



## **Draft Local Plan Pre-Publication Consultation**

**From 10 December 2021 to 31 January 2022**

### **RESPONSE FORM**

The Council is inviting comments on the first draft of the Local Plan.

The draft Local Plan sets out a 15-year strategic vision, objectives, place-based strategies and the overall spatial strategy for the borough as well as the planning policies that will guide future development in the borough. It looks ahead to 2039 and identifies where the main developments will take place, and how places within the borough will change, or be protected from change, over that period. In addition, the draft Local Plan sets out the site allocations that are considered to assist with the delivery of the vision and strategy of the Plan. This is of particular importance for ensuring there is sufficient land for employment, retail, housing and social infrastructure.

We would like to hear the views from our local communities, businesses and other key organisations on the draft Plan.

#### **How to respond**

Please read the consultation documents and other background information made available on the Local Plan website. To view the draft Local Plan and take part in the consultation, visit [https://www.richmond.gov.uk/draft\\_local\\_plan\\_pre\\_publication\\_version](https://www.richmond.gov.uk/draft_local_plan_pre_publication_version)

#### **You can respond on the consultation documents in the following ways:**

- Online response form through our **consultation portal** <https://richmond-consult.objective.co.uk/kse>
- Email to **LocalPlan@richmond.gov.uk** this response form (a PDF and Word version of the form can be found on the Council's website at [https://www.richmond.gov.uk/draft\\_local\\_plan\\_pre\\_publication\\_version](https://www.richmond.gov.uk/draft_local_plan_pre_publication_version)). In the form in 'Word' format you can type in your response and return it as an email attachment
- Post a hard copy of the form to Spatial Planning and Design, LB Richmond upon Thames, Civic Centre, 44 York Street, Twickenham, TW1 3BZ.

All responses must be received by Monday **31 January 2022**.

#### **This form has three parts:**

- Part A – Personal details and about you
- Part B – Your general views
- Part B – Your detailed response

Part A: Personal Details		
	1. Personal Details *	2. Agent's Details (if applicable)
Title	Mr	Miss
First name	Chris	Rachel
Last name	Cobham	Crick
Job title (where relevant)	Development Director	Principal
Organisation (where relevant)	Avanton Richmond Developments Ltd	Avison Young
Address	██████████ London	██████████ London
Postcode	██████████	EC2V 7NQ
Telephone		██████████
E-mail address		████████████████████

\*If an agent is appointed, please complete only the title, name and organisation boxes but complete the full contact details of the agent.

Part A: About You...		
3. Please tell us about yourself or who you are responding on behalf of...( tick all which apply)		
Do you live in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you work in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Do you run a business in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a student in the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Are you a visitor to the borough?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

#### Data protection

The Council is committed to ensuring that personal data is processed in line with the General Data Protection Regulation (GDPR) data protection principles including keeping data secure.

The Council's Privacy Notice is published on the webpage [www.richmond.gov.uk/data\\_protection](http://www.richmond.gov.uk/data_protection)

All responses will be held by the London Borough of Richmond upon Thames. Responses will not be treated as confidential and will be published on our website and in any subsequent statements; however, personal details like address, phone number or email address will be removed.

**Part B: Your General Views**

**4. Do you agree or disagree with the Strategic Vision? (section 3)**

Strongly Agree     Agree     Neither Agree/Disagree     Disagree     Strongly Disagree

Any comments: Refer to Letter

**5. Do you agree or disagree with the Strategic Objectives? (section 3)**

Strongly Agree     Agree     Neither Agree/Disagree     Disagree     Strongly Disagree

Any comments: Refer to Letter

**6. Do you agree or disagree with Policy 1. Living Locally and the 20-minute neighbourhood? (section 4)**

Strongly Agree     Agree     Neither Agree/Disagree     Disagree     Strongly Disagree

Any comments: Refer to Letter

**7. Do you agree or disagree with Policy 2. Spatial Strategy: Managing change in the borough? (section 4)**

Strongly Agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither Agree/Disagree <input checked="" type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly Disagree <input type="checkbox"/>
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Any comments:  
Refer to Letter

**8. Do you agree or disagree with the place-based strategies? (sections 6 to 14)**

Strongly Agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither Agree/Disagree <input checked="" type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly Disagree <input type="checkbox"/>
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Any comments:  
Refer to Letter

**Part C: Your Detailed Response**

**9. To which parts of the draft Local Plan does your response relate to?**

Please indicate the documents **and** the specific paragraph numbers, policy or site allocation numbers and names, maps or tables you are commenting on.

Documents		Sections	
Draft Local Plan	<input checked="" type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
		Policy no./name	
		Place-based strategy	
		Site Allocation(s) no./ name	
		Maps	
		Tables	
Sustainability Appraisal Report	<input type="checkbox"/>	Page number(s)	
		Paragraph number(s)	
Other (for example an omission or alternative approach, or in relation to another supporting document/evidence base)	<input checked="" type="checkbox"/>	Refer to Letter  Urban Design Study Flooding Sequential Test (unavailable on Council's website)	

**10. Please give details below to set out your representation.**

**Please make it very clear to which document your comments relate to by indicating policy/place-based strategy/site reference, name and number, and/or paragraph number.**

Refer to Letter - all policies and paragraphs are fully referenced

Please continue on a separate sheet / expand box if necessary.

**11. Please set out what change(s) you consider necessary, why these changes should be made and what your supporting evidence is.**

Refer to Letter

Please continue on a separate sheet / expand box if necessary.

**Please note** your detailed response should cover succinctly all the information, evidence and supporting information necessary to support / justify the response and the suggested change.

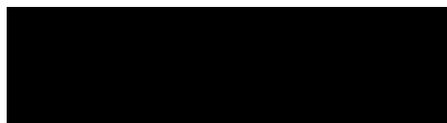
Following the consultation on the draft Local Plan, we will consider and take account of all responses received. There will be a further opportunity to view and comment on the final draft version of the Local Plan later in 2022, before it will be submitted in 2023 to the Secretary of State for examination in public by an independent planning inspector.

**12. If you are not on our consultation database and you respond to this consultation, your details will be added to the database. This allows us to contact you with updates on the progression of the Local Plan and other planning policy documents.**

If you do not wish to be added to our database or you would like your details to be removed, then please tick this box, complete Part A: Personal Details of this form and return it to us as appropriate.

Signature:

*For electronic responses a typed signature is acceptable.*



Date:

24/07/2023

19 July 2023

Spatial Planning and Design  
Civic Centre  
44 York Street  
Twickenham  
TW1 3BZ

By email only: [localplan@richmond.go.uk](mailto:localplan@richmond.go.uk)

Dear Sir/Madam,

**REPRESENTATIONS TO RICHMOND LOCAL PLAN 'THE BEST FOR OUR BOROUGH', DRAFT FOR CONSULTATION (09 JUNE 2023) ON BEHALF OF AVANTON RICHMOND DEVELOPMENTS LTD (DEVELOPERS OF HOMEBASE, MANOR ROAD, NORTH SHEEN)**

We write on behalf of Avanton Richmond Developments Ltd (the "Developers") in representation to the Richmond Local Plan 'The best for our borough' Draft for consultation (9 June 2023) prepared by the London Borough of Richmond upon Thames ("LBRuT"), under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

Avanton Richmond Developments Ltd is a dynamic and progressive London property development company that collaborates with the finest architects, landscapers, designers and contractors, to create places where people love to live, work and enjoy. They develop places that are innovative and inspiring, appreciated both for their design and for their quality. Avanton are bringing forward the residential redevelopment of Homebase, Manor Road, North Sheen (the "Site").

Having reviewed the Regulation 19 version of the draft Local Plan and the accompanying evidence base documents, this letter provides a summary of the site and background, responses to individual policies as well as further comments on the development potential of the Site (Site Allocation 29: Homebase, Manor Road, North Sheen).

The Developers support the Vision for LBRuT as set out in the draft Local Plan, in particular the delivery of new homes and affordable homes, and the proposed allocation of Homebase, Manor Road for residential-led redevelopment. The principle of redeveloping the Site for residential uses is firmly aligned with the objectives of national and London Plan policy and it represents a significant opportunity to bring forward an underutilised brownfield site to meet the needs of the LBRuT and London.

We do however, have significant concerns about the soundness of the plan, particularly in relation to the height, scale and massing considerations related to the proposed site allocation.

The developers are keen to work with the Council to deliver the optimal development solution for the Site. Crucial to this is ensuring the local plan incorporates an appropriately supportive site-specific policy to act as the basis for future decision making on the site and more broadly, ensuring the content of the plan as a whole is sound.

The purpose of these representations is to make recommendations on how the site-specific policy must be updated to respond to identified issues of soundness, to ensure the plan is positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan. We hope that the comments on the individual policies within the draft Local Plan provided below will assist the Council in preparing its final Submission Local Plan and during its examination.

### **CONTEXT OF THE REPRESENTATION (HOMEBASE, MANOR ROAD)**

This section summarises the site and surrounding area, planning history and the development proposals at Homebase, Manor Road, North Sheen.

#### ***Site and Surrounding Area***

Homebase, Manor Road (the "Site") currently accommodates a vacant retail warehouse unit, formerly occupied by Homebase and Pets at Home (Use Class E), associated surface car parking and a small bus layby in the north of the Site. The retail warehouse is approximately 5,287sqm and the car park provides 174 parking spaces.

The Site extends to approximately 1.5 hectares and is bound to the north by Manor Road Circus (a roundabout where the A316 and B353 meet), to the east by Manor Road (with residential development and Sainsbury's beyond), to the south and west by the railway (with residential development beyond in both cases). The railway to the south is the South Western Railway main line and the railway to the west is part of the London Overground / Underground network.

The surrounding uses in the area are predominantly residential with some light industrial and retail uses. The closest Conservation Areas to the Site are Sheendale Road (to the west) and Sheen Road (southwest of the Site). There are a number of Buildings of Townscape Merit in the vicinity of the Site, for example along Manor Grove to the east.

#### ***Planning History***

A planning application for the redevelopment of the Site was submitted to the LBRuT in February 2019 (ref.19/0510/FUL) and was considered at the LBRuT Planning Committee on 03 July 2019. The Planning Committee resolved that they were minded to refuse the application. However, on 29 July 2019, it was confirmed that the Mayor of London would act as the Local Planning Authority for the purposes of determining the application.

Following review of the LBRuT's reasons for refusal and discussions with Officers at the Greater London Authority ("GLA") and Transport for London ("TfL"), the Developer sought to review the scheme, with the principle aim of increasing the delivery of affordable housing through additional density and addressing other issues raised in the Mayor's Stage 2 Report. An amended submission was made to the GLA in July 2020, which increase the number of residential units from 385 (as per

the February 2019 submission) to 453. The increase in units was principally achieved through amendments to the height and internal layout in appropriate locations across the Site. Additionally, the affordable housing offer was increased from 35% by habitable room to 40% by habitable room, thereby allowing a provision of 173 units in total.

The revised scheme was considered at a Mayoral Representation Hearing on 01 October 2020, whereby the Mayor of London resolved to grant planning permission subject to the completion of a S106 Agreement.

Whilst discussions were ongoing regard the S106 Agreement, the new London Plan was adopted in March 2021. As such, the affordable housing offer was updated to meet the requirements set out in policy H6 of the London Plan. In June 2022, the GLA published an update report which maintained the resolution to grant planning permission and that the proposals remained in overall conformity with the Development Plan.

### ***Development Proposals***

The application for the Site, which remains with the GLA as the Local Planning Authority, seeks to provide 453 residential units with 40% affordable housing by habitable room (173 units); c. 500 sqm of flexible commercial space (retail/ community/ office) and public realm enhancements. This density has been considered appropriate to the Site context by the GLA in their July 2020 Hearing Report and November 2021 Update Report.

The proposals would create four buildings – Blocks A, B C and D – with varying heights. Blocks A and D would comprise a maximum of eight storeys, Block B would comprise 11 storeys and Block C would comprise a maximum of 10 storeys. The massing is refined to incorporate a series of steps, building up to maximum heights and a lower height of four storeys to the Manor Road frontage. Additionally, the layout has been optimised to deliver appropriate open spaces, play provision and a high quality public realm for occupiers and users.

### ***Plan-Making Policy***

Section 3 of the National Planning Policy Framework (2021) (NPPF) sets out the manner in which plans should be prepared. Specifically, paragraph 31 requires all policies to be underpinned by relevant and up-to-date evidence that is adequate and proportionate, focused tightly on supporting and justifying the policies concerned and taking into account relevant market signals.

Paragraph 34 requires plans to set out the contributions expected from development, including the level and type of affordable housing provision along with other infrastructure (i.e. education, health, transport, flood and water management). However, these policies should not undermine the deliverability of the plan.

Overarchingly, paragraph 35 requires local plans to be sound, noting that plans are ‘sound’ if they are:

- **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that

unmet need from neighbouring areas is accommodated where it is practical to do so and consistent with achieving sustainable development;

- **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

Additionally, the London Plan is legally part of each of London's Local Planning Authorities' Development Plan and all Development Plan Documents have to be 'in general conformity' with the London Plan. It is important to note that the London Plan does not preclude boroughs from bringing forward policies that vary from the detail of the policies in the London Plan where locally-specific circumstances and evidence suggest this would better achieve the objectives of the London Plan and where such an approach can be considered to be in general conformity with the London Plan.

#### **COMMENTS ON DRAFT SITE ALLOCATION 29: HOMEBASE, MANOR ROAD, NORTH SHEEN**

The Developers strongly support the proposed allocation of the Site for development and welcome the recognition that the Site is suitable for a substantial provision of new housing units. However, the site-specific policy should be strengthened to support the design-led optimisation of the site to allow the optimum number of homes and affordable homes to be delivered on site. We consider these matters below, alongside identifying issues of soundness with regards to the plan being positively prepared, justified, effective; consistent with national policy and in general conformity with the London Plan.

#### **Building Heights**

The draft site allocation notes that *"The Urban Design Study identified part of the site as a tall building zone (7-8 storeys) with a mid-rise buffer zone (5-6 storeys), in accordance with Policy 45 Tall and Mid-Rise Building Zones. It is recognised that there is currently a planning application with the Mayor which proposes heights up to 11 storeys. However, the Urban Design Study recommends the appropriate heights for the zone are up to 8 storeys to respect the small scale of the surrounding area."*

The draft site allocation also sets out a requirement for the height of the built form to increase towards the middle of the site and step down to the boundary.

#### **Urban Design Study (2023)**

The Developers support the underlying objective of the Urban Design Study ("UDS") insofar that the identification of locations suitable for tall buildings, and where the local planning authority will support tall buildings, is in conformity with the regional strategic policy set out in Policy D9 of the

London Plan (2021). However, the Developers disagree with the conclusions in the UDS in relation to the maximum suitable heights, particularly noting that sub-area F3, where the Site is located, is one of a few sub-areas considered to be of low sensitivity.

The UDS notes that there is a need to create a sense of place and identity in the North Sheen Residential Character Area and that the *"existing townscape features do not relate to each other well and there is little overarching character"*. The character area strategy is therefore to *improve* the area through high quality new developments, enhancing sense of place and local distinctiveness and improving the public realm.

The UDS identifies a number of 'negative qualities' for the North Sheen Residential Area, including the visual impact of the apartment block towers on the skyline and that this is unsympathetic to the wider two-storey architecture. The UDS does not identify why or how the impact of the 'block towers' on the skyline is negative and therefore fails to justify its consideration as a negative quality. Additionally, the sub-area in which the tower sits is characterised by a range of building heights. Exacerbating this, and as noted as a negative quality in the UDS, is the fragmented urban grain which makes the townscape less coherent. There is no strong sense of place or an established character and form of development. It is unclear how, in this context, the skyline impact of the apartment block is a negative quality.

Sub-area A of the North Sheen Residential Area is considered to have *"lower sensitivity"* owing to the fragmented urban grain and presence of detracting features. The Developers strongly support the recognition of the sub-area as having low sensitivity to change. To note, this is one of very few sub-areas across the LBRuT identified to have low sensitivity in the UDS. In accordance with the principles set out in the NPPF and policy D3 of the London Plan, the Site is best placed to deliver a significant contribution to LBRuT's housing and affordable housing stock and should be optimised. The limitation of heights to a maximum of 7-8 storeys is considered to significantly prohibit the effective optimisation of the Site and the delivery of a significant number of homes, including affordable homes, particularly as the height constraint is not adequately evidenced (discussed below).

#### Tall Building Zone and Height on Homebase, Manor Road

The UDS includes the identification of 'Tall Building Zones' and 'Mid-rise Building Zones' said to have been informed by the identified constraints and opportunities in the preceding sections of the Study. Whilst the Developer strongly supports the allocation of the Site as falling within these zones, we cast doubt on the ability of the UDS as a key evidence base underpinning the plan to justify the policies.

On page 318, the UDS defines tall buildings as "7 storeys or over, or 21 metres or more from street level to the top of the building, whichever is lower". The UDS does not provide adequate justification as to why this definition would be appropriate to the context. We would also note that the definition is not in general conformity with the London Plan, which requires definitions of tall buildings to be set for specific localities. The approach to adopt a single tall building definition across the LBRuT is not sufficiently granular to be considered positively prepared, and does not take an evidence-based justified approach to the drafting of policy.

We would note that the Mayor has resolved to grant consent for a planning application comprising the delivery of buildings up to 11-storeys on this Site. The Townscape and Visual Impact Assessment ("TVIA") (included at **Appendix I**) submitted in support of this application demonstrated that the scale of the development sits comfortably at the Site in relation to its surroundings and local context. Specifically, the Greater London Authority (the "GLA") in their Hearing Report of July 2020 (included at **Appendix II**) have noted that the proposed building heights and massing provide a clear visual hierarchy and agreed with the conclusions of the TVIA, which finds that the proposal would result in neutral or minor to moderate beneficial impacts on a number of views.

In strong contrast to this, the UDS fails to test any heights or zones of theoretical visibility for the Site (as has been undertaken for other proposed Site Allocations). Instead, it relies on the scenario testing of the Sainsbury's site to the north-east of the Site to conclude 7-8 storeys as the appropriate maximum heights. There is no justification provided as to why this approach is acceptable. We consider the approach to be fundamentally flawed as it fails to tailor to the Site thereby disregarding site-specific circumstances such as level changes, the boundary with the railway line and the manner in which the built form in proximity to the Site would alleviate and interact with massing at the Site. The maximum building height threshold of 7-8 storeys at the Site has therefore not been justified, contrary to the requirements of paragraph 35 of the NPPF.

In addition to the above, the massing model tested for the Sainsbury's site fails to account for reasonable assumptions attached to residential development, including the provision of communal amenity areas and site permeability. As such, the massing model tested assumes extensive site coverage that would have limited opportunities for meaningful contribution to the quality and sense of place. Subsequently, the theoretical visibility zone identified is excessive and does not respond to the reality of achievable development.

Finally, only one massing model has been tested and there has been no exploration of how additional height or variations in massing would affect theoretical visibility. This is prudent to informing how an area of low sensitivity, such as the Site, can be optimised to maximise much needed housing delivery in the LBRuT. An evidence-based approach, including testing of various heights, should be taken to inform the optimal heights achievable in these locations.

#### Stag Brewery (Draft Site Allocation 35)

Draft Site Allocation 35 places the Stag Brewery within the H1 Mortlake Riverside Character Area. The UDS identifies the sensitivities of the surrounding context, particularly heritage and consistent typologies, and subsequently notes that these characteristics limit the ability of the character area to accommodate tall buildings. The UDS concludes that the character area has a high sensitivity to change.

Notwithstanding the conclusions of the UDS, the draft site allocation goes on to note that *"There is potential in the tall building zone (7 storeys), with a mid-rise zone buffer (5-6 storeys), in accordance with Policy 45. Tall and Mid-Rise Building Zones, noting that the Urban Design Study recognises the limits due to the sensitivities of the surrounding context."*

There is no justification provided for why a character area H1, which is considered highly sensitive to change, is able to accommodate the same maximum height thresholds as character area F3, which is considered to have a low sensitivity to change.

We would further note that the Stag Brewery site is the subject of planning applications (Ref. 22/0900/OUT and 22/0902/FUL) comprising buildings of up to 9 storeys. This application will be presented to the LBRuT Planning Committee on the 19<sup>th</sup> of July with an Officer's recommendation for approval.

The Officer's report notes that: "*Whilst the site is within a tall building zone, the heights exceed the parameters of the Brief and Urban Design Study 2023, and do not meet elements of policy D9 of the London Plan. Notwithstanding such, on balance this is acceptable, with additional height mainly centrally located, scaling down to the perimeters, achieving a suitable relationship with the adjacent townscape and allowing the Maltings to remain a landmark building, albeit its prominence weakened, and the bottling plant and hotel to remain dominant visual features in the streetscape.*" [our emphasis]

We consider the assessment undertaken by Officers demonstrates the deficits of the UDS and prescriptive height constraints contained within the draft site allocations and draft policy 45. It demonstrates that, through detailed design and refined massing, scale beyond the recommendations of the draft site allocations and draft policy 45 is achievable. As such, the UDS is not a sound evidence base to underpin policy, and greater flexibility to take a design-led approach to determining building heights should be written into the Local Plan.

### Conclusion

In its current form, the Urban Design Study (2023) is not adequate or proportionate, nor does it justify the proposed height limit of 7-8 storeys at the Site and the approach to building heights for the Site. In the absence of any evidence to the contrary, it is requested that the TVIA provided at Appendix I is therefore taken into account in determining maximum appropriate heights for the site, as it has been clearly demonstrated that heights up to 11 storeys are acceptable.

Furthermore, inadequate justification is provided for the definition of tall buildings across the LBRuT, particularly noting areas of low sensitivity that could be further optimised. As such, Site Allocation 29 and policy 45 (Tall and Mid-rise Building Zones) cannot be considered to be sound as they have not been justified and rely on an inadequate evidence base.

## **COMMENTS ON LOCAL PLAN: DRAFT FOR CONSULTATION: JUNE 2023**

### **Draft Policy 10 – The Strategic Policy for Housing**

In accordance with paragraph 22 of the NPPF, in order to meet the test of soundness, it is necessary for strategic policies to cover the full plan period. Paragraph 2.1 of the draft local plan confirms the plan period as 15 years. Policy 10, as confirmed in its heading, is a strategic policy, however, part 2 only covers a 10-year period. As such, we would recommend the policy is amended to cover the full plan period of 15 years for consistency with national policy.

Additionally, to meet the 15-year housing requirement over the plan period, the 10-year net completions target set by policy H1 of the London Plan should be projected forward. Policy 10

should therefore be amended to plan for a housing target of c. 6,170 homes in order to be consistent with national policy and in general conformity with the London Plan.

Part B of Policy 10 identifies broad locations for growth based on wards. The use of wards is inconsistent with the place-based approach adopted by the first part of the plan. As a consequence, it is not possible to effectively apply Policy 10 and the first part of the plan together, and therefore not possible to read the local plan 'as a whole', which is not in accordance with paragraph 16(d) of the NPPF. In order to be effective, the 'areas' referred to in Policy 10 should be amended to reflect the 'places' set out in Chapters 6-14 of the plan, upon which the spatial strategy of the plan as a whole is based.

Part B also sets out a quantum of housing for each broad location. These are described as 'indicative ranges' and 'approximate' figures – terms which are vague and do not firmly commit to delivering the minimum target set by policy H1 of the London Plan. To ensure accordance with national policy (specifically paragraph 16(d) of the NPPF) and conformity with the London Plan, the figures should be reflected as targets with a clear intention to exceed.

In order to accord with national policy (paragraph 68 of the NPPF), the 'target' amounts of new housing for each broad location set out in the table at Part B should be amended to tally with the minimum 10-year housing target, and where possible the 15-year target. Our initial view is that the proposed site allocations set out in the draft plan indicate that the borough has an ample supply of specific deliverable/ developable sites to meet the 15-year housing target. Therefore we recommend that the amounts set out in the table at Part B of the Policy should cover the full 15-year period in order to accord with national policy and ensure soundness.

