

**3. 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.

**4. NPPF Approval**

In accordance with Section 4 of the National Planning Policy Framework, Richmond upon Thames Borough Council takes a positive and proactive approach to the delivery of sustainable development, by:

- Providing a formal pre-application service
- Providing written policies and guidance, all of which is available to view on the Council's website
- Where appropriate, negotiating amendments to secure a positive decision
- Determining applications in a timely manner - In this instance the application was amended following negotiations with the Council to ensure the scheme complied

with adopted policy and guidance, and the application was recommended for approval and referred to the first available Planning Committee available

**5. Principal Policies**

Where relevant, the following have been taken into account in the consideration of this proposal:

- London Plan (2021):
- London Borough of Richmond Local Plan (2018)
- National Planning Policy Framework Sections (NPPF) (2021):
- Supplementary Planning Documents:

**6. 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.

**7. IL05 Advertisements**

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

**8. Damage to Public Highway**

- a) 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.
- b) BEFORE ANY WORK COMMENCES you MUST contact Highways and Transport, London Borough of Richmond upon Thames, 44 York Street, Twickenham TW1 3BZ (Telephone 020 8891 7090 ask for the Streetscene inspector for your area or email [highwaysandtransport@richmond.gov.uk](mailto:highwaysandtransport@richmond.gov.uk)) to arrange a pre commencement photographic survey of the public highways adjacent to and within the vicinity of the site.
- c) 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.
- d) Once the site works are completed you need to contact us again to arrange for a post construction inspection to be carried out. If there is no further damage then the case will be closed. If damage or further damage is found to have occurred then you will be asked to pay for repairs to be carried out.

**9. Noise Control – Building Sites**

- a) The attention of the applicant is drawn to the requirements of section 60 of the Control of Pollution Act 1974 in respect of the minimisation of noise and vibration on construction and demolition sites.
- b) An application, under section 61 of the Act for prior consent to the works, can be made to the Environmental Health Department. Under the Act the Council has certain powers to control noise from construction sites. Typically, the Council will limit the times during which sites are permitted to make noise that their neighbours can hear. For general construction works the Council usually imposes (when necessary) the following limits on noisy works:
  - Monday to Friday 8am to 6pm
  - Saturdays 8am to 1pm
  - Sundays and Public Holidays- No noisy activities allowed.
- c) Where developments include foundations works require piling operations it is

important to limit the amount of noise and vibration that may affect local residents. There are a number of different piling methods suitable for differing circumstances. Guidance is contained in British Standard BS 5228 Noise control on Construction and Open Sites - Part 4: Code of Practice for noise and vibration control applicable to piling operations. Where there is a risk of disturbance being caused from piling operations then the council under section 60 Control of Pollution Act 1974 can require Best Practicable Means (BPM) to be carried out. This may entail limiting the type of piling operation that can be carried out. The types of piling operations which are more suitable for sensitive development in terms of noise and vibration impact are;

- Hydraulic Piling
  - Auger Piling
  - Diaphragm Walling
- d) Applicants should also be aware of the guidance contained in:
- British Standard 5228;2009- Noise and vibration control on construction and open sites.
  - Development Control for Noise Generating and Noise Sensitive Development Supplementary Planning Document (SDP) - development\_control\_noise\_generation\_noise\_sensitive\_development\_spd\_adopted\_september\_2018.pdf (richmond.gov.uk)
- e) Any enquiries for further information should be made to the Commercial Environmental Health Team - Contact Environmental Health - London Borough of Richmond upon Thames

## 10. Piling 1

Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes> Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

## 11. Piling 2

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73".

## 12. Waste

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:

- Excavated materials that are recovered via a treatment operation can be re-used on site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- Treated materials can be transferred between sites as part of a hub and cluster project

- Some naturally occurring clean material can be transferred directly between sites.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- The Position Statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental Regulations page on GOV.UK

### **13. Working Near or Diverting Pipes**

The applicant is advised to read Thames Water's guide to working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

### **14. Ground Water Risk Management Permit**

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The developer is expected to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

### **15. Discharge to public sewers**

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

### **16. Wayleaves and Easements**

This site is affected by wayleaves and easements within the boundary of or close to the application site. Thames Water will seek assurances that these will not be affected by the proposed development. The applicant should undertake appropriate searches to confirm this. To discuss the proposed development in more detail, the applicant should contact Developer Services - <https://www.thameswater.co.uk/developers>

### **17. Underground Assets**

The proposed development is located within 15m of Thames Waters underground assets, as such the proposed development could cause the assets to fail if appropriate measures are not taken. The applicant is advised to read Thames Water guide 'Working near our assets' to ensure your workings are in line with the necessary processes you need to follow if youre considering working above or near our pipes or other structures. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-yourdevelopment/working-near-our-pipes>

**18. Petrol and Oil**

Thames Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

**19. Archaeology WSI**

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

**20. Archaeology Public Engagement**

The public engagement could involve activities such as:

- Using heritage cues to influence place making
- The installation of an exhibition on the history of the area within the new Makers Lab
- An oral history and recollections project to interview the long-standing residents of the estate

**21. Applicants Advice on conditions**

- a) The applicants are advised, when considering condition 'Demolition and Construction Management Statement / Logistics Plan, the LPA expects the hours of deliveries avoids 08:30-09:30 and 15:00-16:00 hours.
- b) It is understood no boilers are proposed in the scheme. If boilers are installed they must meet minimum NO<sub>x</sub> emissions standards of 0.04 g/KWH of heat supplied. Dispersion modelling should be used to determine the optimum height. No air inlet should be within 10m of exhaust flues.