No explanation is provided in the draft policy of how the actual target set for each location in the table has been calculated, therefore these are not clearly justified by evidence. To ensure soundness (justified), the figures should be clearly evidenced and revised accordingly to reflect the evidence.

### **Draft Policy 11 – Affordable Housing**

Draft policy 11 requires all housing developments in the borough to provide at least 50 per cent of the total number of habitable rooms as affordable housing on site. Part E notes that where the minimum level of affordable housing is not provided, applications for development will be refused. Part F states that site-specific viability information will only be accepted in exceptional circumstances, determined by the Council.

We would note that the current adopted local plan also has a 50% affordable housing provision policy in place, which has failed to deliver the borough's objectively assessed needs for affordable housing. Affordable housing completions over the current plan period average to 47 units per annum over the period of 2012-2022 (total: 467 units<sup>1</sup>). There is no evidence to suggest that continuing with a similar policy will change affordable housing delivery over the 15-year draft plan period. Accordingly, the policy is not positively prepared, nor likely to be effective. Additionally, it

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<sup>1</sup> <https://commonslibrary.parliament.uk/local-authority-data-housing-supply/>

is not justified by the evidence (the Local Plan Viability Assessment). As such, it is incapable of delivering sustainable development and is therefore inconsistent with national policy.

## An Alternative Approach

In 2017, the Mayor of London introduced a threshold approach to affordable housing through supplementary planning guidance as a means to address the failings of past policy approaches that have failed to deliver adequate levels of affordable housing to meet the needs of Londoners. The guidance was subsequently established as policy in the new London Plan. Evidence demonstrates that the shift to the threshold approach has been effective, with the average proportion of affordable housing secured under new planning permissions granted increasingly significantly since the approach was introduced. We would therefore suggest that, in accordance with the London Plan, the LRBuT local plan maintains the threshold approach set out in policy H5 of the London Plan.

Whilst the London Plan does not preclude boroughs from bringing forward policies that vary from the detail of the policies in the London Plan where locally-specific circumstances and evidence suggest this would better achieve the objectives of the London Plan and where such an approach can be considered to be in general conformity with the London Plan, no justification has been provided in the draft Plan as to why the LRBuT have deviated from the threshold approach, nor any evidence to suggest that the proposed approach would be successful in delivering the objectively assessed affordable housing need of the LRBuT. The policy is therefore not in general conformity with the London Plan.

## Viability

The draft plan is underpinned by a Local Plan Viability Assessment (the “LPVA”) prepared by BNP Paribas on behalf of the Council. It fails to provide an adequate evidence base to justify draft policy 11.

In the first instance we would note that, although the LPVA is dated April 2023, the value and build costs used are based on information up to June 2022. As such, the LPVA and any assumptions within it are assumed to be based on this point in time. As per the Monthly Statistics of Building Materials and Components<sup>2</sup>, the material price index for ‘All Work’ increased by 10.4% in January 2023 compared to the same month the previous year. This followed an increase of 11.2% in December 2022 compared to the same month the previous year. The LPVA therefore cannot be considered to be up-to-date and reflective of market signals and is therefore an unsound evidence base. As such, the draft plan has not been demonstrated to be deliverable.

We note that the LPVA does not undertake site specific testing for the draft allocation sites, rather it tests a range of development typologies. It also fails to account for differences in gross development value for different typologies – i.e. houses vs. flats.

The key findings of the LPVA note that: *“There are significant variations in the percentages of affordable housing that can be provided, depending on private sales values, scheme composition and*

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<sup>2</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1138937/23-cs3-Construction\\_Building\\_Materials\\_-\\_Commentary\\_February\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1138937/23-cs3-Construction_Building_Materials_-_Commentary_February_2023.pdf)

*benchmark land value. The results do not point to any particular level of affordable housing that most schemes can viably deliver and we therefore recommend that the 50% target be retained, and applied on a 'maximum reasonable proportion' basis taking site-specific circumstances into account. This reflects the Council's current position and also the approach in the 2021 London Plan."* On review of the viability appraisal results, we note that a majority of the development typologies are unviable at 50% affordable housing, particularly where the existing use is residential.

Draft policy 11 does not fully account for the recommendation set out by BNP Paribas in the LPVA and rather than retaining a 'maximum reasonable proportion' of affordable housing providing, taking site-specific circumstances into account, the 50% threshold is set as the minimum required amount. Additionally, viability assessments are only to be accepted for 'exceptional circumstances' therefore removing the consideration of site-specific circumstances. Site specific circumstances, particularly of allocated development sites, have not been tested as part of the LPVA and draft policy 11 does not allow them to be considered except for in exceptional circumstances. In conjunction with the variable, and significant, impact of the 50% affordable housing provision on the tested scenarios, it therefore has not been demonstrated that the draft plan, particularly the strategic policy for housing, is deliverable.

The requirements of part G of the draft policy in regard to viability reviews are not consistent with policy H5 of the London Plan. This risks creating confusion for applicants and decision-makers, and conflicts with paragraph 16(d) of the NPPF. We recommend that it is amended to fully conform with policy H5 of the London Plan to ensure soundness.

#### **Draft Policy 4 – Minimising Greenhouse Gas Emissions and Promoting Energy Efficiency**

Draft policy 4 is not in accordance with national policy, not in general conformity with the London Plan, nor justified.

Policy SI 2 of the London Plan sets a carbon cash-in-lieu payment of £95/t, which is based on a nationally recognised non-traded price that has been tested as part of the viability assessment for the London Plan, which boroughs may use to collect carbon offset payments.

The GLA guidance for London's local planning authorities on establishing carbon offset funds (October 2018) requires that *"LPAs should development and public a price for offsetting carbon based on either: a nationally recognised carbon pricing mechanism; or the cost of offsetting carbon emissions across the LPA. **The price set should not put an unreasonable burden on development and must enable schemes to remain viable.**"*

The Climate Change – Local Plan Net Zero Carbon evidence base, April 2023, does not contain any discussion on the suitability of the £300/t rate, and the 'best practice' specification used in the sample study assumes an exemplary level of building fabric performance, not best practice. The result of this is lower than usual offset payments, which are not representative of current industry practices. The evidence base therefore does not take into account relevant market signals and cannot be considered sound. The evidence base must consider best industry practice schemes to demonstrate that the £300/t rate would not place unreasonable burden on developments and would not jeopardise the viability of future schemes.

The Local Plan Viability Assessment (2023) prepared by BNP Paribas assesses the viability of the emerging local plan policies individually, assuming the provision of 35% affordable housing (70% rented and 30% shared ownership). The individual policies should be tested in accordance with the requirements set out in LBRuT's draft policy 11 for the provision of all major residential development to bring forward 50% affordable housing **as a minimum** to provide a more accurate evidence base and demonstrate the carbon offset price does not put an unreasonable burden on development, enables schemes to remain viable and the plan is deliverable.

Notwithstanding the above, in testing the carbon offset rate of £300/t, the results find that it would not be viable for a significant proportion of the testing scenarios and it has not been demonstrated, as required by the London Plan, that the price does not place an unreasonable burden on development. The London Plan carbon offset price of £95 per tonne has been tested as part of the GLA viability assessment. This is intended to be the price LPAs adopt. Where following a 'cost of offsetting' route, the LPA should include an assessment of the carbon offsetting measures that are possible in the LPA, and dividing the average cost per tonne per year of these measures by the expected shortfall in emissions from the anticipated development coming forward over the next 30 years. In review of the LBRuT Climate Change – Local Plan Net Zero Carbon evidence base (April 2023), a justified evidence base for the £300/t figure has not been provided.

In lieu of an appropriate evidence base for the £300/t carbon offset figure, it is recommended that the LBRuT local plan defers to the GLA viability tested £95/t figure in accordance with the London Plan (2021).

Table 16.1 sets out the on-site carbon emission reduction requirements for new developments and requires development to major residential, new build residential and non-residential development to achieve a minimum 60% on-site carbon reduction. The requirements go beyond the currently adopted national and London Plan policies. It is intended for the Future Homes Standard to gradually increase targets for on-site savings to 60% to allow a gradual transitional period for the construction industry to adjust. Furthermore, the GLA are due to release a revised Energy Assessment Guidance (2022) to compliment the newly published Approved Document Part L 2021, which will address the improved carbon reduction target and how this should be assessed on schemes within London going forward. With the continual carbon reduction targets being imposed under the Future Homes Standard (31% under ADL 2021, and 75% under ADL 2025), and the anticipated update to the GLA Energy Assessment Guidance (2022), it is recommended that the policy targets be amended to track London Plan 2021 targets, which shall develop in-sync with the Future Homes/Buildings Standard.

### **Draft Policy 8 – Flood Risk and Sustainable Drainage**

Draft policy 8 is not in accordance with national policy, not in general conformity with the London Plan, nor justified.

Part A of draft policy 8 requires that a sequential approach is taken to the layout of sites, locating development in areas at lowest risk of flooding on a site. We note that this applies a more restrictive requirement to development than national policy and there has been no justification provided for why this is appropriate for the LBRuT. Part a of paragraph 167 of the NPPF only goes

so far as requiring the most vulnerable development to be located in areas of lowest flood risk within the site, and goes on to allow consideration of overriding reasons to prefer a different location. Draft policy 8 is not in accordance with the NPPF and does not enable the consideration of site-specific circumstances. In turn, this conflicts with national and regional policy objectives to optimise the development capacity of sites.

We understand that the LBRuT have prepared a Flood Risk Sequential Test (2021 and update 2023) as per page 8 of the Local Plan Publication (Regulation 19) – June 2023 version of the draft plan. These reports, which form part of the evidence base underpinning the draft plan, have not been made publicly available and it is therefore not possible to assess the evidence base against the requirements set out in paragraph 31 of the NPPF.

### **Draft Policy 29 – Designated Heritage Assets**

We consider the drafting of Policy 29 to be unsound. Paragraphs 201 & 202 of the NPPF (2021) state that where a proposed development will cause harm to a designated heritage asset (whether that be substantial or less-than-substantial), clear and convincing justification is required in order to demonstrate that such harm is outweighed by the public benefits of a development proposal. As currently drafted, Policy 28 is not compliant with national planning policy.

Parts A.4, A.6 A.8 and A.9 are considered too specific, particularly in reference to the requirement to retain and preserve original structures, layouts and architectural features. There is no requirement to, in national planning policy or the London Plan 2021, to reinstate historic features, not least in cases of buildings of multiple periods, as it may not be appropriate to reinstate features of a particular phase of a building's history.

### **Draft Policy 30 – Non-Designated Heritage Assets**

As currently drafted, Policy 30 is not consistent with national policy set out in NPPF (2021), which requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining applications. There is no requirement in national legislation or policy to preserve or enhance the significance of non-designated heritage assets.

### **Draft Policy 45 – Tall and Mid-Rise Building Zones**

Section A, Part 11 of draft policy 45 requires all buildings over 30 metres in height to be provided with two staircases. We note that this approach is broadly consistent with the Greater London Authority's Statement regarding fire safety and tall buildings<sup>3</sup> and the proposed changes to the Building Regulations. The Developer strongly supports the provision of a second staircase in buildings that meet the identified threshold.

However, draft policy 45 does clarify the method of measurement. The draft policy should be amended to ensure measurement is taken in accordance with the Building Regulations – from ground level to the finished surface of the floor of the top storey of the building (ignoring any storey which is a roof-top machinery or plant area or consists exclusively of machinery or plant

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<sup>3</sup> <https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/referral-process-lpas>

rooms). To note, this method of measurement has also been accepted by the Greater London Authority and the HSE<sup>4</sup>.

**NEXT STEPS**

We thank you for the opportunity to be involved in the on-going preparation of the LBRuT Local Plan and trust that our representations are helpful when preparing the next version of the Local Plan. The Developers of Homebase, Manor Road are very keen to engage with LBRuT and wish to continue to be involved in subsequent consultations.

Please do not hesitate to contact Rachel Crick or Smruti Patel ([smruti.patel@avisonyoung.com](mailto:smruti.patel@avisonyoung.com)) at Avison Young should you wish to discuss any of the points raised above.

Yours sincerely



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**For and on behalf of Avison Young (UK) Limited**

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<sup>4</sup> <https://www.gov.uk/guidance/fire-safety-and-high-rise-residential-buildings-from-1-august-2021>

## **Appendix I**

Townscape and Visual Impact Assessment Addendum  
(Arc, July 2020)



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**Manor Road / Richmond**  
Townscape & Visual Impact Appraisal  
Addendum 03

ARC  
**Addendum July 2020**



arc

JULY 2020  
Arc Ref: RE04-A209-V1

Prepared for  
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**ARC** LANDSCAPE DESIGN AND PLANNING LTD.

	Contents
1. Introduction	5
2. Methodology and Baseline Conditions	7
3. Appraisal of Effects of the Amended Proposed Development	9
4. Summary and Conclusions	13
APPENDIX A REPRESENTATIVE VIEW APPRAISAL	14
APPENDIX B AVR METHODOLOGY	44
APPENDIX C REPRESENTATIVE VIEWS (3, 5, 8, 9, A1 AND A2 CROPPED TO 50MM)	56



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ANYTIME  
IN THIS ZONE  
EXCEPT FOR  
LOADING AND UNLOADING  
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## 1. Introduction

1.1 This Townscape and Visual Impact Assessment Addendum (July 2020 TVIA Addendum) has been prepared by Arc Landscape and Planning on behalf of Avanton Richmond Development Ltd ('the Applicant') following further amendments to the proposed scheme for the redevelopment of the Homebase store at 84 Manor Road, North Sheen ('the Site').

1.2 A planning application for the redevelopment of the Site was submitted to London Borough of Richmond Upon Thames (LBRuT) in February 2019 (ref. 19/0510/FUL) (the 'Original Proposed Development'), and was considered at LBRuT Planning Committee on 3 July 2019. The Planning Committee resolved that they were minded to refuse the Application; the second suggested reason for refusal related to design and stated that "*The proposed development, by reason of its siting, layout, height, scale, bulk, design and materials is considered to represent a visually intrusive, dominant and overwhelming form of overdevelopment to the detriment of the character of the site and surrounding area.*"

1.3 However on 29 July 2019 it was confirmed that the Mayor of London would act as the local planning authority for the purposes of determining the application.

1.4 In relation to urban design, the GLA's stage 1 report (15 April 2019) supported the proposed layout, heights and massing, stating: "*The heights and massing strategy responds positively to the existing low-rise context, with the scale dropping down to respect neighbouring properties along the south and eastern edges...Given the context and the sensitive design approach taken by the applicant, the heights and massing is considered to be acceptable.*"

### Proposed Amendments

1.5 Following review of LBRuT's suggested reasons for refusal and discussions with Officers at the Greater London Authority (GLA) and Transport for London (TfL), the Applicant reviewed the scheme, with the principle aim of increasing the delivery of affordable housing through additional density and addressing other issues raised in the Mayor's Stage 2 Report. Initial scheme amendments were submitted

in November 2019 ('the November 2019 Amendments') which increased the overall number of units by 48, primarily through the introduction of a new residential building known as Block E. The potential townscape and visual effects of the November 2019 Amendments were appraised in an addendum (the November 2019 TVIA Addendum).

1.6 Following discussions with TfL and the GLA, it was agreed that further revisions should be developed in order to deliver an improved scheme without the need for Block E. The revised scheme is hereafter referred to as the 'Amended Proposed Development'.

1.7 The proposed changes are described in detail in the accompanying Design and Access Statement Addendum, however, of particular note is the increase in residential units from 385 within the Original Proposed Development to 453 within the Amended Proposed Development. The increase in units and the higher affordable housing provision has been principally achieved through amendments to the height and internal layout in appropriate locations across the Site.

1.8 The proposed changes necessitate an amendment to the Application's description of development. The revised description of development is as follows:

*Demolition of existing buildings and structures and comprehensive phased residential-led redevelopment to provide 453 residential units (of which 173 units will be affordable), flexible retail, community and office uses, provision of car and cycle parking, landscaping, public and private open spaces and all other necessary enabling works.*

1.9 As a result of the proposed amendments, the findings of the original TVIA have been reviewed in order to assess the townscape and visual effects of the Amended Proposed Development. Changes of relevance to this assessment include building elevations being rationalised to improve architectural consistency, the extension of commercial frontage along Manor Road and redistribution of the massing. By way of summary:

- Building A: Core A + 1 storey; Core D - 1 storey;
- Building B: + 2 storeys;
- Building C: Core A + 3 storeys; Cores B and C + 1 storey; and
- Building D: Core B - 1 storey

1.10 This addendum should be read in conjunction with the original TVIA (ref A209-RE-01) and the May 2019 addendum (ref A209-RE-02) which assessed two additional representative viewpoints located within Kew Gardens (Views A1 and A2). This was in response to GLA officers' request that further assessment of the potential impact on Kew Gardens World Heritage Site be carried out.

1.11 This TVIA addendum is supported by three appendices:

- Appendix A: Representative View Assessment;
- Appendix B: AVR Methodology; and
- Appendix C: Representative Views A1 and A2 cropped to 50mm

### Consultation - Representative Views

1.12 A request was received from the World Heritage Site Coordinator, Georgina Darroch, on 7 April 2020 that "*an additional image looking along Cedar Vista, larger than the existing representative views, and in full rendered mode*" be provided. This was in response to the addition of Block E in the November 2019 Amendments. The request was also made that the view be taken during winter months when any intervening deciduous tree cover would be bare of leaf, however, it should be noted that the intervening tree cover from this location is predominantly evergreen and it is not considered that visibility would increase in winter months.

1.13 Testing of representative views A1 and A2 demonstrated that the removal of Block E meant that the Amended Proposed Development will not be visible from the Royal Botanic Gardens; an additional rendered view along the Cedar Vista has not therefore been prepared.

1.14 As requested, high resolution enlarged versions of representative views A1 and A2 are set out in **Appendix C** of this addendum.

1.15 On 13 July 2020, a communication was received from the GLA Case Officer concerning the approach to preparing the representative views. The revised Landscape Institute guidance on preparing visualisations (Landscape Institute Technical Guidance Note 06/19 for Visual Representation of Development Proposals, published in September 2019) advocates the use of 50mm or 35mm lenses, but does

allow for uses of other types of lens where justified. The Case Officer acknowledged that the revised LI guidance was published after the original application was submitted (February 2019).

1.16 In order to capture the proposal within its urban setting, a 24mm lens was used to capture the photography (further detail provided in **Appendix B** of this addendum), however, as requested by the GLA, for distant views, both the original 24mm images and cropped 50mm images have been provided (see **Appendix C** of this addendum).



## 2. Methodology and Baseline Conditions

### Methodology

2.1 The assessment methodology applied in the original TVIA was based on GLVIA3 and is still appropriate and relevant.

2.2 Since the Original Proposed Development was submitted for planning approval in May 2019, the Landscape Institute have published updated Technical Guidance on the preparation of verified views ('06/19 Visual Representation of Development Proposals'). Albeit that the Accurate Visual Representations (AVRs) prepared by Assael Architects for both the original TVIA and this addendum use photography taken before publication of the updated technical guidance, the AVR methodology has been updated to explain how the production of the AVRs aligns with the updated LI technical guidance (see **Appendix B**).

2.3 Cropped and enlarged views of representative views A1 and A2, are provided in **Appendix C** of this addendum for comparison.

### Baseline Conditions

2.4 The February 2019 TVIA identified potentially sensitive receptors which could experience effects on townscape character or on visual amenity as a result of the Original Proposed Development. No significant changes in the baseline conditions described in the February 2019 TVIA have been identified and no additional potentially sensitive landscape or visual receptors have therefore been identified.

2.5 The baseline conditions identified in the original TVIA have not therefore changed and the descriptions and assessments of receptor sensitivity in the February 2019 TVIA and the May 2019 addendum remain valid.

### Representative Views

2.6 The February 2019 TVIA which supported the Original Proposed Development was informed by 12 AVRs, with the two additional representative views requested by LBRuT submitted in the May 2019 TVIA addendum (ref A209-RE-02).

2.7 The 14 original representative views have been updated with the Amended Proposed Development and the revised appraisal of effects on the representative views is provided at **Appendix A** of this addendum.



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### 3. Appraisal of Effects of the Amended Proposed Development

#### Introduction

3.1 This section considers how the Amended Proposed Development, illustrated in the accompanying planning application documents, will affect the receptors identified in the original baseline study. The first part of this section describes the anticipated effects relating to the Site and the wider townscape character. The second part describes the effects on the visual receptors representative views.

3.2 To assist in defining potential effects, the sensitivity of the townscape character and visual receptors is considered. As outlined in the methodology, sensitivity is determined by combining assessments of value (set out in Section 3 of the February 2019 TVIA) and an appraisal of the susceptibility of the receptors to the Amended Proposed Development. The findings for each are set out in **Tables 4.1 and 4.2**.

3.3 For each receptor, the magnitude of change resulting from the Amended Proposed Development is described. The magnitude of change, upon completion, considers the effects in terms of duration, reversibility, geographical extent and size or scale. Since any effects of the Amended Proposed Development are considered to be long term and permanent, to avoid unnecessary duplication, duration and reversibility are not discussed further.

3.4 In order to further illustrate the effects, updated representative views are provided at **Appendix A**.

#### Description of Amended Proposed Development compared to Original Proposed Development

3.5 As with the Original Proposed Development, the Amended Proposed Development seeks full planning permission for the demolition of the existing building and redevelopment of the Site for predominantly residential use.

3.6 Whilst many of the original principles including the concentration of height in the centre of the site and stepping down the massing at the edges of the site (on Manor Road and along the southern boundary) remain, updates to the massing:

- Building A: Core A increased by one storey and Core D decreased by one storey;
- Building B: Core A increased by two storeys;
- Building C: Core A increased by three storeys and Cores B and C by one storeys;
- Building D: Core B decreased by one storey.

3.7 Additional changes of potential relevance to townscape and visual matters include updates to the elevations to increase consistency in detail across the scheme, with each elevation having one of three façade types with a common treatment to the base of all the blocks façades, and the extension of retail frontage along Manor Road, increasing activity and the amount of active frontage.



Figure 3.1 - Block plan (Amended Proposed Development)

## Effect on Townscape Character

3.8 This section considers the effects of the completed Amended Proposed Development on townscape character. Definitions and criteria used are found in **Appendix B** of the February 2019 TVIA.

3.9 There will be temporary, localised effects during the construction phase caused by additional larger vehicles, deliveries, cranes and plant etc. These effects are considered to be negative, however they will be short-lived and temporary in nature and are not considered further.

3.10 At a national level the townscape character has been considered in line with the NPPF and the Amended Proposed Development '*responds to local character and history, and reflects the identity of local and surrounding materials, while not preventing or discouraging appropriate innovation*', as set out in paragraph 58.

3.11 Overall it is considered that the Amended Proposed Development, like the Original Proposed Development, improves the townscape situation of 'TCA1 North Sheen Mixed Use', as shown in representative views 6, 7, 10 and 12 of **Appendix A**. The Amended Proposed Development is of a scale and mass that will not detract from the surrounding context and will reactivate the street frontage along Manor Road with an enhanced retail offering and areas of public realm. The heights and massing strategy responds positively to the existing low-rise context, with the scale dropping down to respect neighbouring properties along the southern and eastern edges.

3.12 The Amended Proposed Development would continue to have a direct, permanent, high magnitude of change and overall **moderate and beneficial effect** on TCA1.

3.13 Partial to glimpsed views are possible from 'TCA2 Manor Grove Residential' (representative view 1) of the Amended Proposed Development and the Amended Proposed Development has an indirect, permanent, low magnitude of change and **minor and neutral effect** on this TCA. From 'TCA6 Richmond Residential Fringe', glimpsed views of it will be possible (representative views 4 and 5). The Amended Proposed Development has an indirect, permanent, negligible magnitude of change and **minor and neutral effect** on TCA6 Richmond Residential Fringe'.

3.14 The Amended Proposed Development indirectly affects the areas of 'TCA3 North Sheen Residential' which are close to the Site (representative views 2 and 11) and from which glimpsed views are possible. Overall, the Amended Proposed Development would continue to have an indirect, permanent, low to negligible magnitude of change and overall **minor to negligible and neutral effect** on TCA3.

3.15 The Amended Proposed Development will continue to result in negligible to no magnitude of change and overall **negligible and neutral to no effect** on 'TCA4 East Sheen Open Space', 'TCA5 Richmond Hill and East Sheen Residential'. 'TCA7 Kew Gardens and Old Deer Park' and 'TCA8 Kew Gardens Residential Fringe'; their value, susceptibility to change and sensitivity are summarised in **Table 4.1**.

3.16 The Amended Proposed Development enhances the townscape character and visual appearance of this area of Richmond. It provides high quality architecture that improves legibility within the local and wider townscape. The Amended Proposed Development provides a well designed development which relates positively to the existing building line of Manor Road and respects the receiving context.

## Effects on Visual Receptors

3.17 With the implementation of the Amended Proposed Development, it is considered that, like the Original Proposed Development, the Site's ZTV will increase, with the views from some of the visual receptors identified within the baseline assessment changing.

3.18 There will be temporary, localised changes in the view from some visual receptors during the construction phase, typically associated with the temporary enclosure of the Site with hoarding and views of construction plant. These effects are considered to be negative, however they will be short-lived and temporary in nature and are not considered further.

3.19 In order to identify and assess the likely effects of the completed Amended Proposed Development on the identified views and visual receptors, the 14 Accurate Visual Representations (AVR) which supported the Original Proposed Development have been updated.

3.20 The AVRs and a description of the likely effects of the Amended Proposed Development for each of the 14 representative viewpoints are provided at **Appendix A** and in **Table 3.2** which provides a summary of the findings relating to the value of the views, the sensitivity of the receptors and the magnitude of change resulting from the Amended Proposed Development.

3.21 The following provides a summary of the visibility of the Amended Proposed Development for the key visual receptors / receptor groups:

- The Amended Proposed Development will, however, continue to be visible from views orientated outside the southern section of Sheendale Road Conservation Area, as shown in representative views 4 and 12.
- The mature trees within the Royal Botanic Gardens Kew (World Heritage Site) will prevent views to the Amended Proposed Development, as shown in representative views A1 and A2. A limited glimpsed view will continue to be possible for visitors to the viewing platform of the Pagoda when it is open to the public, as illustrated in representative view 9. The Site, however, is a minor component in the wider 360 view of this area of west London.
- It is considered that the Amended Proposed Development will continue to be visible from the North Sheen Allotments, but not Richmond Cricket Club and North Sheen Recreation Ground due to intervening vegetation.

- Where windows are orientated towards the Site, it is considered that partial to glimpsed views will continue to be possible of the Amended Proposed Development from upper stories of low to mid rise residential properties and taller residential apartment block located within 500 metres of the Site.
- Representative views 1, 2, 4 and 6 demonstrate that the Amended Proposed Development will continue to be visible from the public highway where roads are orientated towards the Site and representative views 5 and 7 illustrate it will also be visible from elevated locations and bridges within 750 metres of the Site.
- Away from the roads orientated towards the Site and elevated locations, built form and intervening vegetation typically will continue to prevent views to the Amended Proposed Development, as demonstrated in representative views 3 and 8.
- Open to partial views are likely to continue to be visible towards the Amended Proposed Development from Manor Road and the railway lines which run adjacent to the Site, as shown in representative views 10, 11 and 12.

**Table 3.1 – Townscape Character Appraisal of Effects**

Townscape Character Area	Value	Susceptibility to change	Sensitivity	Magnitude of change	Effect	Effect of Original Proposed Development
TCA 1 North Sheen Mixed Use	Medium to low	Low	Low	High	Moderate / Beneficial	<i>Moderate / Beneficial</i>
TCA 2 Manor Grove Residential	Medium	Medium to Low	Medium to Low	Low	Minor / Neutral	<i>Minor / Neutral</i>
TCA 3 North Sheen Residential	Medium to low	Medium to Low	Medium to Low	Low to Negligible	Minor to Negligible / Neutral	<i>Minor to Negligible / Neutral</i>
TCA 4 East Sheen Open Space	High to medium	High	High	Negligible to None	Negligible / Neutral	<i>Negligible / Neutral</i>
TCA 5 Richmond Hill and East Sheen Residential	High	High	High	Negligible to None	Negligible / Neutral to None	<i>Negligible / Neutral to None</i>
TCA 6 Richmond Residential Fringe	High	High to Medium	High	Negligible	Minor / Neutral	<i>Minor / Neutral</i>
TCA 7 Kew Gardens and Old Deer Park	Exceptional	High	High	Negligible to None	Negligible / Neutral to None	<i>Negligible / Neutral to None</i>
TCA 8 Kew Gardens Residential Fringe	Exceptional to high	High	High	Negligible to None	Negligible / Neutral to None	<i>Negligible / Neutral to None</i>

**Table 3.2 – Visual Receptor Representative Views Appraisal of Effects**

Representative View	Value	Susceptibility to change	Sensitivity	Magnitude of change	Effect	Effect of Original Proposed Development
1. Manor Grove	Medium	Medium	Medium	Medium	Moderate / Neutral	<i>Moderate / Neutral</i>
2. Manor Road, opposite Townsend Terrace	Medium-Low	Medium-Low	Medium-Low	Medium-Low	Moderate-Minor / Beneficial	<i>Moderate-Minor / Beneficial</i>
3. Sheen Road, over Hickey's Almshouses	High	Medium	High-Medium	None	None	<i>None</i>
4. Dee Road	Medium-Low	Medium	Medium-Low	Medium	Moderate / Neutral	<i>Moderate / Neutral</i>
5. Church Roadw	Low	Low	Low	Low-Negligible	Negligible / Neutral	<i>Negligible / Neutral</i>
6. Trinity Road	Medium-Low	Medium	Medium	Medium	Moderate / Neutral	<i>Moderate / Neutral</i>
7. Lower Richmond Road/Manor Road roundabout	Low	Low	Low	Low-Negligible	Minor / Neutral	<i>Minor / Neutral</i>
8. Sandycombe Road	Medium-Low	Medium	Medium-Low	None	None	<i>None</i>
9. View from Pagoda, Royal Botanic Gardens of Kew	High	High	High	Negligible	Minor / Neutral	<i>Minor / Neutral</i>
10. Manor Road, Sainsbury's entrance	Low	Low	Low	Medium	Moderate-Minor / Beneficial	<i>Moderate-Minor / Beneficial</i>
11. Manor Road, near Manor Grove	Low	Low	Low	High to medium	Moderate / Beneficial	<i>Moderate / Beneficial</i>
12. Crown Terrace	Low	Medium-Low	Low	High	Moderate / Neutral	<i>Moderate / Neutral</i>
A.1 Broad Walk, Royal Botanic Gardens of Kew	High	High	High	None	None	<i>None</i>
A.2 Cedar Vista, Royal Botanic Gardens of Kew	High	High	High	None	None	<i>None</i>



Under no circumstances should any vehicle stop on the level crossing



## 4. Summary and Conclusions

### Introduction

4.1 This addendum to the February 2019 TVIA (ref A209-RE-01) considers the potential townscape and visual effects which could arise from the Amended Proposed Development.

4.2 The Amended Proposed Development continues to reference local architectural detailing, styles and character along with providing a contextual material palette. It consists of four blocks which range in height from three to 11 storeys. The taller elements of the blocks are concentrated in the centre of the Site away from the boundaries emphasising the location of the central Courtyard. Top floor set-backs are present on the perimeter blocks.

4.3 Along Manor Road the built form of Blocks A and D continue to address the street, helping to define the street, and providing active frontages/natural surveillance. These blocks are set back to provide a high quality public realm and introduce a line of trees to the townscape. Further areas of new soft landscaping are provided, particularly at the interfaces with the railway lines.

### Townscape Character Areas Appraisal

4.4 As with the Original Proposed Development, the Amended Proposed Development has been designed to respond to and complement its location. The facade treatments and massing have been designed to respond to the receiving townscape.

4.5 The Site falls within 'TCA1 – North Sheen Mixed Use' and the existing building and current uses do little to contribute to the wider townscape of the area. It is considered that 'TCA1 – North Sheen Mixed Use' can accommodate the Amended Proposed Development and there will be a continued moderate and beneficial effect.

4.6 The Amended Proposed Development has a minor and neutral effect on 'TCA2 Manor Grove Residential' and on 'TCA6 Richmond Residential Fringe', a minor to negligible and neutral affect on 'TCA3 North Sheen Residential' and negligible and neutral to no change in the remaining TCAs within the Study Area.

### Visual Appraisal

4.7 Existing views to the Site are largely restricted due to the surrounding built form, with partial to open views gained from the immediate townscape of Manor Road, Manor Grove, Dee Road and Trinity Road.

4.8 With the implementation of the Amended Proposed Development it is considered that the visibility of the Site will increase, however the Amended Proposed Development will not adversely affect any views of importance or the visual appearance of the local area.

4.9 Like the Original Proposed Development, the Amended Proposed Development will provide an efficient redevelopment of a currently under-developed and unattractive site and, overall, it is considered that the Amended Proposed Development will lead to direct, permanent effects on the following representative views:

- Moderate beneficial/neutral effect - representative views 1, 4, 6, 11 and 12
- Moderate-Minor beneficial effects- representative views 2 and 10
- Minor neutral/beneficial effect- representative views 7 and 9
- Negligible neutral/ beneficial effect- representative view 5
- No effects - representative views 3, 8, A1 and A2

### Conclusions

4.10 This addendum should be read in conjunction with the February 2019 TVIA (ref A209-RE-01) and the May 2019 addendum (ref A209-RE-02).

4.11 The height, massing and architecture of the Amended Proposed Development responds to the sensitivities of the Site context. As with the Original Proposed Development, the tallest buildings are positioned in the centre of the Site, away from existing residential properties, and along the western boundary, with the scale dropping down to the southern and eastern edges, respecting neighbouring properties. The Amended Proposed Development represents an efficient redevelopment of a currently under-developed and unattractive site and does not represent a visually intrusive, dominant or overwhelming form of overdevelopment. It is therefore considered that there would be no adverse effects on either the character of the Site, the surrounding area or on visual receptors.

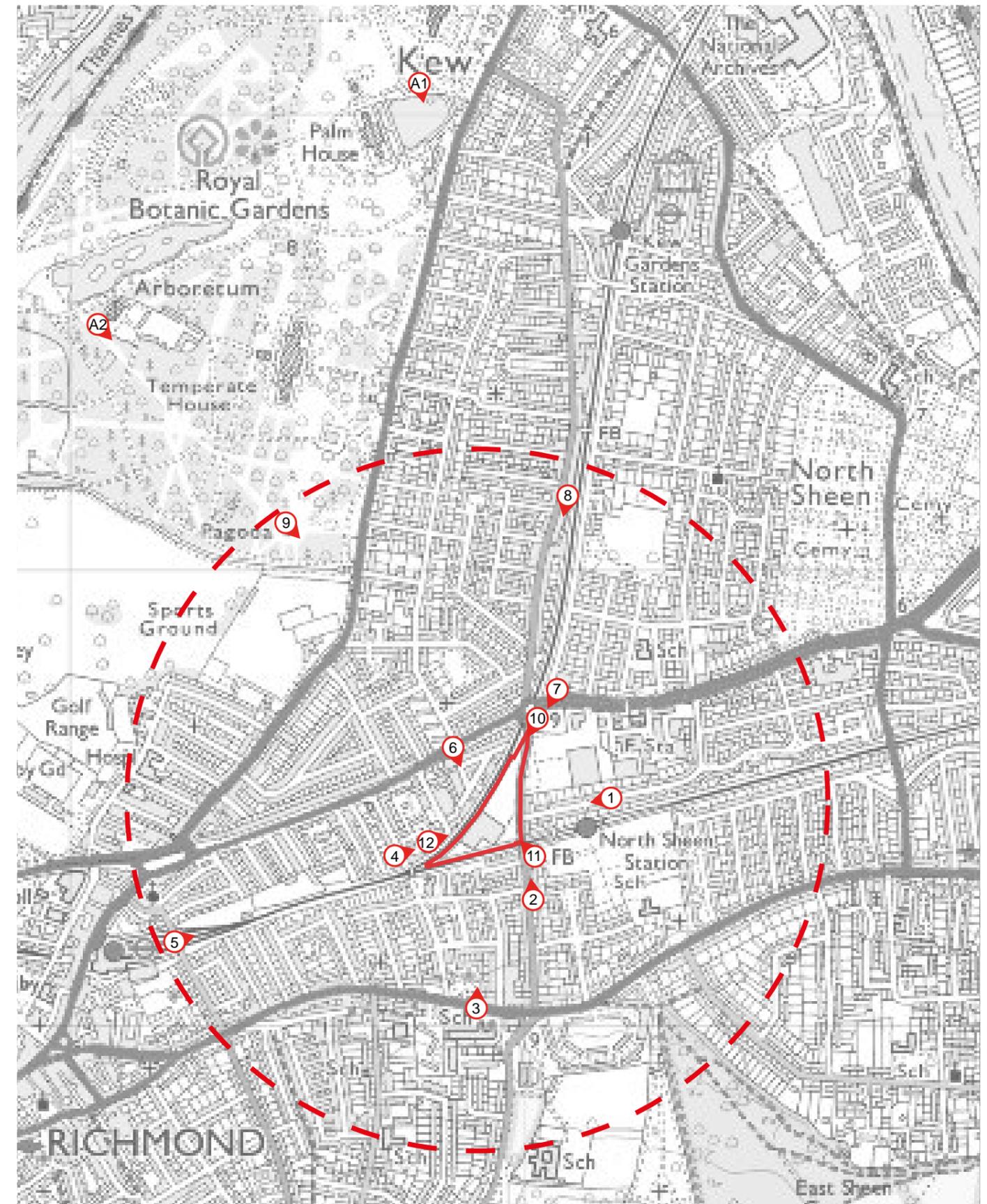
4.12 The appraisal of effects in this addendum relating to the Amended Proposed Development concludes that there is no change in either townscape or visual effects when compared to the Original Proposed Development.

# APPENDIX A REPRESENTATIVE VIEW APPRAISAL

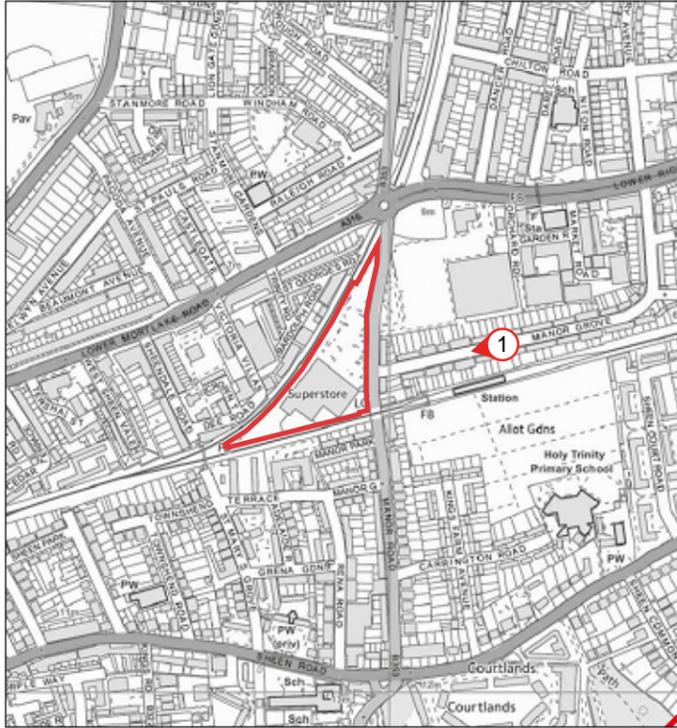
## Introduction

A.1 A selection of original proposed development receptors. These receptors are shown as red pins and are located at GLA; AVRs were prepared and these have been Development.

A.2 Within the A Development falls be with a red wireline d seen within the view



Representative view 1 – Manor Grove



Location Plan

Baseline condition

A.3 Baseline conditions remain unchanged.



Representative view 1 - Existing Situation



Representative view 1 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.4 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.5 The upper floors of elements of the Amended Proposed Development's Blocks A, B and D can continue to be seen in the background of the view from this section of Manor Grove. The materials and architectural treatment of the Amended Proposed Development's facade have been selected to be complementary to the existing buildings of Manor Grove, which are of townscape merit.

A.6 Overall it is considered that the Amended Proposed Development will continue to have a local, direct, permanent, medium magnitude of change, since the Amended Proposed Development will continue to be visible only in views westwards towards the end of the street, Manor Grove is lined with tree and visibility of the Amended Proposed Development will reduce for receptors further east along Manor Grove resulting in a **moderate and neutral effect**.

Representative view 2 – Manor Road opposite Townsend



Location Plan

Baseline conditions

A.7 Baseline conditions remain unchanged. .



Representative view 2 - Existing Situation



Representative view 2 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.8 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.9 The Amended Proposed Development's Blocks A and D will continue to be seen in the background of the view, continuing the building line along Manor Road, along with the landscape strategy's new street planting. These blocks, along the road, respond to the existing height present in the fore and middle ground of the view and help to define Manor Road.

A.10 Within the view the taller elements of Blocks A and D, which frame the public square, are set back from Manor Road. This ensures that they do not appear too dominant and help to create an articulated skyline, denoting the central Courtyard.

A.11 It is considered that the Amended Proposed Development will continue to have a local, direct, permanent, medium to low magnitude of change and a **moderate to minor and beneficial effect**.

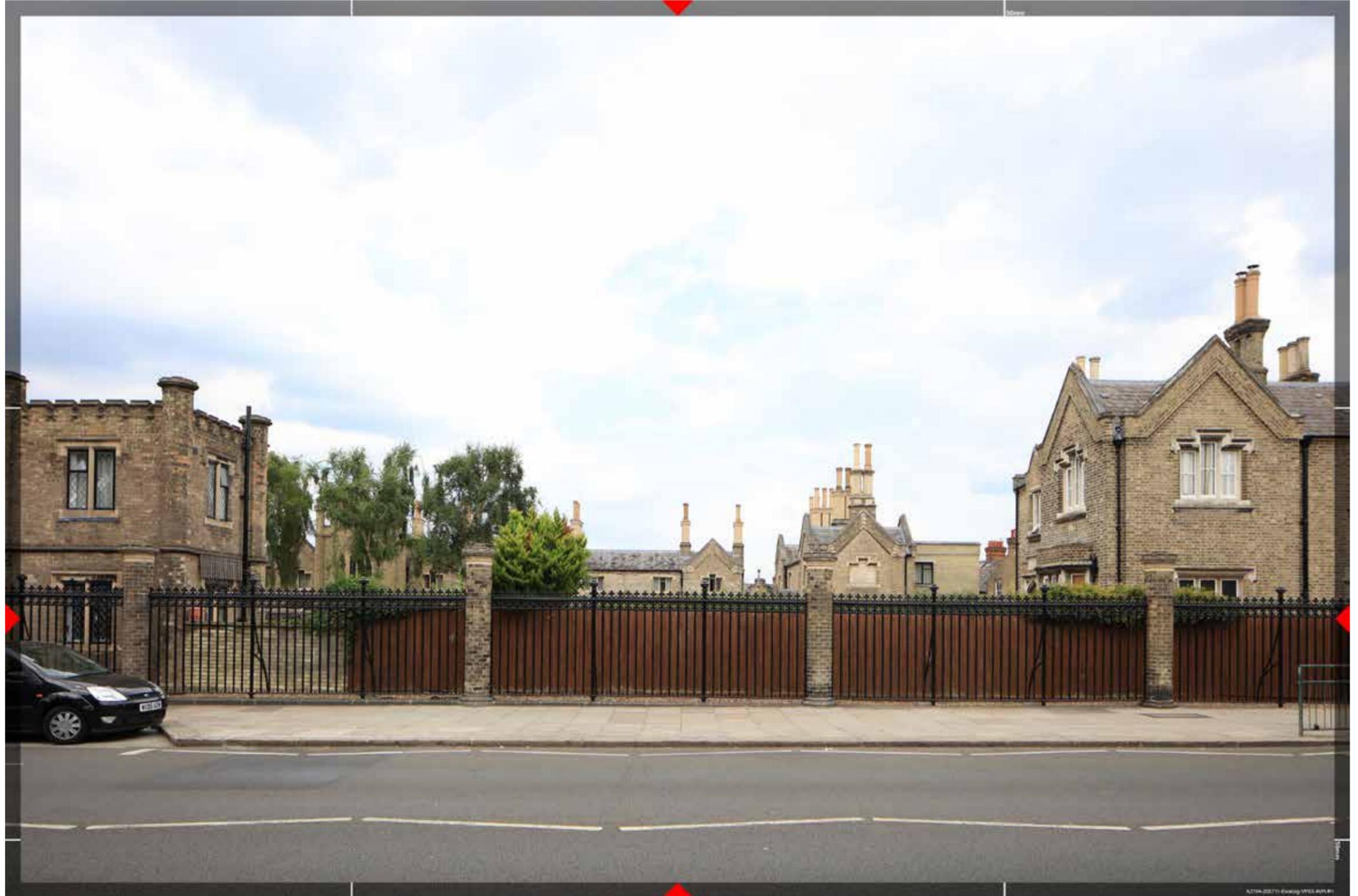
Representative view 3 – Sheen Road, over Hickey’s Almsh



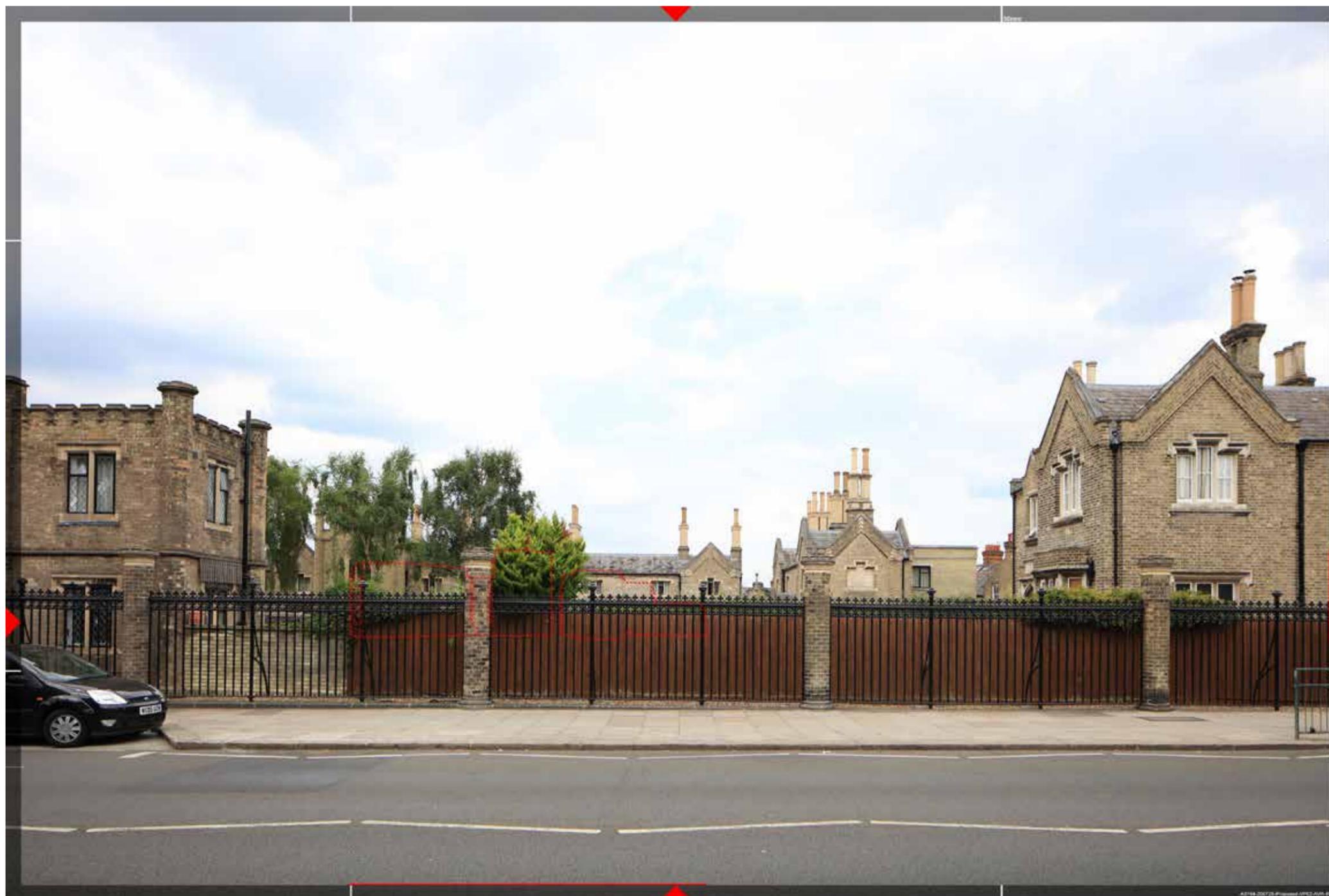
Location Plan

Baseline conditions

A.12 Baseline conditions remain unchanged. .



Representative view 3 - Existing Situation



Representative view 3 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.13 The assessment of sensitivity remains unchanged. .

## Effects of the Amended Proposed Development

A.14 The Amended Proposed Development cannot be seen in this view and there will therefore continue to be no change in the view and **no effect**.

*A cropped enlarged version of the Representative View is provided in Appendix C of this addendum.*

**Representative view 4 – Dee Road**



**Location Plan**

**Baseline conditions**

A.15 Baseline conditions remain unchanged.



**Representative view 4 - Existing Situation**



Representative view 4 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.16 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.17 The western façades of the Amended Proposed Development's Blocks B and C will continue to be seen in the far middle ground of the view, beyond the railway line, and from this location, they present as being of similar height to the existing built form within the middle and foreground of the view.

A.18 Block B facade includes architectural detailing that references the built form within the Study Area, such as the white stone banding which contrasts with the brick, breaking up the facade. Block's C facade is constructed with red brick and broken up with bay windows, which is also present within the Study Area.

A.19 The break between the blocks has been orientated to maintain the linear nature of the view and ensure the Amended Proposed Development does not appear overly dominant within the view.

A.20 Overall it is considered that the Amended Proposed Development will continue to have a local, direct, permanent, medium magnitude of change and a **moderate and neutral effect**.

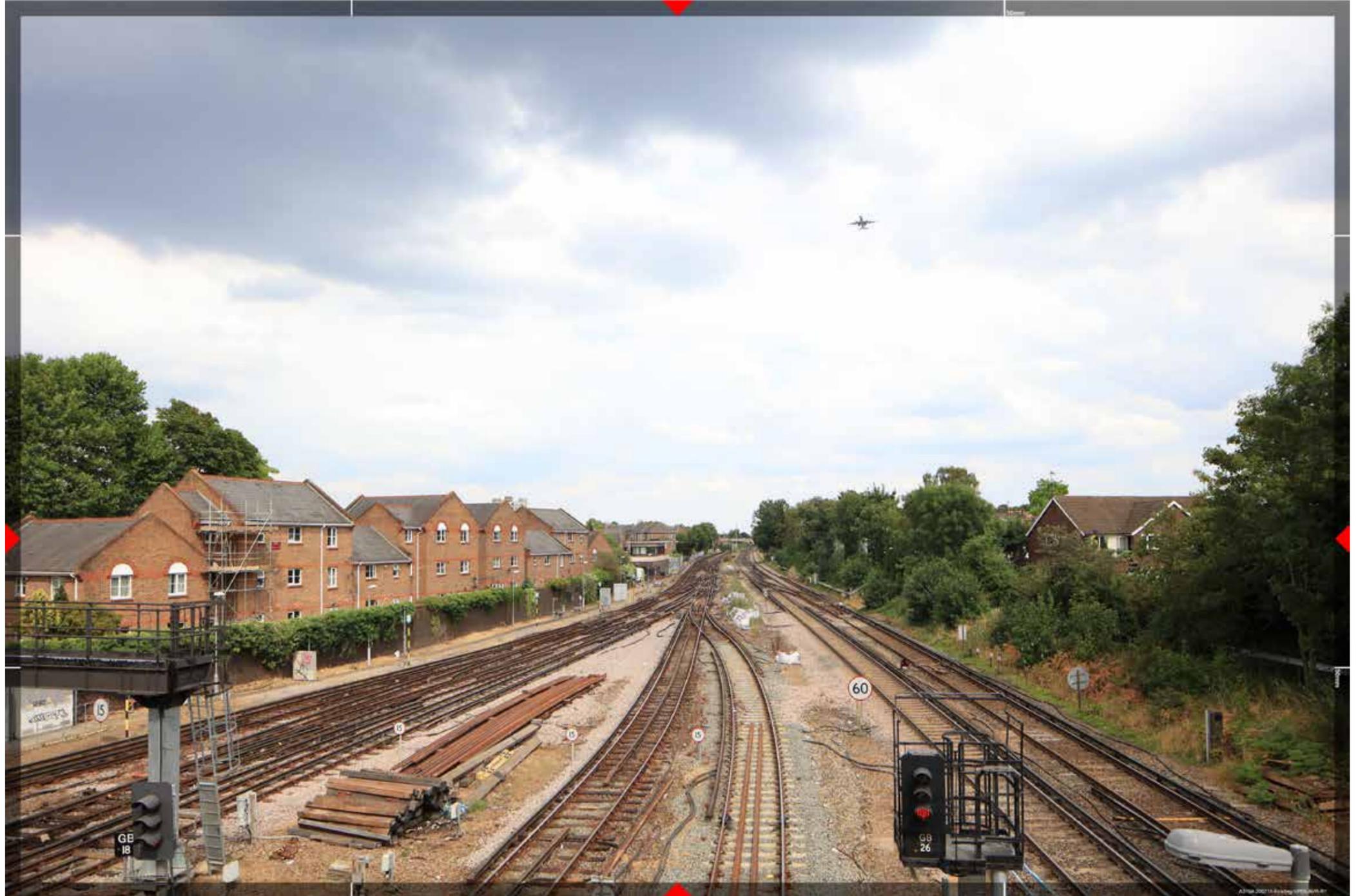
**Representative view 5 – Church Road**



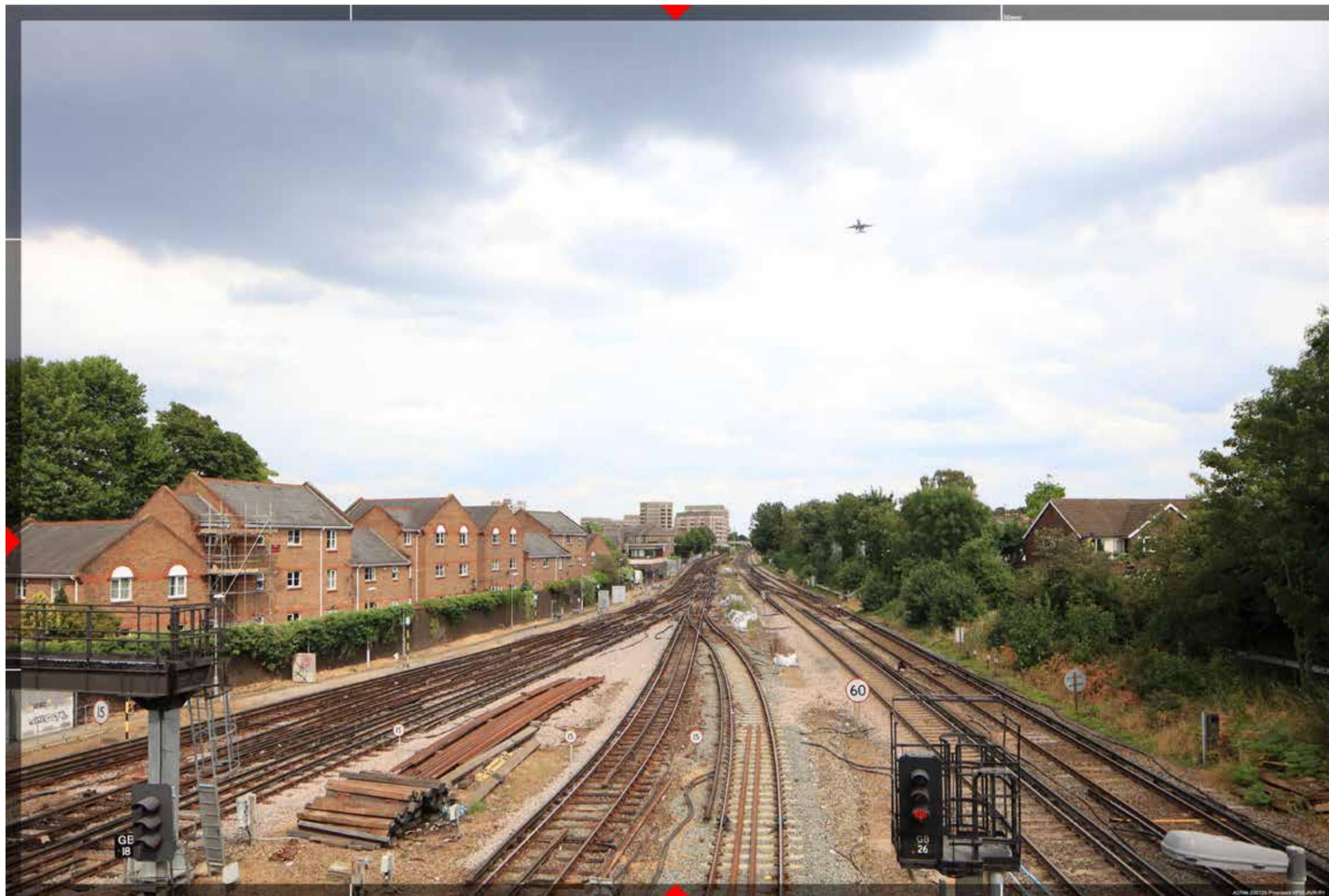
Location Plan

**Baseline conditions**

A.21 Baseline conditions remain unchanged.



Representative view 5 - Existing Situation



Representative view 5 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.22 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.23 The upper floors of all of the Amended Proposed Development's blocks will continue to be seen in the far background of the view and they are read in conjunction with the existing built form. The blocks have been designed to step in height and provide a varied skyline within this view.

A.24 The Amended Proposed Development aids with legibility within the surrounding townscape. Overall it is considered that the Amended Proposed Development will continue to have a local, direct, permanent, low to negligible magnitude of change and a **negligible and neutral effect**.

*A cropped enlarged version of the Representative View is provided in Appendix C of this addendum.*

Representative view 6 – Trinity Road



Location Plan

Baseline conditions

A.25 Baseline conditions remain unchanged.



Representative view 6 - Existing Situation



Representative view 6 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.26 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.27 The marker building of Block B will continue to be seen in the far middle ground of the view, beyond Manor House on Bardolph Road; its distinctive design presenting as a complementary extension to the existing built form.

A.28 Behind Block B, a glimpsed view can be gained to Block C's upper floors. Both blocks are set below the existing buildings skyline from this viewpoint.

A.29 It is considered that the Amended Proposed Development will continue to have a local, direct, permanent, medium magnitude of change and a **moderate and neutral effect**.

Representative view 7 – Lower Richmond Road/Manor Road



Location Plan

Baseline conditions

A.30 Baseline conditions remain unchanged.



Representative view 7 - Existing Situation



Representative view 7 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

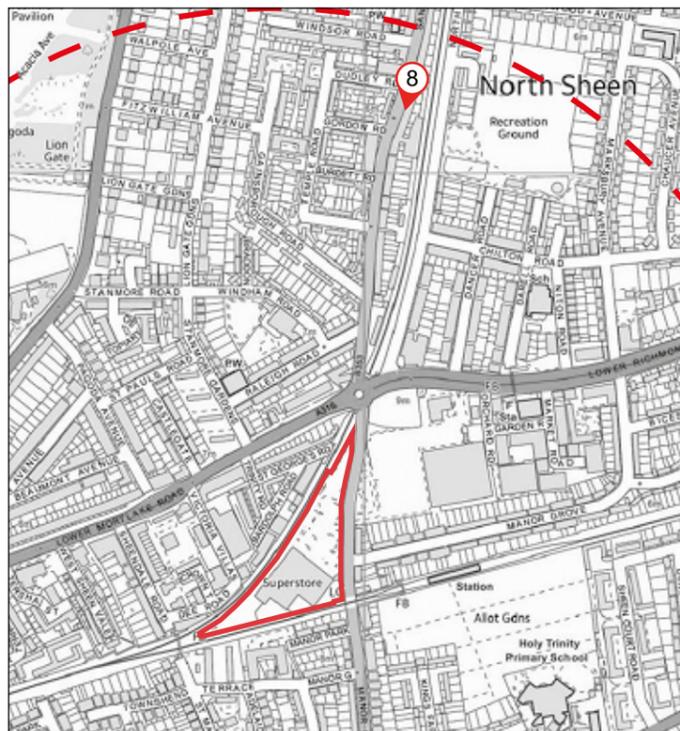
A.31 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.32 The upper floors of the Block A will continue to be seen in the middle far ground of the view. This helps to provide an enhanced sense of enclosure to the road junction.

A.33 There is a tonal difference between the architectural treatment and material of the middle and the top of the block. Its articulation and top floor set back helps to break up the mass of the Amended Proposed Development within the view.

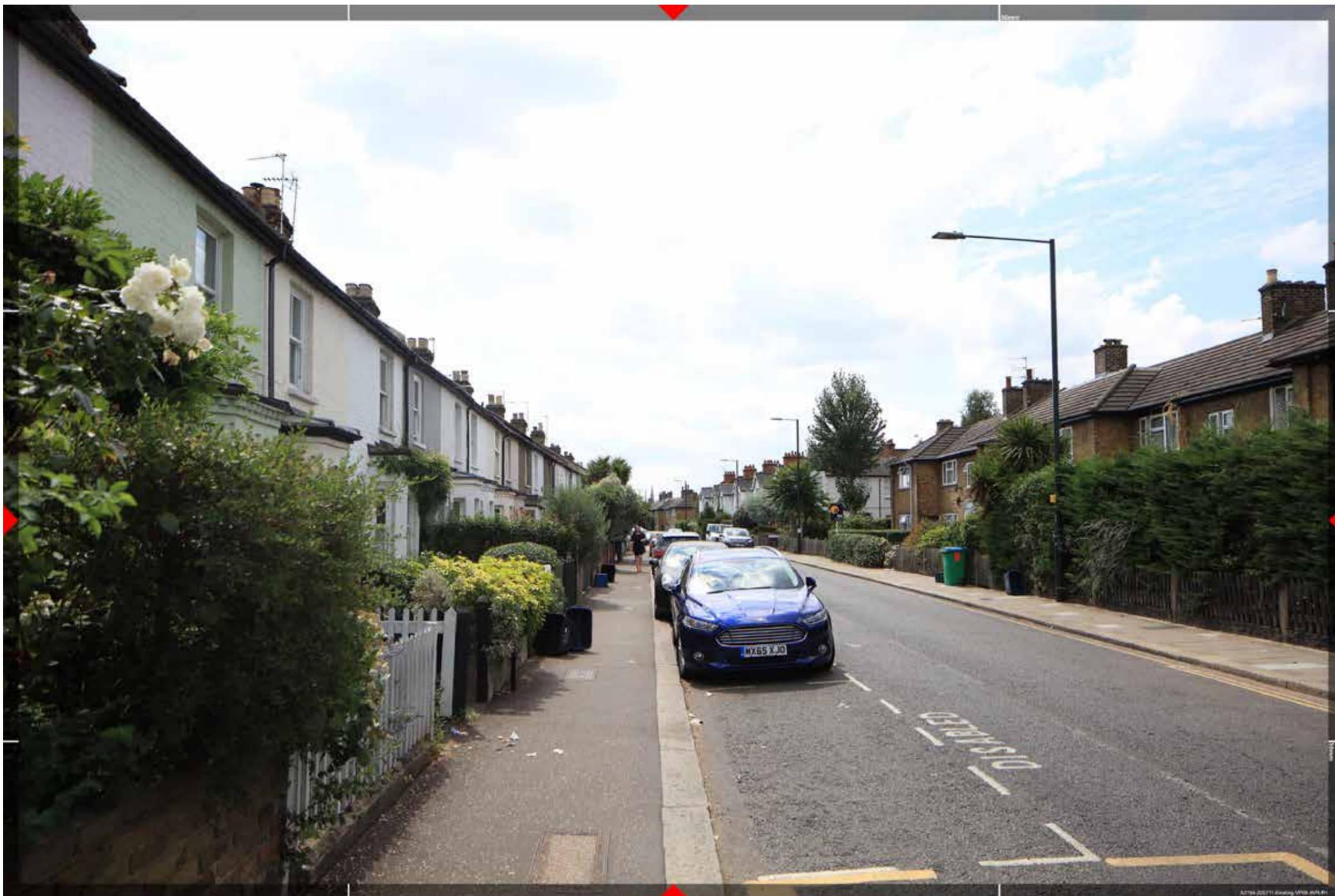
A.34 The Amended Proposed Development is considered to have a local, direct, permanent, low to negligible magnitude of change and a **minor and neutral effect**.



Location Plan

### Baseline conditions

A.35 Baseline conditions remain unchanged.



Representative view 8 - Existing Situation



Representative view 8 - Proposed Situation (Amended Proposed Development)

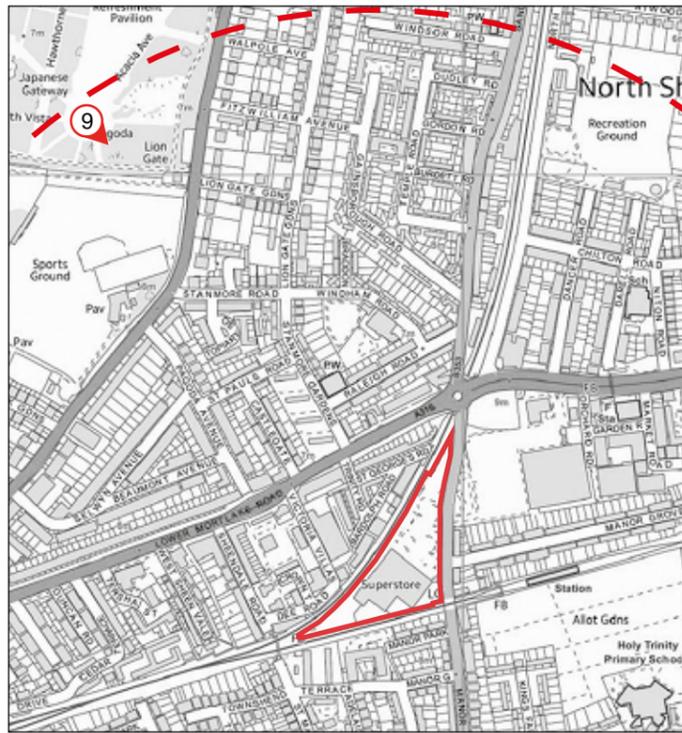
## Appraisal of Effects

A.36 The assessment of sensitivity remains unchanged..

## Effects of the Amended Proposed Development

A.37 The Amended Proposed Development cannot be seen in this view and there will therefore be no change in the view and **no effect**.

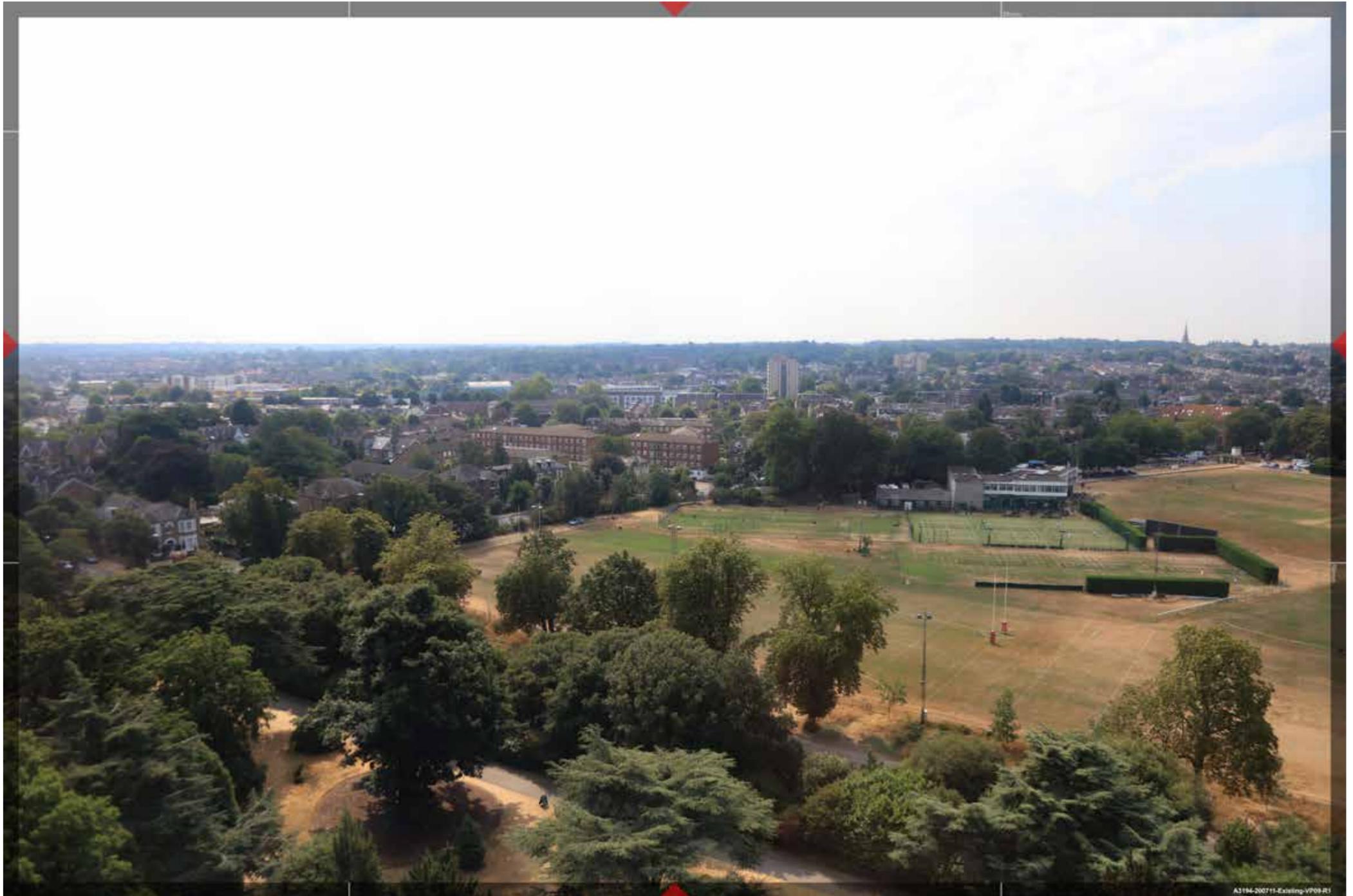
*A cropped enlarged version of the Representative View is provided in Appendix C of this addendum.*



Location Plan

Baseline conditions

A.38 Baseline conditions remain unchanged. .



Representative view 9 - Existing Situation



Representative view 9 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

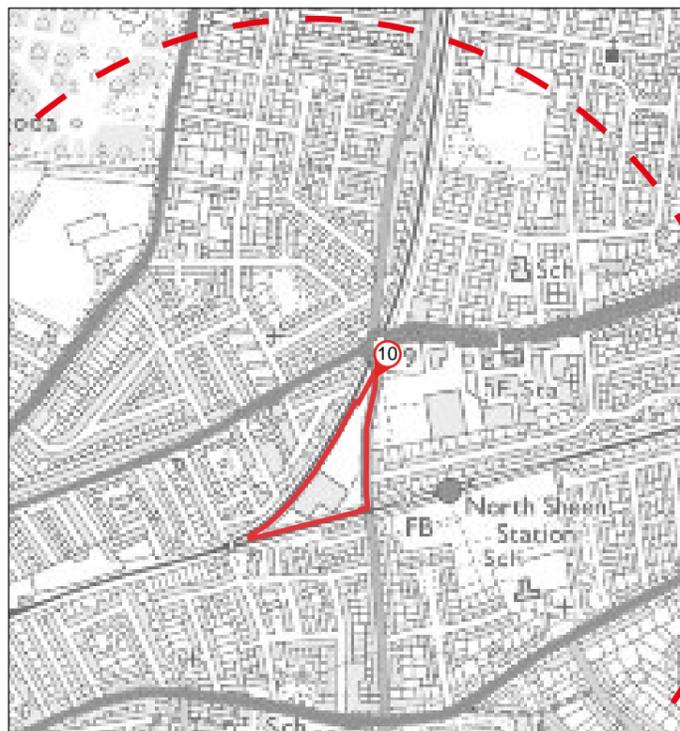
A.39 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.40 The Amended Proposed Development will be a component within the panoramic 360 degree view from the top of the pagoda when looking south, however it will not be visible on the skyline and will be experienced within the context of the wider context of built form.

A.41 Overall it is considered that the Amended Proposed Development will continue to have a local, direct, permanent, negligible magnitude of change resulting in a **minor and neutral effect**.

*A cropped enlarged version of the Representative View is provided in Appendix C of this addendum.*



Location Plan

### Baseline conditions

A.42 Baseline conditions remain unchanged. .



Representative view 10 - Existing Situation



Representative view 10 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.43 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.44 The Amended Proposed Development's Block A can be seen in the middle ground of the view, helping to enclose and define Manor Road. Beyond, Core B of Block A steps down to respond to the existing building height along the road and its ground floor entrances provide animation to the streetscape.

A.45 The varied building heights of block A, along with its facade articulation and top floor set back aid with breaking up the mass of the Amended Proposed Development within the view.

A.46 Overall it is considered that the Amended Proposed Development will continue to have a local, direct, permanent, medium magnitude of change and a **moderate to minor and beneficial effect**.

**Representative view 11 – Manor Road**



Location Plan

**Baseline conditions**

A.47 Baseline conditions remain unchanged.



Representative view 11 - Existing Situation



Representative view 11 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

A.48 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.49 The Amended Proposed Development's Block D can be seen in the middle ground of the view and Block A in the background. The blocks introduce a new built form and scale into the townscape. This helps to provide an enhanced sense of enclosure to Manor Road.

A.50 There is a clear difference between the architectural treatment of bottom, middle and the top of Blocks A and D eastern buildings, where they face Manor Road and the ground floor entrances provide animation to the street. The buildings are well proportioned, giving a human scale, and the façade materials reflect those already present along the road. The inset balconies aid in visually reducing the mass of the buildings.

A.51 The taller elements of Block D and Block A are set back from Manor Road. This ensures that they do not appear too dominant and help to create an articulated skyline.

A.52 The Amended Proposed Development is considered to have a local, direct, permanent, high to medium magnitude of change resulting in a **moderate and beneficial** effect.

**Representative view 12 – Crown Terrace and Victoria Cotta**



**Location Plan**

**Baseline conditions**

A.53 Baseline conditions remain unchanged.



**Representative view 12 - Existing Situation**



Representative view 12 - Proposed Situation (Amended Proposed Development)

## Appraisal of Effects

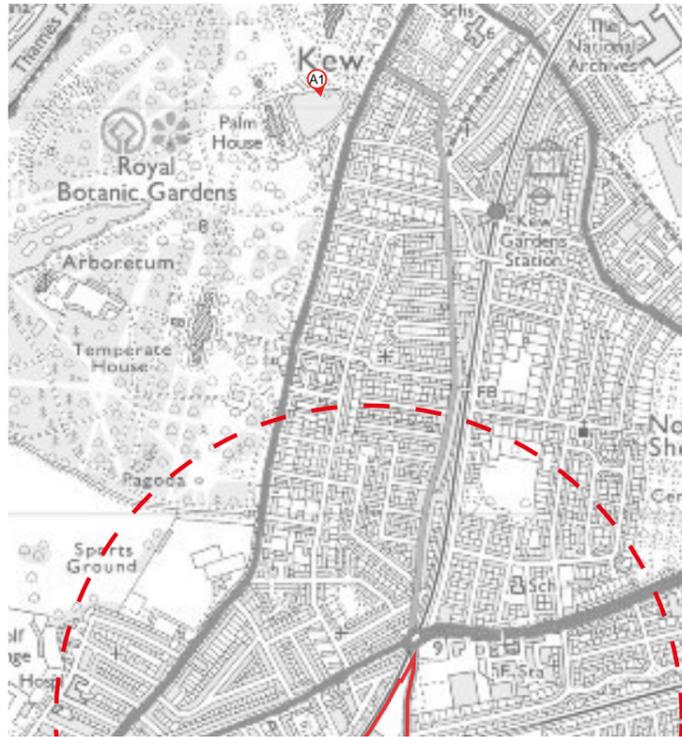
A.54 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.55 The Amended Proposed Development's Block C will continue to be seen in the middle ground of the view and Block B can be seen behind the existing tree, with Block A beyond. This view demonstrates how the Amended Proposed Development provides a new frontage to the railway line and Dee Road, providing natural surveillance.

A.56 Block C's façade is broken up with bay windows and its top floor is set back, this helps to break up the mass of the Amended Proposed Development within the view.

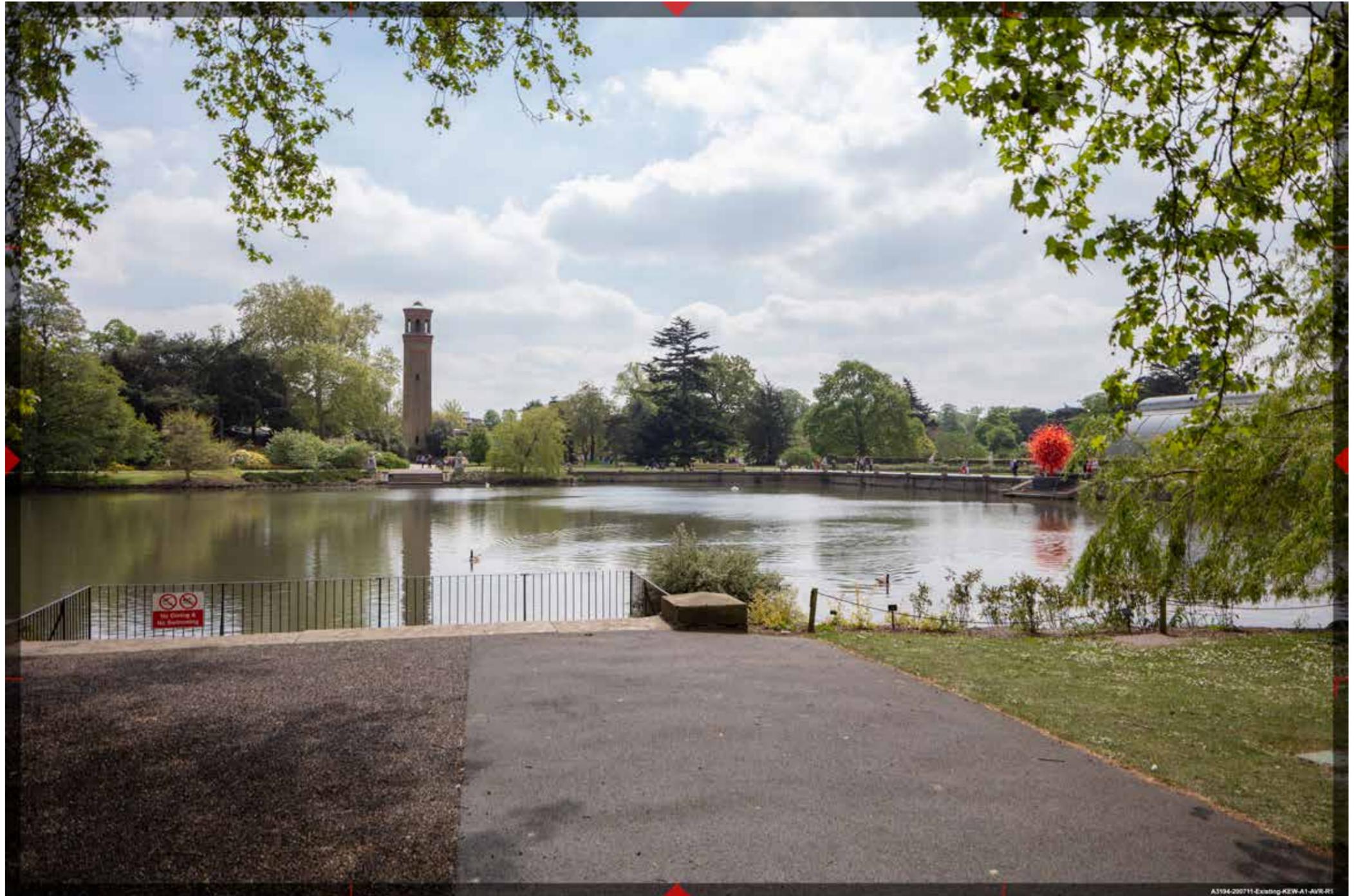
A.57 Overall it is considered that the Amended Proposed Development will continue to have a local, direct, permanent, high magnitude of change and a **moderate and neutral effect**.



ation Plan

aseline condition

8 Baseline conditions remain unchanged.



Representative view A1 - Existing Situation



Representative view A1 - Proposed Situation (Amended Proposed Situation)

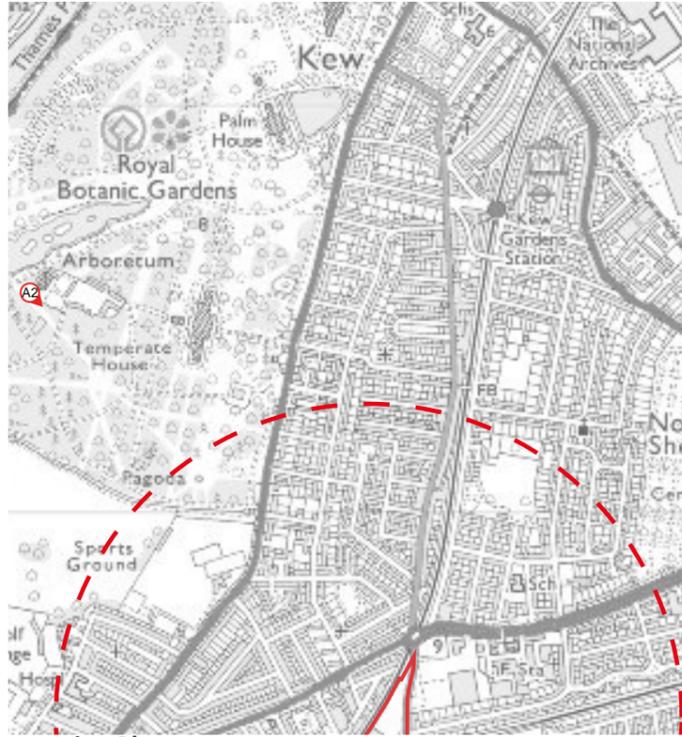
## Appraisal of Effects

A.59 The assessment of sensitivity remains unchanged.

## Effects of the Amended Proposed Development

A.60 The Amended Proposed Development will not be visible within the view and it is therefore considered that there will continue to be no change in the view as a result of the Amended Proposed Development and **no effect**.

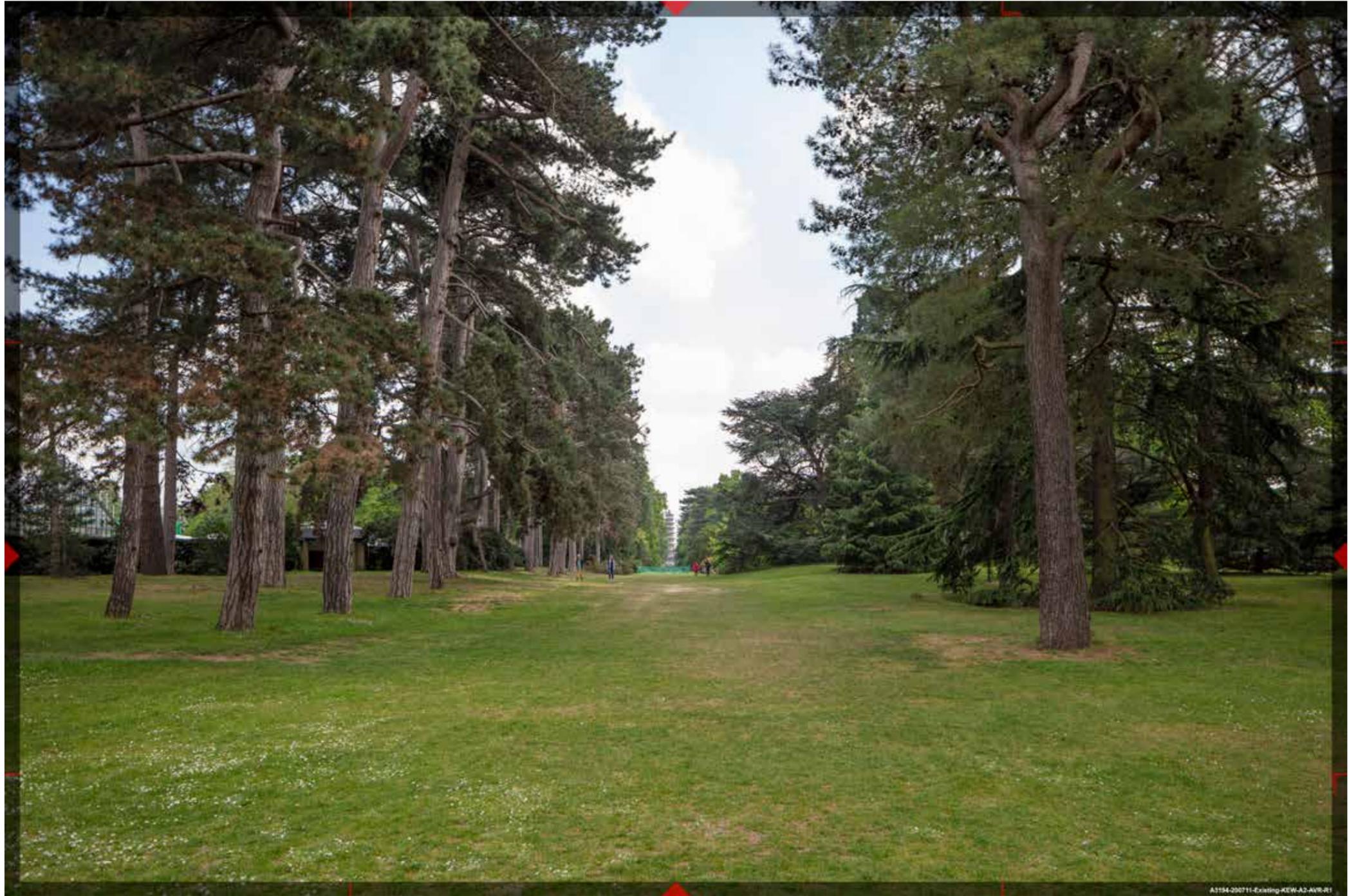
*A cropped enlarged version of the Representative View is provided in Appendix C of this addendum.*



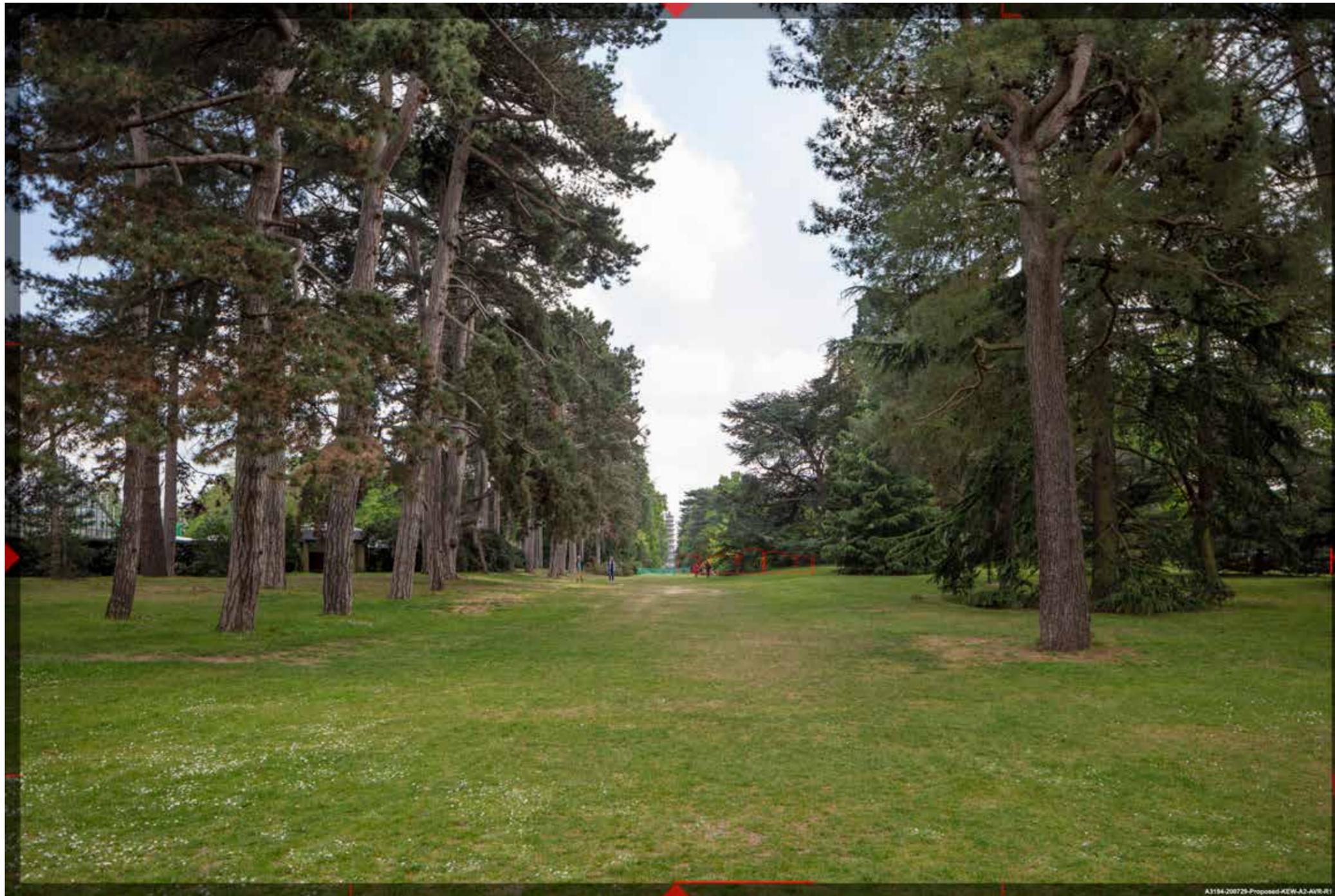
ation Plan

### Baseline conditions

- 1 Baseline conditions remain unchanged.



Representative view A2 - Existing Situation



Representative view A2 - Proposed Situation (Amended Proposed Development)

### Appraisal of Effects

A.62 The assessment of sensitivity remains unchanged.

### Effects of the Amended Proposed Development

A.63 The Amended Proposed Development will not be visible within the view and it is therefore considered that there will be continue to no change in the view as a result of the Amended Proposed Development, resulting in **no effect**.

*A cropped enlarged version of the Representative View is provided in Appendix C of this addendum.*

# APPENDIX B AVR METHODOLOGY

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**Manor Road, Richmond**  
AVR Methodology Statement

## 1.1 Accurate Visual Representations

1.1.1 The views within this study have been created as Accurate Visual Representations (AVRs) using a consistent methodology and approach to rendering. Appendix D of the London View Management Framework: Revised Supplementary Planning Guidance (March 2012), and defines an AVR as:

*"An AVR is a static or moving image which shows the location of a proposed development as accurately as possible; it may also illustrate the degree to which the development will be visible, its detailed form or the proposed use of materials. An AVR must be prepared following a well-defined and verifiable procedure and can therefore be relied upon by assessors to represent fairly the selected visual properties of a proposed development. AVRs are produced by accurately combining images of the proposed building (typically created from a three-dimensional computer model) with a representation of its context; this usually being a photograph, a video sequence, or an image created from a second computer model built from survey data. AVRs can be presented in a number of different ways, as either still or moving images, in a variety of digital or printed formats."*

1.1.2 The existing scene is captured using carefully taken large format photography. The proposed development is represented as an accurate photomontage, a computer generated image placed within the baseline photograph.

1.1.3 In producing this AVR study the following has been determined.

- The Field of View
- Proposed Development Representation
- AVR Documentation

## 1.2 The Field of View

- 1.2.1 The Field of View is captured using a choice of telephoto, standard or wide-angle lens based on the requirements for assessment, which may vary from view to view.
- 1.2.2 For the most part a lens selection that provides a comfortable Viewing Distance is required. Photographers refer to this as a “standard” or “normal” lens. In practice this means the use of a lens with a 35mm equivalent focal length of between about 40 and 58 mm.
- 1.2.3 There are three situations where constraining the study to a standard lens would not provide the assessor with the relevant information to properly assess the Proposed Development in its surroundings.
- 1.2.4 Firstly, where the relationship being assessed is distant, the observer would tend naturally to focus closely on it. At this point the observer might be studying as little as 5 to 10 degrees in plan. The printing technology and image resolution of a print limit the amount of detail that can be resolved on paper when compared to the real world, hence in this situation it is appropriate to make use of a telephoto lens.
- 1.2.5 Secondly, where the wider context of the view must be considered and in making the assessment a viewer would naturally make use of peripheral vision in order to understand the whole setting. A print has a fixed extent, which constrains the angle of view available to the viewer, and hence it is logical to use a wide-angle lens in these situations in order to include additional context in the print.
- 1.2.6 Thirdly where the viewing point is studied at rest and the eye is free to roam over a very wide field of view and the whole setting of the view can be examined by turning the head. In these situations it is appropriate to provide a panorama comprising of a number of photographs placed side by side.
- 1.2.7 For some views two of these scenarios might be appropriate, and hence the study may include two versions of the same view with different fields of view.

## 1.3 Proposed Development Representation - AVR Classification

- 1.3.1 AVRs are classified according to their purpose using Levels 0 to 4. These are defined in detail in Appendix C of the London View Management Framework: Supplementary Planning Guidance (March 2012)).
- AVR Level 0 - Location and size of proposal
  - AVR Level 1 - Location, size and degree of visibility of proposal
  - AVR Level 2 - As level 1 + description of architectural form
  - AVR Level 3 - As level 2 + use of materials
- 1.3.2 In practice the majority of photography based AVRs are either AVR 3 (commonly referred to as “fully rendered” or “photoreal”) or AVR 1 (commonly referred to as “wire-line”).
- 1.3.3 The purpose of a wire-line view is to accurately indicate the location and degree of visibility of the Proposed Development in the context of the existing condition and potentially in the context of other proposed schemes.
- 1.3.4 Level 1 AVRs use a single line profile to indicate the profile of a scheme. Key edges lines are sometimes added to help understand the massing. The width of the profile line is selected to ensure that the diagram is clear, and is always drawn inside the true profile. Different coloured lines may be used in order to distinguish between proposed and consented status, or between different schemes. Where more than one scheme is represented in outline form the outlines will obscure each other as if the schemes were opaque. Trees or other foliage will not obscure the outline of schemes behind them. This is because the transparency of trees varies with the seasons, and the practical difficulties of representing a solid line behind a filigree of branches. Elements of a temporary nature (e.g. cars, tower cranes, people) will similarly not obscure the outlines.
- 1.3.5 Level 3 AVRs are produced to represent the likely appearance of the Proposed Development under the lighting conditions found in the photograph. A detailed 3D model is created to show the geometry, materiality and the size and shape of shadows cast by the sun.
- 1.3.6 Where the Proposed Development is shown at night-time, the lightness of the scheme and the treatment of the materials are best judged by the visualiser given the intended lighting strategy and the ambient lighting conditions in the background photograph. The exact lighting levels are not based on photometric calculations and therefore the resulting AVRs are assessed by the Architect and Lighting Designer as being a reasonable interpretation of the concept lighting strategy.

## 1.4 AVR Documentation

- 1.4.1 An overall plan showing the location and view number for each view is included at the beginning of this study. The site boundary for the proposal is highlighted.
- 1.4.2 For each of the views within this study the existing baseline photography is followed by the Proposed Development AVR.
- 1.4.3 The existing view is accompanied by a plan view showing the location and direction of the baseline photograph.
- 1.4.4 Text indicates the Northings and Eastings and height above Newlyn Datum for the camera position. Date and time of day for the image is also shown.
- 1.4.5 The rationale behind why some AVRs are fully rendered and some are wireline is based on the distance from the site; the identified sensitivity of the view; and whether the inter-visibility between the site and the viewpoint is prevented by built form or vegetation.
- 1.4.6 For AVR 1 wirelines, where permanent structures, trees and foliage and or other temporary obstacles obscure the Proposed Development a dashed line indicates its position. Where the Proposed Development is visible the scheme is shown with a solid line. Key lines may be added to assist the viewer with form.
- 1.4.7 Crop marks in the border around each photograph allow the view to be precisely cropped to a 50mm lens. The photography is captured at a sufficient resolution such that an image cropped to a 50mm lens will print to a reasonable level of detail and without distortion for on-site assessment. For mid to distant views Assael Visuals recommend a 50mm cropped image printed to A4 and held at arms length and adjusted to match the surrounding context. For close proximity views larger prints can be provided. With large developments at close proximity, it is not always possible to capture the entire extent of the proposal within a single frame.
- 1.4.8 Lens shift is indicated with arrows in the border. In some instances where the view has been shifted vertically to include architectural features and or relevant surrounding context, it may result in a portion of the 50mm crop being dropped from the bottom of the frame. In these instances care is taken to ensure where possible that the proposal is kept within the cropped zone.
- 1.4.9 An Individual reference number is added to the bottom right hand corner of each AVR and its corresponding existing baseline image. The reference number is broken down as follows, project number, existing or date of model in view, virtual camera number and revision number (specific to the dated model).



# Methodology Statement

## 1.5 Overview of Methodology

- 1.5.1 This study was carried out by Assael Visuals by combining computer generated images of the Proposed Development with large format photographs at key strategic locations around the site as agreed with the project team.
- 1.5.2 The methodology employed by Assael Visuals is compliant with Appendix D of the London View Management Framework: Revised Supplementary Planning Guidance (March 2012), and follows guidance, where relevant to this urban context, from the Landscape Institute Technical Guidance Note 06/19 for Visual Representation of Development Proposals (17 September 2019).
- 1.5.3 The project team, in consultation with the Local Authority, defined a series of locations where the proposed building might have a significant visual effect. Once the project team had agreed the exact locations, a photograph was taken which formed the basis of the study. The surveyor established the precise location of the camera.
- 1.5.4 A number of features on existing structures visible from the camera location were surveyed. Using these points, Assael Visuals has determined the appropriate parameters to permit a view of the computer model to be generated which exactly overlays the appropriate photograph.
- 1.5.5 Each photograph has then been divided into fore-ground and background elements to determine which parts of the current context should be shown in front of the Proposed Development and which behind. When combined with the computer-generated image these give an accurate impression of the impact of the Proposed Development on the selected view in terms of scale, location and use of materials (AVR Level 3).

### Spatial framework

- 1.5.6 Northings and Eastings based on OSGB36 (National Grid) reference framework have been assembled into a consistent spatial framework, expressed in a grid coordinate system with a local plan origin. The vertical datum of this framework is equivalent to Ordnance Survey (OS) Newlyn Datum.
- 1.5.7 In this study Vectorworks was used by the Architects to produce the model. An FBX is supplied and imported into 3ds Max. The imported FBX files are positioned accurately both in plan and in overall height in accordance with the spatial framework using information provided by the Architects.

### Photographic Process

- 1.5.8 From each selected Assessment Point a series of large format photographs were taken with a camera height of 1.6m
- 1.5.9 Consideration was taken for the selection of lens taking townscape context and proximity to site into account for each of the viewpoint locations. In this study all viewpoints have been photographed using a 24mm lens in order to capture the proposal within its urban setting.
- 1.5.10 The baseline photography for this project was taken in accordance with the current London View Management Framework, prior to the Landscape Institute Technical Guidance Note 06/19 for Visual Representation of Development Proposals (17 September 2019). For distant views both original 24mm images and cropped 50mm images have been provided.

- 1.5.11 Camera settings were set to manual to ensure the photography was captured correctly and without any auto adjustments.
- 1.5.12 The centre point of the tripod was marked and a digital photograph showing the camera and tripod in situ was taken to allow the surveyor to return to its location.
- 1.5.13 Measurements and field notes were also taken to record the camera location, lens used, target point, date, time of day, and overhead conditions.

### Surveying Points

- 1.5.14 For each selected Assessment Point a survey brief was prepared, consisting of the Assessment Point study sheet and a marked up photograph indicating alignment points to be surveyed. Care was taken to ensure that a good spread of alignment points was selected, including points close to the camera and close to the target.

### Murphy Surveys executed surveying

- 1.5.15 The first step at each location was to locate a viewpoint and then another point was installed to create a baseline for the survey. Each point was captured utilising GPS RTK method to ensure all data is in the same coordinate system – OSGB36(15). This was always carried out as a set of two 180 second measurements separated by 20-minute interval as per RICS guidance. This method ensures accuracy of 10-20mm in position and 15-30mm at height. The maximum standard deviations from RTK survey for viewpoints at Manor Road, Richmond were, 7mm Northings, 4mm Eastings, and 10mm Height.
- 1.5.16 The survey of required details was then carried out utilising the established survey baseline to position the data. The required details were observed with the total station via reflectorless laser observations.
- 1.5.17 All survey data was then imported and analysed within dedicated, survey processing software (StarNet) to calculate a final coordinate solution for each control point. Due to size of the site the survey was computed with the application of OS scale factor.
- 1.5.18 All survey data was then imported and analysed within dedicated, survey processing software (StarNet) to calculate a final coordinate solution for each control point. Due to size of the site the survey was computed with the application of OS scale factor.
- 1.5.19 The surveyor amalgamated the resulting survey points into a single data set. This data set was supplied as a spreadsheet with a set of coordinates transformed and re-projected into OSGB36 (National Grid) coordinates.
- 1.5.20 This data was then placed into the spatial framework within the visualisation software and crosshairs attached to each point as a visual aid for the visualiser.

### Photograph Preparation

- 1.5.21 From the set of photographs taken from each assessment point, one single photograph was selected for use in the study. This choice was made on the combination of sharpness, exposure and appropriate lighting.
- 1.5.22 The selected photograph was then corrected to remove any barrel distortion from the lens using lens correction software.

### Photographic Alignment

- 1.5.23 A virtual camera was created within the visualisation system using the surveyed camera location, recorded target point and FOV based on the camera and lens combination selected for the shot .
- 1.5.24 The annotated photograph was attached as a background to this view, to assist the visualiser in aligning the surveyed point cloud to each corresponding background point.
- 1.5.25 Using this virtual camera, a rendering was created of the alignment model at a resolution to match the baseline photograph. This was overlaid onto the baseline photograph to assess the accuracy of the alignment. When using wide-angle lens observations outside the circle of distortion are given less weighting.

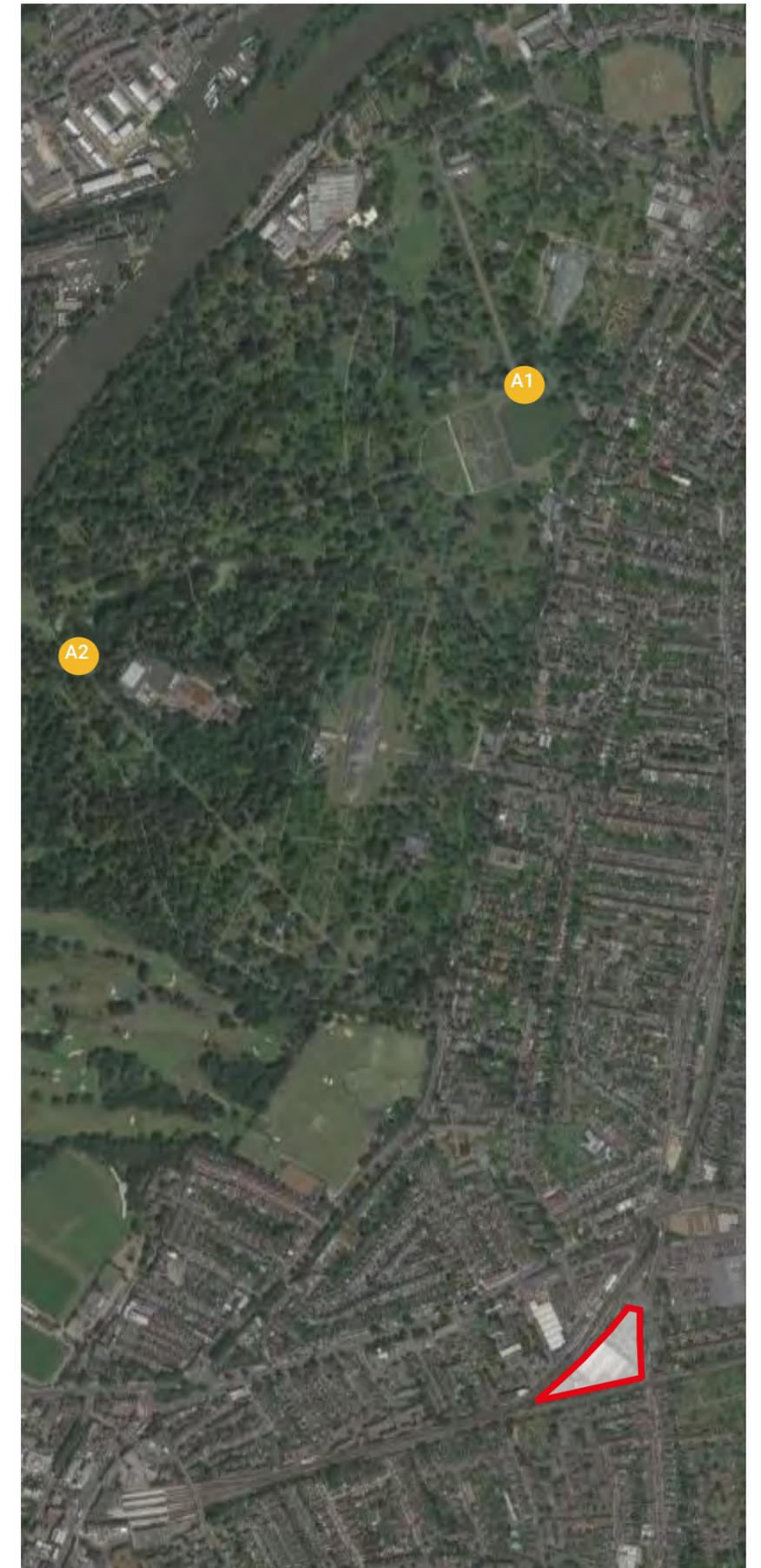
### Final Rendering

- 1.5.26 The 3D model supplied by the project team is to a level of detail for the AVR type required.
- 1.5.27 Its location within the spatial framework is cross-checked.
- 1.5.28 A context model is placed around the proposed development to generate shadows and assist with determining occlusion in postproduction.
- 1.5.29 Textures and lighting are applied to best represent the materials selected for planning and the lighting conditions shown in the baseline image.
- 1.5.30 As stated previously, where the Proposed Development is shown at night-time, the lightness of the scheme and the treatment of the materials are best judged by the visualiser given the intended lighting strategy and the ambient lighting conditions in the background photograph.
- 1.5.31 The final render is produced to the same resolution as the baseline image. Multi pass renders are also taken to help the visualiser enhance the final render in postproduction. These passes may include a Material ID, Reflection, Refraction, Depth and Ambient Occlusion passes.
- 1.5.32 3ds Max and the Corona render engine was used to produce the computer generated imagery.

### Postproduction

- 1.5.33 The final render is loaded into a template file, which matches the specific camera and lens type used to take the baseline image. This template has an annotated border that shows crop marks for a 50mm lens and arrows to indicate any lens shift
- 1.5.34 Using site photos and 3D context the amount of occlusion for each view is calculated. Areas of the Proposed Development not visible from each viewpoint are then masked out of sight. The scheme is then enhanced using the multi pass renders to bring the final image to a degree of "photo reality" assessed by the project team as being a reasonable interpretation of the proposed development.
- 1.5.35 An individual reference number is added to the bottom right hand corner of each AVR and its corresponding existing baseline image. The reference number is broken down as follows, project number, existing or date of model in view, virtual camera number, and revision number (specific to the dated model).

# Viewpoint Location Maps



# Viewpoint Thumbnails, LI Visualisation Type, and AVR Level of Detail



VP 01 - Manor Grove  
LI - Type 4  
LVMF - AVR Level 1



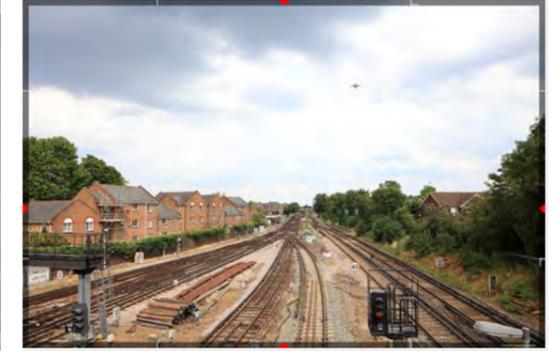
VP 02 - Manor Road, opposite Townsend Terrace  
LI - Type 4  
LVMF - AVR Level 3



VP 03 - Sheen Road, over Hickey's Almshouses  
LI - Type 4  
LVMF - AVR Level 1



VP 04 - Dee Road  
LI - Type 4  
LVMF - AVR Level 3



VP 05 - Church Road  
LI - Type 4  
LVMF - AVR Level 3



VP 06 - Trinity Road  
LI - Type 4  
LVMF - AVR Level 3



VP 07 - Lower Richmond Road/Manor Road roundabout  
LI - Type 4  
LVMF - AVR Level 3



VP 08 - Sandycombe Road  
LI - Type 4  
LVMF - AVR Level 1



VP 09 - View from Pagoda, Royal Botanic Gardens of Kew  
LI - Type 3  
Not verified



VP 10 - Manor Road, Sainsburys entrance  
LI - Type 4  
LVMF - AVR Level 3



VP 11 - Manor Road, near Manor Grove  
LI - Type 4  
LVMF - AVR Level 3



VP 12 - Crown Terrace  
LI - Type 4  
LVMF - AVR Level 3



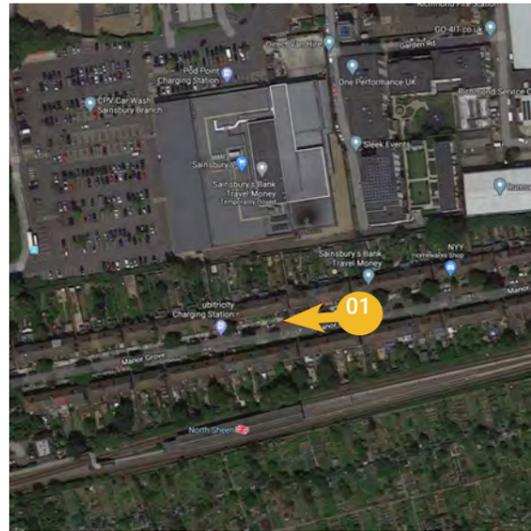
VP A1 - Broad Walk, Royal Botanic Gardens of Kew  
LI - Type 4  
LVMF - AVR Level 1



VP A2 - Cedar Vista, Royal Botanic Gardens of Kew  
LI - Type 4  
LVMF - AVR Level 1

# Viewpoint Locations and Photographic Data

VP 01 - Manor Grove



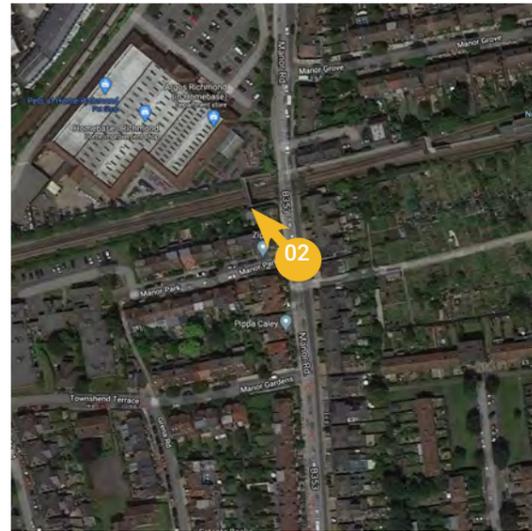
**Camera location**  
 Northing: 175477.978 m  
 Easting: 519121.597 m  
 Height of nail: 6.42 m  
 Camera height : 1.6m above nail  
 Bearing: 269 W  
 Distance to site: 150.93m

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 24/07/2018  
 Time of photograph: 14:12



VP 02 - Manor Road, opposite Townsend Terrace



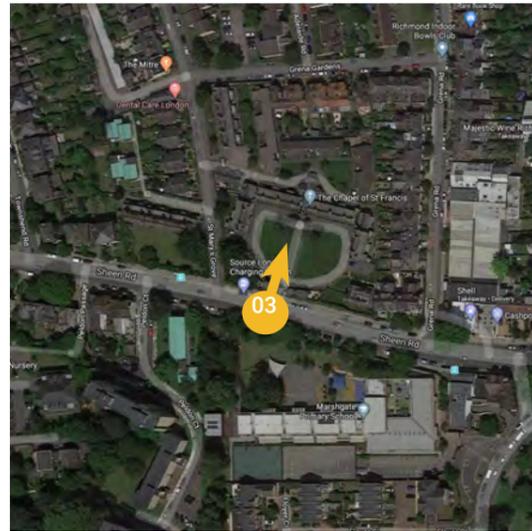
**Camera location**  
 Northing: 175295.485 m  
 Easting: 518999.431 m  
 Height of nail: 7.697 m  
 Camera height : 1.6m above nail  
 Bearing: 340 NW  
 Distance to site: 115.73m

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 06/08/2018  
 Time of photograph: 10:00



VP 03 - Sheen Road, over Hickney's Almshouses



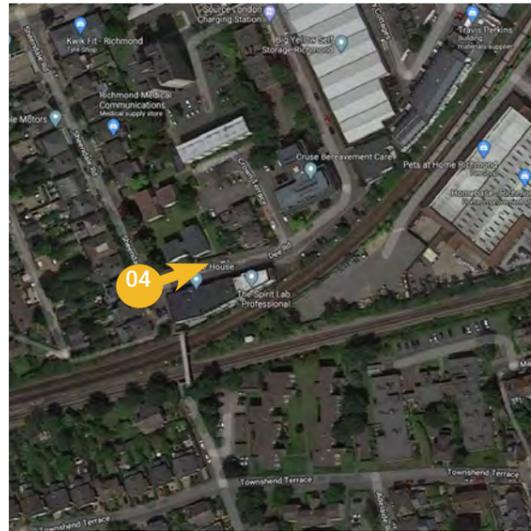
**Camera location**  
 Northing: 175031.808 m  
 Easting: 518868.567 m  
 Height of nail: 10.99 m  
 Camera height : 1.6m above nail  
 Bearing: 12 NNE  
 Distance to site: 324.1m

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 24/07/2018  
 Time of photograph: 13:43



VP 04 - Dee Road



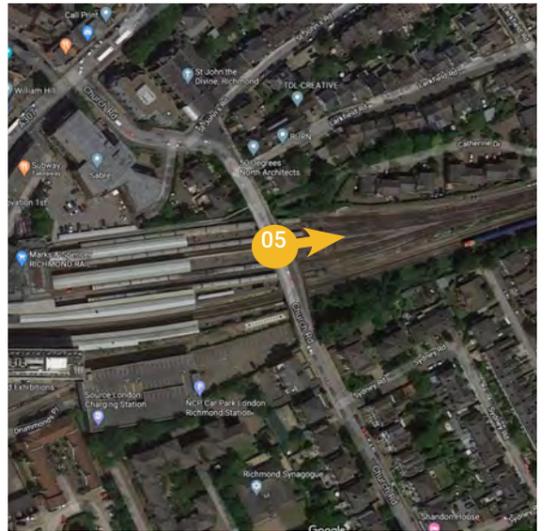
**Camera location**  
 Northing: 175370.406 m  
 Easting: 518716.089 m  
 Height of nail: 6.581 m  
 Camera height : 1.6m above nail  
 Bearing: 69.5 NE  
 Distance to site: 104.95m

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 24/07/2018  
 Time of photograph: 10:54



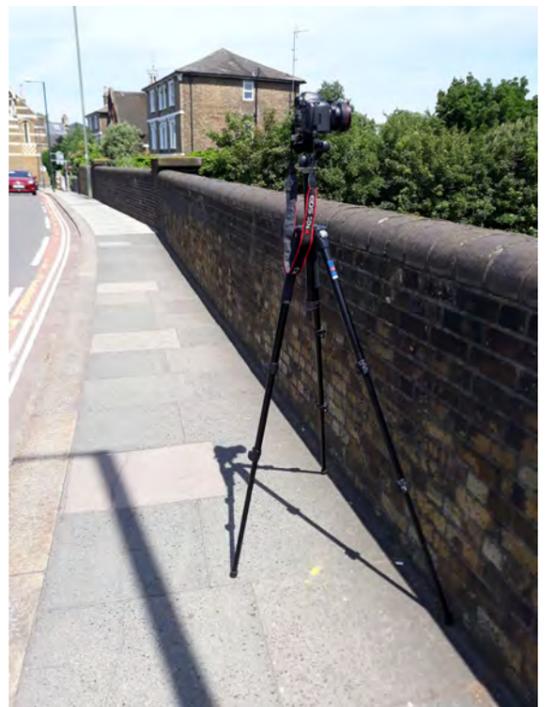
VP 05 - Church Road



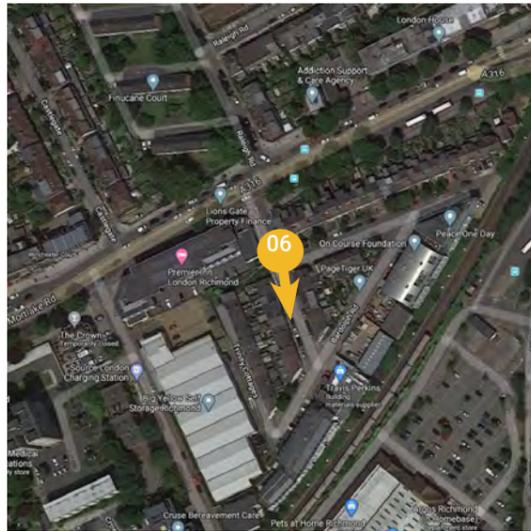
**Camera location**  
 Northing: 175180.109 m  
 Easting: 518232.544 m  
 Height of nail: 10.454 m  
 Camera height : 1.6m above nail  
 Bearing: 69.2 NE  
 Distance to site: 626m

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 24/07/2018  
 Time of photograph: 15:31



VP 06 - Trinity Road



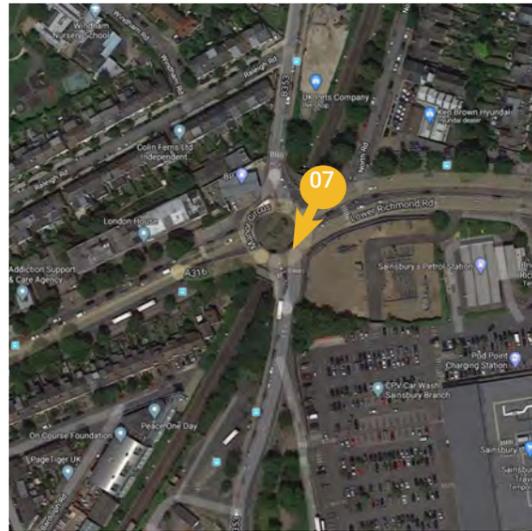
Camera location  
 Northing: 175571.836 m  
 Easting: 518848.184 m  
 Height of nail: 6.383 m  
 Camera height : 1.6m above nail  
 Bearing: 162 SSE  
 Distance to site: 72.9m

Photography details  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

Date and Time  
 Date of photograph: 24/07/2018  
 Time of photograph: 11:08



VP 07 - Lower Richmond Road/Manor Road roundabout



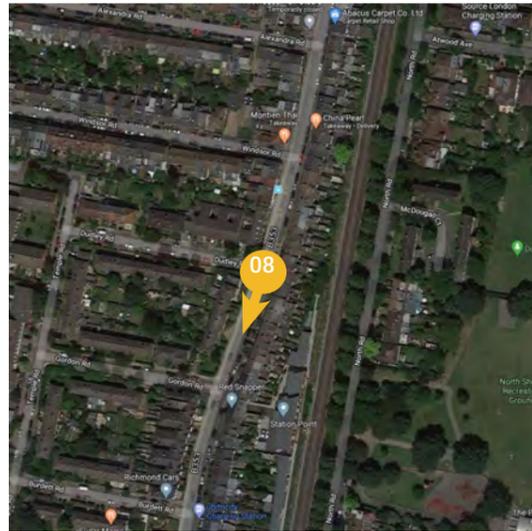
Camera location  
 Northing: 175712.013 m  
 Easting: 519023.444 m  
 Height of nail: 10.47 m  
 Camera height : 1.6m above nail  
 Bearing: 205 SSW  
 Distance to site: 184.95m

Photography details  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

Date and Time  
 Date of photograph: 24/07/2018  
 Time of photograph: 11:55



VP 08 - Sandycombe Road



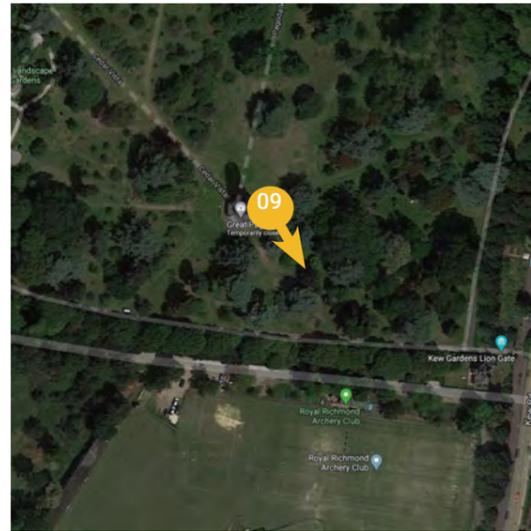
Camera location  
 Northing: 176119.516 m  
 Easting: 519060.534 m  
 Height of nail: 6.512 m  
 Camera height : 1.6m above nail  
 Bearing: 201 SSW  
 Distance to site: 579.2m

Photography details  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

Date and Time  
 Date of photograph: 24/07/2018  
 Time of photograph: 12:09



VP 09 - View from Pagoda, Royal Botanic Gardens of Kew



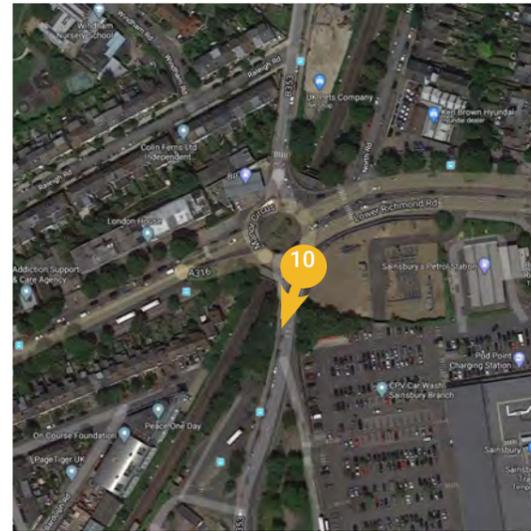
Camera location  
 Northing: Not Verified  
 Easting: Not Verified  
 Height of nail: Not Verified  
 Camera height : Not Verified  
 Bearing: 152 SE  
 Distance to site: 703m

Photography details  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

Date and Time  
 Date of photograph: 26/07/2018  
 Time of photograph: 10:48



VP 10 - Manor Road, Sainsbury's entrance



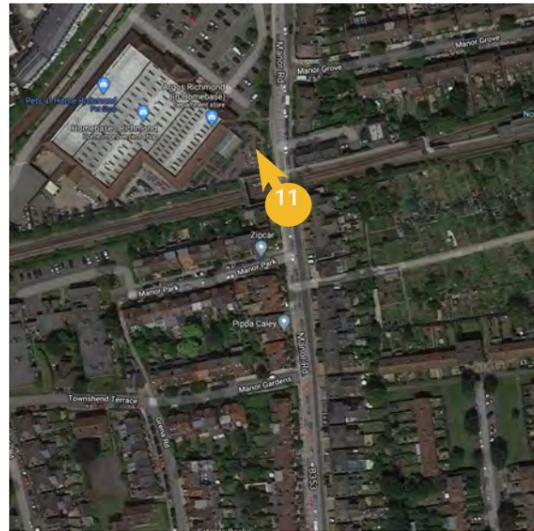
Camera location  
 Northing: 175661.256 m  
 Easting: 519006.195 m  
 Height of nail: 10.731 m  
 Camera height : 1.6m above nail  
 Bearing: 205 SSW  
 Distance to site: 130.8m

Photography details  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

Date and Time  
 Date of photograph: 02/11/2019  
 Time of photograph: 10:41



VP 11 - Manor Road, near Manor Grove



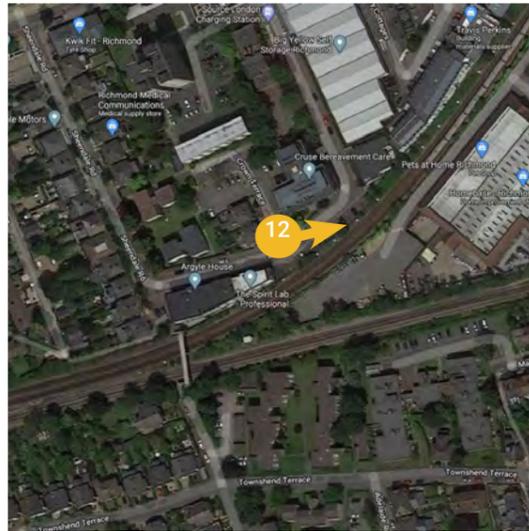
**Camera location**  
 Northing: 175397.355 m  
 Easting: 518780.8594 m  
 Height of nail: 6.2541 m  
 Camera height : 1.6m above nail  
 Bearing: 327 NNW  
 Distance to site: 37.05m

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 08/11/2018  
 Time of photograph: 13:03



VP 12 - Crown Terrace



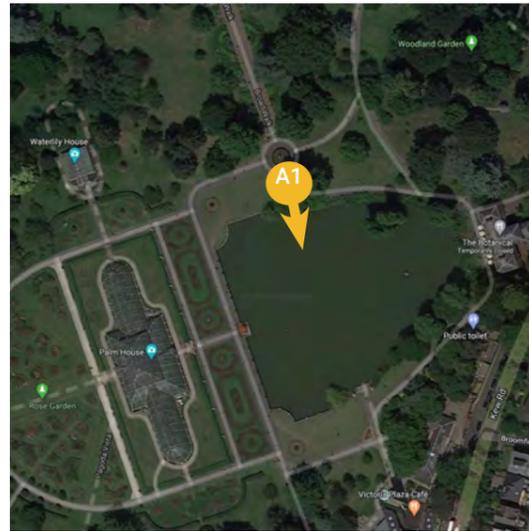
**Camera location**  
 Northing: 175376.3648 m  
 Easting: 518987.8452 m  
 Height of nail: 7.3244 m  
 Camera height : 1.6m above nail  
 Bearing: 42.29m  
 Distance to site: 85 E

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 21/01/2019  
 Time of photograph: 13:57



VP A1 - Broad Walk, Royal Botanic Gardens of Kew



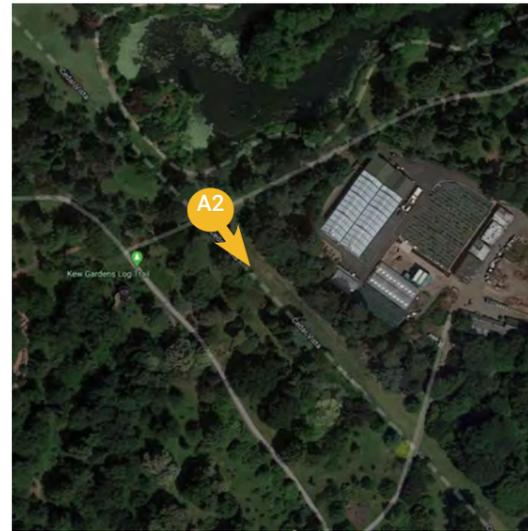
**Camera location**  
 Northing: 177041.7224 m  
 Easting: 518728.8418 m  
 Height of nail: 5.5921 m  
 Camera height : 1.6m above nail  
 Bearing: 175 S  
 Distance to site: 1515m

**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 30/04/2019  
 Time of photograph: 13:19



VP A2 - Cedar Vista, Royal Botanic Gardens of Kew



**Camera location**  
 Northing: 176555.4879 m  
 Easting: 518011.2127 m  
 Height of nail: 5.3106 m  
 Camera height : 1.6m above nail  
 Bearing: 136 SE  
 Distance to site: 1377m

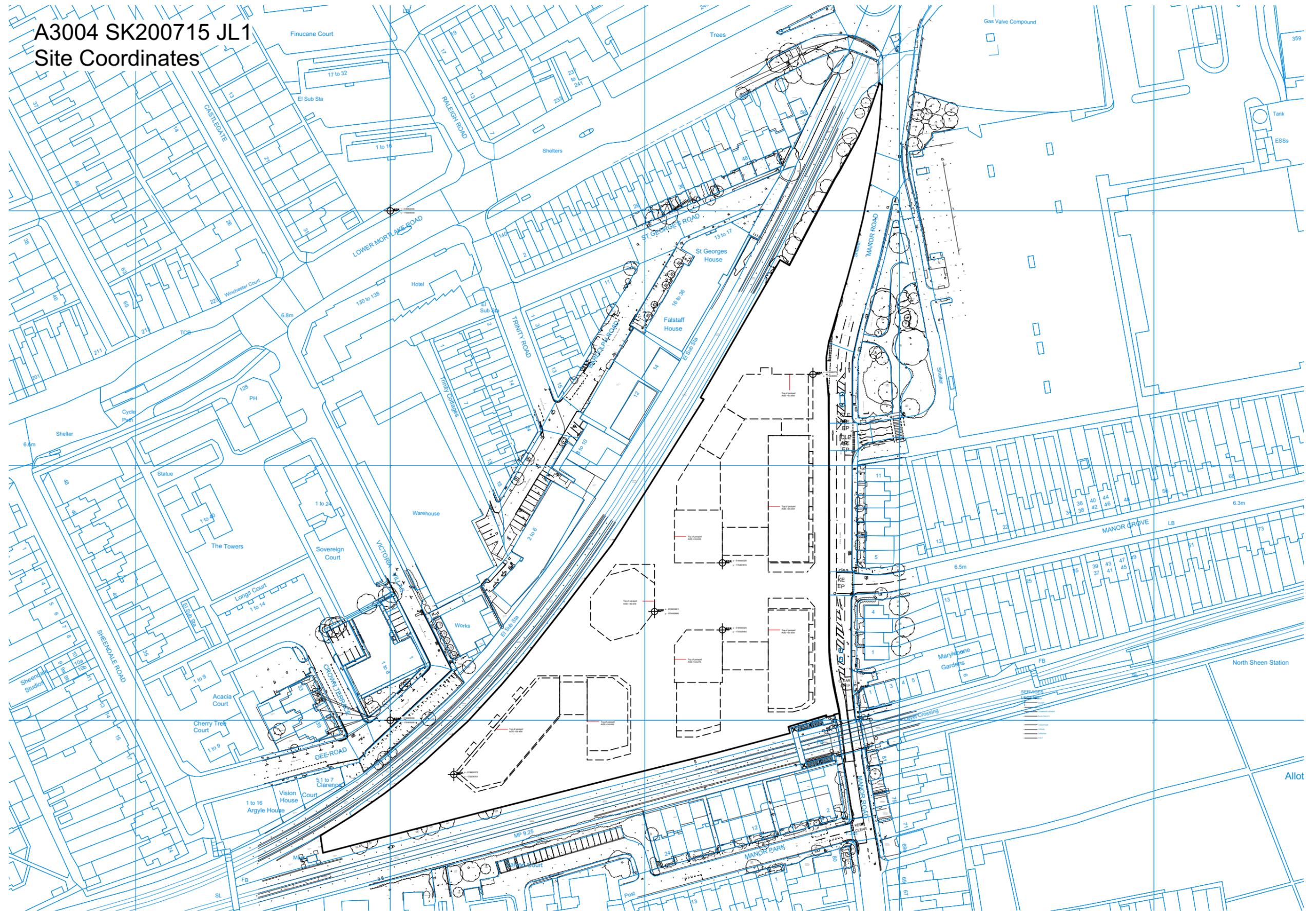
**Photography details**  
 Camera: Canon 5DSR  
 Lens: Canon TS-E 24mm  
 Horizontal FOV: 73.682 degrees  
 Projection: Single frame planar

**Date and Time**  
 Date of photograph: 30/04/2019  
 Time of photograph: 14:01



# Proposed Development Coordinates

A3004 SK200715 JL1  
Site Coordinates



# APPENDIX C REPRESENTATIVE VIEWS (3, 5, 8, 9, A1 AND A2 CROPPED TO 50MM)



Representative view 3 - Proposed Situation (Amended Proposed Development) A3 with A4 crop marks



Representative view 5 - Proposed Situation (Amended Proposed Development) A3 with A4 crop marks



Representative view 8 - Proposed Situation (Amended Proposed Development) A3 with A4 crop marks



Representative view 9 - Proposed Situation (Amended Proposed Development) A3 with A4 crop marks



Representative view A1 - Proposed Situation (Amended Proposed Development) A3 with A4 crop marks



Representative view A2 - Proposed Situation (Amended Proposed Development) A3 with A4 crop marks

The logo for ARC, consisting of the lowercase letters 'arc' in a bold, blue, sans-serif font. The background features abstract, curved lines in light blue and green that sweep across the left side of the page.

arc

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## **Appendix II**

Greater London Authority Hearing Report  
(Homebase, Manor Road, October 2020)

## Homebase, 84 Manor Road

in the London Borough of Richmond

planning application no. 19/0510/FUL

### Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 ("the Order")

### The proposal

Demolition of existing buildings and structures and comprehensive phased residential-led redevelopment to provide 453 residential units (173 affordable), flexible retail, community and office uses, provision of car and cycle parking, landscaping, public and private open spaces and all other necessary enabling works.

### The applicant

The applicant is **Avanton Richmond Developments Limited** and the architect is **Assael**.

### Recommendation

The Mayor, acting as Local Planning Authority for the purpose of determining this application;

- i. grants conditional planning permission in respect of application 19/0510/FUL for the reasons set out in the reasons for approval section below, and subject to the prior completion of a section 106 legal agreement;
- ii. delegates authority to the Head of Development Management to:
  - a. agree the final wording of the conditions and informatives as approved by the Mayor; with any material changes being referred back to the Mayor;
  - b. negotiate and complete the section 106 legal agreement;
  - c. issue the planning permission (subject to the lifting of the Holding Direction).
- iii. delegates authority to the Head of Development Management and Assistant Director of Planning to agree any variations to the proposed Section 106 legal agreement;
- iv. delegates authority to the Head of Development Management and Assistant Director of Planning to refer it back to the Mayor in order to refuse planning permission, if by 8 January 2021, the Section 106 legal agreement has not been completed;
- v. notes that approval of details pursuant to conditions imposed on the planning permission would be submitted to, and determined by Richmond Council; and
- vi. notes that Richmond Council would be responsible for the enforcement of the conditions attached to the planning permission.

## Drawing numbers and documents

<b>Existing plans</b>	
Existing site location plan: MNR AA ALL ZZ DR A 1000 R2	
Existing site block plan: MNR AA ALL ZZ DR A 1100 R2	
Existing ground floor plan: MNR AA ALL GF DR A 1200 R2	
Existing mezzanine plan: MNR AA ALL M1 DR A 1201 R2	
Existing sections: MNR AA ALL ZZ DR A 1300 R2	
Existing elevations: MNR AA ALL ZZ DR A 1400 R2	
Existing bus layover facility: MNR-AA-ALL-ZZ-DR-A-1600 R1	
<b>Demolition plans</b>	
Site plan demolition drawing: MNR AA ALL ZZ DR A 1500 R2	
Ground floor existing demolition drawing: MNR AA ALL GF DR A 1501 R2	
Mezzanine floor existing demolition drawing: MNR AA ALL M1 DR A 1502 R2	
Sections existing demolition drawing: MNR AA ALL ZZ DR A 1503 R2	
Elevations existing demolition drawing: MNR AA ALL ZZ DR A 1504 R2	
<b>Proposed drawings</b>	
<b><i>General arrangement plans</i></b>	
Basement plan	MNR AA ALL B1 DR A 1999 R13
Ground floor plan	MNR AA ALL GF DR A 2000 R21
First floor plan	MNR AA ALL 01 DR A 2001 R18
Second floor plan	MNR AA ALL 02 DR A 2002 R15
Third floor plan	MNR AA ALL 03 DR A 2003 R15
Fourth floor plan	MNR AA ALL 04 DR A 2004 R15
Fifth floor plan	MNR AA ALL 05 DR A 2005 R15
Sixth floor plan	MNR AA ALL 06 DR A 2006 R15
Seventh floor plan	MNR AA ALL 07 DR A 2007 R15
Eighth floor plan	MNR AA ALL 08 DR A 2008 R14
Ninth floor plan	MNR AA ALL 09 DR A 2009 R14

Tenth floor plan	MNR AA ALL 10 DR A 2010 R4
Roof plan	MNR AA ALL 11 DR A 2011 R18
Phasing plan	MNR-AA-ALL-GF-DR-A-2100 R2
Affordable housing plan	MNR-AA-ALL-10-DR-A-2110 R4
<b>Proposed drawings</b>	
<b><i>Floor plans</i></b>	
<b><i>Block A</i></b>	
Core A – Ground floor plan	MNR AA BA1 01 DR A 2100 R11
Core A – First floor plan	MNR AA BA1 01 DR A 2101 R10
Core A – Second floor plan	MNR AA BA1 01 DR A 2102 R10
Core A – Third floor plan	MNR AA BA1 01 DR A 2103 R10
Core A – Fourth floor plan	MNR AA BA1 01 DR A 2104 R10
Core A – Fifth floor plan	MNR AA BA1 01 DR A 2105 R10
Core A – Sixth floor plan	MNR AA BA1 01 DR A 2106 R10
Core A – Seventh floor plan	MNR AA BA1 01 DR A 2107 R10
Core A – Roof plan	MNR AA BA1 01 DR A 2108 R1
Cores B, C, D – Basement plan	MNR AA BA2 B DR A 2199 R11
Cores B, C, D – Ground floor plan	MNR AA BA2 01 DR A 2200 R11
Cores B, C, D – First floor plan	MNR AA BA2 01 DR A 2201 R10
Cores B, C, D – Second floor plan	MNR AA BA2 02 DR A 2202 R10
Cores B, C, D – Third floor plan	MNR AA BA2 03 DR A 2203 R10
Cores B, C, D – Fourth floor plan	MNR AA BA2 04 DR A 2204 R10
Cores B, C, D – Fifth floor plan	MNR AA BA2 05 DR A 2205 R10
Cores B, C, D – Sixth floor plan	MNR AA BA2 06 DR A 2206 R10
Cores B, C, D – Seventh floor plan	MNR AA BA2 07 DR A 2207 R10
Cores B, C, D – Eighth floor plan	MNR AA BA2 07 DR A 2208 R10
<b><i>Block B</i></b>	
Core A – Ground floor plan	MNR AA BB1 GF DR A 2300 R10

Core A – First floor plan	MNR AA BB1 01 DR A 2301 R10
Core A – Second floor plan	MNR AA BB1 02 DR A 2302 R10
Core A – Third floor plan	MNR AA BB1 03 DR A 2303 R10
Core A – Fourth floor plan	MNR AA BB1 04 DR A 2304 R10
Core A – Fifth floor plan	MNR AA BB1 05 DR A 2305 R10
Core A – Sixth floor plan	MNR AA BB1 06 DR A 2306 R10
Core A – Seventh floor plan	MNR AA BB1 07 DR A 2307 R10
Core A – Eighth floor plan	MNR AA BB1 08 DR A 2308 R10
Core A – Ninth floor plan	MNR AA BB1 09 DR A 2309 R10
Core A – Tenth floor plan	MNR AA BB1 10 DR A 2310 R10
Core A – Roof plan	MNR AA BB1 11 DR A 2311 R2
<b>Block C</b>	
Cores A & B – Ground floor plan	MNR AA BC1 GF DR A 2400 R10
Cores A & B – First floor plan	MNR AA BC1 01 DR A 2401 R10
Cores A & B – Second floor plan	MNR AA BC1 02 DR A 2402 R9
Cores A & B – Third floor plan	MNR AA BC1 03 DR A 2403 R10
Cores A & B – Fourth floor plan	MNR AA BC1 04 DR A 2404 R10
Cores A & B – Fifth floor plan	MNR AA BC1 05 DR A 2405 R10
Cores A & B – Sixth floor plan	MNR AA BC1 06 DR A 2406 R10
Cores A & B – Seventh floor plan	MNR AA BC1 07 DR A 2407 R10
Cores A & B – Eighth floor plan	MNR AA BC1 08 DR A 2408 R10
Cores A & B – Ninth floor plan	MNR AA BC1 09 DR A 2409 R2
Cores A & B – Roof plan	MNR AA BC1 10 DR A 2410 R2
<b>Block D</b>	
Cores A & B – Ground floor plan	MNR AA BD1 GF DR A 2500 R11
Cores A & B – First floor plan	MNR AA BD1 01 DR A 2501 R10
Cores A & B – Second floor plan	MNR AA BD1 02 DR A 2502 R10
Cores A & B – Third floor plan	MNR AA BD1 03 DR A 2503 R10

Cores A & B – Fourth floor plan	MNR AA BD1 04 DR A 2504 R10
Cores A & B – Fifth floor plan	MNR AA BD1 05 DR A 2505 R10
Cores A & B – Sixth floor plan	MNR AA BD1 06 DR A 2506 R10
Cores A & B – Seventh floor plan	MNR AA BD1 07 DR A 2507 R10
Cores A & B – Roof plan	MNR AA BD1 08 DR A 2508 R10
<b><i>Elevations and sections</i></b>	
Proposed site sections	MNR AA ALL ZZ DR A 3000 R5
Elevation AA – Manor Road	MNR AA ALL ZZ DR A 4000 R3
Block A elevations	MNR AA BLA ZZ DR A 4100 R6
Block A elevations	MNR AA BLA ZZ DR A 4101 R6
Block A elevations	MNR AA BLA ZZ DR A 4102 R7
Block A elevations	MNR AA BLA ZZ DR A 4103 R6
Block A elevations	MNR AA BLA ZZ DR A 4104 R6
Block A elevations	MNR AA BLA ZZ DR A 4105 R6
Block A elevations	MNR AA BLA ZZ DR A 4106 R5
Block A elevations	MNR AA BLA ZZ DR A 4107 R5
Block B elevations	MNR AA BLB ZZ DR A 4200 R6
Block B elevations	MNR AA BLB ZZ DR A 4201 R6
Block B elevations	MNR AA BLB ZZ DR A 4202 R6
Block B elevations	MNR AA BLB ZZ DR A 4203 R6
Block C elevations	MNR AA BLC ZZ DR A 4300 R6
Block C elevations	MNR AA BLC ZZ DR A 4301 R6
Block C elevations	MNR AA BLC ZZ DR A 4302 R6
Block C elevations	MNR AA BLC ZZ DR A 4303 R6
Block C elevations	MNR AA BLC ZZ DR A 4304 R5
Block C elevations	MNR AA BLC ZZ DR A 4305 R5
Block D elevations	MNR AA BLD ZZ DR A 4400 R5
Block D elevations	MNR AA BLD ZZ DR A 4401 R6

Block D elevations	MNR AA BLD ZZ DR A 4402 R5
Block D elevations	MNR AA BLD ZZ DR A 4403 R5
Block D elevations	MNR AA BLD ZZ DR A 4404 R5
Block D elevations	MNR AA BLD ZZ DR A 4405 R4
<b><i>Landscape drawings</i></b>	
Landscape general arrangement	P11559-00-001-100-08
Landscape roof plan	P11559-00-001-101-04
Typical tree pit details	P11559-00-001-400-02
<b>Supporting documents</b>	
<b><i>Original application</i></b>	
Design and Access Statement (February 2019)	
Heritage Statement (February 2019)	
Townscape and Visual Impact Appraisal (February 2019)	
Townscape and Visual Impact Appraisal Addendum V2 (May 2019)	
Arboricultural Appraisal and Implications Assessment (November 2019)	
Waste Management Strategy Addendum (November 2019)	
Health Impact Assessment (May 2019)	
<b><i>Additional and revised documents for representation hearing (July 2020)</i></b>	
Area Schedule: Proposed amended development	
Revised Geoenvironmental & Geotechnical Preliminary Risk Assessment	
Design and Access Statement Architectural Addendum	
Design and Access Statement Landscaping Addendum	
Revised Flood Risk Assessment and Drainage Strategy	
Arboricultural Appraisal and Implications Assessment Addendum	
Revised Circular Economy Statement	
Revised Construction Environmental Management Plan	
Health Impact Assessment Addendum	
Heritage Statement Addendum	

Revised Daylight Sunlight Report
Planning Statement Addendum
Revised Air Quality Assessment
Revised Commercial Travel Plan
Revised Energy Strategy
Revised Fire Safety Statement
Revised Lighting Design Strategy
Revised Noise Vibration Impact Assessment
Revised Preliminary Risk Assessment
Revised Residential Travel Plan
Revised Servicing and Delivery Management Plan
Revised Sustainability Strategy
Revised Transport Assessment
Revised Utilities Statement
Revised Waste Management Strategy Addendum
Revised Wind Microclimate Assessment
Townscape and Visual Impact Appraisal Addendum
Whole Life Carbon Assessment

## Introduction

1 Having assumed authority to determine this planning application under his powers in the Mayor of London Order 2008, this report sets out the matters that the Mayor must consider in forming a view over whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

## Officer recommendation - reasons for approval

2 The Mayor, acting as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Richmond Council's planning committee report dated 3 July 2019, associated addendum, the minutes of that committee setting out six reasons for refusal and all consultation responses and representations made on the case including in respect of the scheme as it has now been revised. The paragraphs below provide a summary of the key reasons why GLA officers consider this application to be acceptable in planning terms:

- I. The development of this accessible, brownfield, under-utilised site; close to a transport interchange; would provide a high density residential-led mixed-use scheme, including appropriate levels of flexible uses, public realm enhancements and contributions towards the consultation and introduction of a Controlled Parking Zone, railway safety, upgrades to North Sheen Station, level crossing improvements, Manor Circus safety scheme, station access feasibility study from North Sheen Station, local area healthcare, and the borough's Carbon Offset Fund. The scheme would make a significant contribution towards housing and affordable housing delivery targets, assisting in meeting local and strategic housing need, both for market and affordable housing. On this basis, the application strongly accords with the NPPF; London Plan Policies 1.1, 2.6, 3.3, 3.11, and 4.7; Intend to Publish London Plan Objectives GG1, GG2, GG3, GG4, GG5, GG6, Policies SD6, D1, D2, and D3; Richmond Local Plan Policies
- II. The scheme would provide 453 residential units, of which 173 would be affordable (40% by habitable room). This would include a policy compliant tenure mix, made up of London Affordable Rent, London Living Rent and London Shared Ownership units. The proposed affordable housing offer meets the requirements of the Mayor's Affordable Housing & Viability SPG and is therefore eligible for the 'Fast Track Route'. An early implementation viability review mechanism will be triggered, should substantial implementation not be achieved within 24 months of planning permission being granted which would allow for an enhanced affordable provision. The affordability levels comply with the London Plan and would be secured by legal agreement. The housing proposed is of a high quality, accessible, and an appropriate density and mix for the location, taking into account the characteristics of the site. On this basis, the application accords with the NPPF; London Plan Policies 3.6, 3.8, 3.9, 3.11, and 3.12; Intend to Publish London Plan Policies H4, H5, H6, H7 and H10; Richmond Local Plan Policy DMH 7; the Mayor's Affordable Housing & Viability SPG (2017); the Mayor's Children and Young People's Play and Informal Recreation SPG (2012).

- III. The design and layout of the proposal is of a high quality, would optimise the development capacity of the site, and would respond appropriately to site constraints without causing undue harm to the amenity of neighbouring properties. While the tall buildings would represent a step change from the site's immediate surrounds, the massing strategy presents a sensitive approach to the site's immediate context and the buildings would provide significant benefits in terms of high-quality architecture, housing, affordable housing, and amenity space; therefore, they are considered acceptable on balance. The proposed density is acceptable given the characteristics of the site, particularly its high level of accessibility, and the proposal has benefitted from extensive design scrutiny which has led to improvements to the layout and form of the proposed buildings, residential units, and public realm. The proposed public realm would be of high quality and represent a significant improvement over the current condition, with increase active frontage along Manor Road and new sections of public realm providing places for existing and future residents to walk, sit, play, and gather. The scheme would provide a high standard of residential quality, including internal and private amenity space, aspect, outlook, privacy, air quality, and noise; and achieve the highest standard of inclusive design. The architectural approach and materials palette are refined and imbued with highly contextual references which would result in a distinctive, cohesive, high-quality scheme that fits appropriately within its urban and general environment. On this basis, the application generally accords with London Plan Policies 3.5, 3.6, 3.8, 3.9, 3.11, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, and 7.8; Intend to Publish London Plan Policies D1, D2, D3, D4, D5, D6, D7, D8, D9, D11, D12, D13, and D14; and Richmond Local Plan Policies LP 1, LP2, LP 8, LP 16, LP 34, LP 35, LP 36, and LP 37.
- IV. The proposed development would not be clearly visible from the Grade II\* Listed Hickey Almshouses; therefore, no harm would be caused to their significance or setting. Whilst the proposal would be visible from atop of the Pagoda within the Kew Royal Botanic Gardens World Heritage Site (WHS) and within the Sheendale Road Conservation Area, it would be viewed within the backdrop of an established urban context which already comprises a number of modern buildings of lesser architectural quality. The proposal would not result in harm to the significance or setting of the Kew WHS or the Sheendale Road Conservation Area. Additionally, the proposal is not within an archaeological priority area and Historic England (archaeology) did not provide any comments on the proposal. For these reasons, the proposal accords with the NPPF; London Plan Policies 7.4, 7.6, 7.7, and 7.8; Intend to Publish London Plan Policies HC1 and HC2; and Richmond Local Plan Policies LP 1, LP 3, LP 4, LP 6, and LP 7.
- V. The proposal has demonstrated that a suitable standard of sustainable design and construction would be achieved, minimising carbon dioxide emissions in line with adopted policy, using energy efficiently and including renewable energy technologies, in accordance with the London Plan energy hierarchy. Although a small number of 'very poor' to 'moderate' quality trees would need to be removed in order to bring the site forward, 24 individual trees and small tree groups would be protected and preserved and 141 new semi-mature trees would be planted resulting in a net uplift of trees on site when compared to the existing condition. The development would also deliver sustainable urban drainage, ecology and urban greening benefits. Appropriate provisions are made for waste storage and collection. Land contamination issues would be appropriately mitigated. As such the scheme complies with Policies within Chapter 5 of the London Plan, and

Policies 7.19 and 7.21; Policies within Chapter 9 of the Mayor's Intend to Publish London Plan, and Policies G2, G5, G6 and G7; the Sustainable Design and Construction SPG, and Richmond Local Plan Policies LP 12, LP 15, LP 16, LP 17, LP 20, LP 21, LP 22, and LP 24.

- VI. The area has a good level of transport infrastructure provision. The proposals would ensure uninterrupted use of the bus layover facility on site as well as securing £625,000 of contributions towards the Manor Circus Improvement Scheme, railway safety, level crossing improvements a station access feasibility study, North Sheen station upgrades, and a Controlled Parking Zone study and amendments (if necessary). The proposed development includes a quantum of cycle parking which exceeds London Plan and Intend to Publish London Plan minimum standards and is car-free, bar fourteen Blue Badge spaces and two electric Car Club spaces. The highways and public transport impacts of the proposals are therefore acceptable. Subject to the transport mitigation measures being secured, the application supports the transport policies in the London Plan, Intend to Publish London Plan, Richmond Local Plan and Mayor's Transport Strategy.
- VII. Appropriate, relevant, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental, and socio-economic impacts are mitigated, in line with London Plan Policy 8.2 and Intend to Publish London Plan Policy DF1.
- VIII. Accordingly, the proposals are considered to accord with the development plan.

## Section 106 Legal Agreement

- Affordable housing: 173 units (40% of habitable rooms) to be affordable, 52% of which to be London Affordable Rent and 48% to be intermediate (comprising both London Shared Ownership and London Living Rent). Details of affordability (as below), service charges and nominations will be secured.
  - London Affordable Rent: 84 affordable housing units (247 habitable rooms) with rents to be updated annually by the GLA (2020/21 rents: £159.32 weekly for 1-bed, £168.67 weekly for 2-bed, and £178.05 weekly for 3-bed).
  - London Shared Ownership affordability: 34 affordable housing units (101 habitable rooms) with average annual housing costs not to exceed 28 per cent of the relevant annual gross income for households (such 28 per cent being equivalent to 40 per cent of net income) at the following income upper limits stated below:
    - one-bedroom: £55,000;
    - two-bedroom: £71,000;
  - London Living Rent: 55 affordable housing units (129 habitable rooms) at London Living Rent as updated annually by the GLA (2020/21 rents: £1,181 pcm for 1 bed, £ 1,313 pcm for 2 bed), gross annual incomes levels: 1 bed £50,614; 2 bed £56,271.
  - An early stage review mechanism.

- Transport: The following transport related obligations would be secured:
  - Residential and commercial Travel Plans.
  - A car club scheme inclusive of two electric car club bays and three years free membership for residents.
  - Restrictions preventing future residents to apply for permits within a Controlled Parking Zone (CPZ) should one come forward in the future.
  - CPZ consultation contribution of £50,000 towards reviewing and consulting on the introduction of a new Controlled Parking Zone(s) within the vicinity.
  - CPZ implementation contribution of £50,000 in relation to introduction of any CPZ.
  - Railway safety contribution of £15,000 to be paid to the Council for payment onto Network Rail to be applied towards education programmes for the local community.
  - Level crossing improvements contribution of £60,000 towards improvements to the level crossing.
  - Station access feasibility contribution of £30,000 to be paid to the Council towards a feasibility study relating to accessibility improvements to North Sheen mainline railway station.
  - North Sheen station improvements contribution of £40,000 towards improvement to North Sheen mainline railway station.
  - Manor Circus road safety scheme contribution of £380,000 to be paid to TfL to improve pedestrian road safety and the cycling and pedestrian environment.
  - Travel Plan monitoring contribution of £5,000 (commercial) and £5,000 (residential) to be paid to the Council.
  - Bus layover lease – development will not commence until a bus layover lease has been granted.
  - Highway works under s278 agreement.
- Local Employment: A local employment scheme to be submitted and approved in writing by the Council prior to commencement.
- Play space and Public Realm: A offsite play space contribution of £54,154 and maintenance contribution of £10,045 to be paid towards the provision and/or improvement of playspace for 11 to 17-year olds in the vicinity. The s106 agreement will also secure the management and maintenance of the public realm.
- Carbon offsetting: A carbon offset contribution of £423,000 would be secured and provided prior to commencement to meet London Plan's requirements for major development to achieve zero carbon emissions. Should the Intend to Publish London Plan be adopted prior to a decision on this application, the applicant would be required to pay a further £17,000 in order to meet the zero-carbon target for the commercial element of the scheme. In addition, there would be an increase in the residential element from circa £423k to £670k. As such, should the Intend to Publish London Plan be adopted prior to a decision into this application the total carbon offset payment to be secured would rise to £687,000.
- Healthcare: A healthcare contribution would be provided of £193,500 for improvements to primary healthcare facilities in the vicinity.
- Monitoring contribution: A sum of £17,384 to be paid to the Council for monitoring planning obligations.

## Planning conditions<sup>1</sup>

3 The conditions considered relevant and necessary to this application proposal are listed below:

- 1. Time limit
- 2. In accordance with approved reports, specifications and drawings
- 3. Details of site levels
- 4. Construction, Environmental Management and Logistics Plan
- 5. Demolition and Construction Waste Management Plan
- 6. Piling Method Statement
- 7. Restriction on the use of the commercial floorspace to ensure that retail uses are provided.
- 8. Restriction on primary cooking unless otherwise agreed by the Local Planning Authority.
- 9. Detailed drawings, external materials and balcony screens
- 10. Detailed drawings and external materials for the proposed commercial uses
- 11. Details of landscaping scheme, including children's play space and bollards to the front of the site and elsewhere to prevent vehicles accessing certain areas of the public realm.
- 12. Communal roof top gardens and green/brown roofs
- 13. Unless identified on the approved documents, no use of roof area as a balcony, roof terrace or similar amenity area
- 14. Biodiversity enhancements
- 15. Non-native invasive species
- 16. Restriction on telecommunications equipment
- 17. Details of external lighting within the public realm and on the external facade of the building
- 18. Fire safety
- 19. Accessible and adaptable dwellings
- 20. Archaeology
- 21. Details of sound proofing
- 22. Details of ventilation equipment and external plant
- 23. Limited hours of outside seating
- 24. In accordance with Energy Strategy
- 25. Minimising overheating risk
- 26. BREEAM
- 27. Sustainable Urban Drainage Systems
- 28. In accordance with flood risk assessment
- 29. Water use
- 30. Ground investigation
- 31. Unexpected contamination
- 32. Details of refuse
- 33. In accordance with Air Quality Assessment
- 34. Managing emissions from Combined Heat and Power plant
- 35. Non-road mobile machinery air quality
- 36. Cycle parking details

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<sup>1</sup> Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings and maybe subject to amendment in the final version.

- 37. Disabled parking to be provided and retained
- 38. Delivery and servicing plan

## Publication protocol

4 This report has been published seven days prior to the Representation Hearing, in accordance with the Interim Procedure for Representation Hearings at the Greater London Authority during the Covid 19 Pandemic. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Mayor of London's decision on this case will be made available on the GLA website:

<https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/homebase-manor-road-public-hearing>

## Site description

5 The 1.8 ha application site is triangular in shape and located within the Old Gas Works character area of the London Borough of Richmond. It is bounded by Manor Road Circus to the north, Manor Road to the east, and railway lines to the south (South Western Rail) and west (London Overground). Both these sections of railway line, adjacent to the site, are above ground. While the site itself is not within a designated town centre, it is less than 1 mile from Richmond Town Centre.

6 The site comprises a single storey retail building (use class A1) with a large hipped roof which results in a double height internal space in part. The existing building comprises approximately 5,000 sq.m. of floorspace (GIA) and is currently occupied by Homebase and Pets at Home. There is a large surface level car park to the front of the store providing parking for 174 cars and a small part of the car park is currently used by autoglass and a car washing business. The northern part of the site is an open surface level bus terminus currently used by TfL, with a capacity for five buses. The bus terminus or layover is an area where busses can stop with facilities for drivers and change of drivers can take place if need be.



Figure 1 - Site location plan

7 The surrounding area predominantly comprises mixed-use residential and commercial development. To the east of Manor Road, the area is characterised by two-storey terraced housing, a Sainsbury superstore, and a gas works to the north west tip of the site. To the south of the site beyond the railway line is a residential area of varied character with generally two to three storeys homes and blocks of flats. To the west of the site, beyond the railway line, are residential and commercial buildings up to six storeys in height, with an eleven storey residential building 'The Towers' to the west adjacent to the Sheendale Road Conservation Area. At the south west tip of the site there is a pedestrian footbridge over the railway line connecting Sheendale Road and St Mary's Grove. The heights of the existing properties in the vicinity are indicated below in Figure 2.

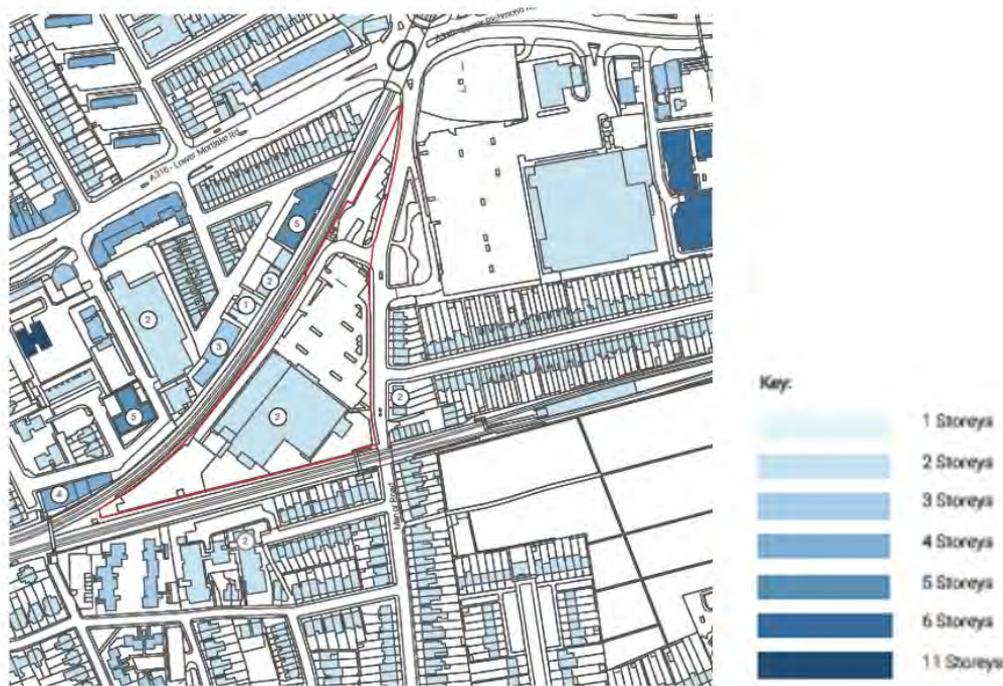


Figure 2 - Site plan showing surrounding building heights

8 The site is located approximately 1.1km south of Kew Gardens, a World Heritage Site, and approximately 1.6km north of Richmond Park. The Thames is approximately 1.5km to the west. The site is within Flood Zone 1.

9 The Sheendale Road Conservation Area is 150 metres to the west and the Sheen Road Richmond Conservation Area, which includes the Grade II\* Listed Hickey Almshouses, is 200 metres to the south west. There are a number of Buildings of Townscape Merit in the vicinity of the site (for example 1-11 Manor Road and along Manor Grove to the east).

10 The site is located immediately south of the A316 Manor Circus which forms part of the Transport for London Road Network (TLRN). A level crossing is located on Manor Road adjacent to the south eastern corner of the site.

11 The entrance to North Sheen rail station is located on the opposite side of Manor Road adjacent to the sites south eastern corner; there are also 10 bus routes within an

acceptable walking distance. The application site has a public transport accessibility level (PTAL) of 5, on a scale of 0 to 6b where 6b is the most accessible.

### **Site specific designations**

12 The site sits within Richmond's character area 6 'Old Gas Works', as defined in the Richmond and Richmond Hill Village Planning Guidance SPD (June 2016). The site contains 64 trees which are covered by Area Tree Preservation Orders, is within a London Underground Safeguarding Zone and is known to have had a previous industrial land use. The site is in an Article 4 area (removing permitted development rights for basements), Richmond's higher CIL band, a takeaway restriction zone and National Grid gas safeguard zone.

13 The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG. The site is not located within an archaeological priority area.

### **Details of the proposal**

14 The application as originally submitted to the Council in February 2019 sought full planning permission for the demolition of the buildings on the application site and the construction of four buildings of between four and nine storeys comprising 385 residential units, 35% affordable by habitable room, and 480 sq.m. of flexible commercial floorspace (Class A1, A2, A3, D2, B1), with associated works.

15 New information and updated plans were received by Richmond Council on 28 May 2019, including amendments in response to transport comments (for example, provision of showers and lockers associated with the proposed cycle parking); Minor amendments to Block A elevations; Minor amendments to general arrangement and floor plans to align with Fire Safety Strategy; Updates to landscape plans; New information submitted in relation to energy, sustainability, transport, design, landscape proposals, flood risk, drainage, fire safety, trees and wind & microclimate; and an updated Health Impact Assessment and Townscape View Assessment. Given the modest nature of the changes, which were not considered by Richmond Council to prejudice neighbours, a formal re-consultation was not deemed necessary.

16 Two rounds of amendments were made to the scheme following the Mayor's decision to take-over and act as local planning authority for the determination of this application. The first round of amendments was made in November 2019 and consulted upon in December 2019 and January 2020. The second amendments were received in July 2020 and consulted upon in August through to the beginning of September 2020. The July 2020 amendments include the following:

- Increase of 68 residential units from 385 to 453 through optimisation of layouts and massing amendments for Blocks A, B, C & D.
- An amendment to the affordable housing tenure split from 30:70 to 52:48 of affordable rent to intermediate tenures, resulting in a 40% affordable housing offer by habitable room (with grant funding), comprising 84 London Affordable Rent units (52% by habitable room), 34 intermediate Shared Ownership units (21% by habitable room) and 55 intermediate London Living Rent units (27% by habitable room). The table below demonstrates the changes to tenure mix:

Table 1 - Affordable housing tenure within original and amended proposed development.

Tenure	Original Proposal	Amended Proposal	Difference
Affordable London Affordable Rent	40 units (30% by habitable room)	84 units (52% by habitable room)	+44 units (+22% by habitable room)
Intermediate Shared Ownership	94 units (70% by habitable room)	34 units (21% by habitable room)	-60 units (-49% by habitable room)
Intermediate London Living Rent	--	55 units (27% by habitable room)	+55 units (+27% by habitable room)
<b>Total</b>	<b>134 units</b> (35% by habitable room)	<b>171 units</b> (40% by habitable room)	<b>+37 units</b> (+15% by habitable room)

- A reduction of the basement and relocation of the cycle parking and bin storage to the ground floor of each Block.
- An increase in cycle parking and accessible car parking spaces to meet the Intend to Publish London Plan standards.
- Design amendments to each of the Blocks to maximise residential quality, including introducing additional cores, increasing provision of dual aspect units along Manor Road, elimination of all single aspect north facing units, increased separation distances and improvements to residential amenity space quality.
- Rearrangement of the proposed commercial floorspace including extending the commercial frontage within Block D towards North Sheen Station and removal of the retail pavilion in central courtyard.
- Rationalisation of building elevations to improve architectural consistency.
- Amendments to the public realm including redesign of the central courtyard following removal of pavilion; revisions to the play space strategy in line with most up to date GLA requirements; introduction of a half ball-court in south west corner of the site; and reconfiguration of car parking.
- Amendments to the site-wide Energy Strategy to comply with the London Plan Energy Hierarchy.
- Height increases for Blocks A (core A), B, and C; height decreases for Blocks A (core D) and D (core B).

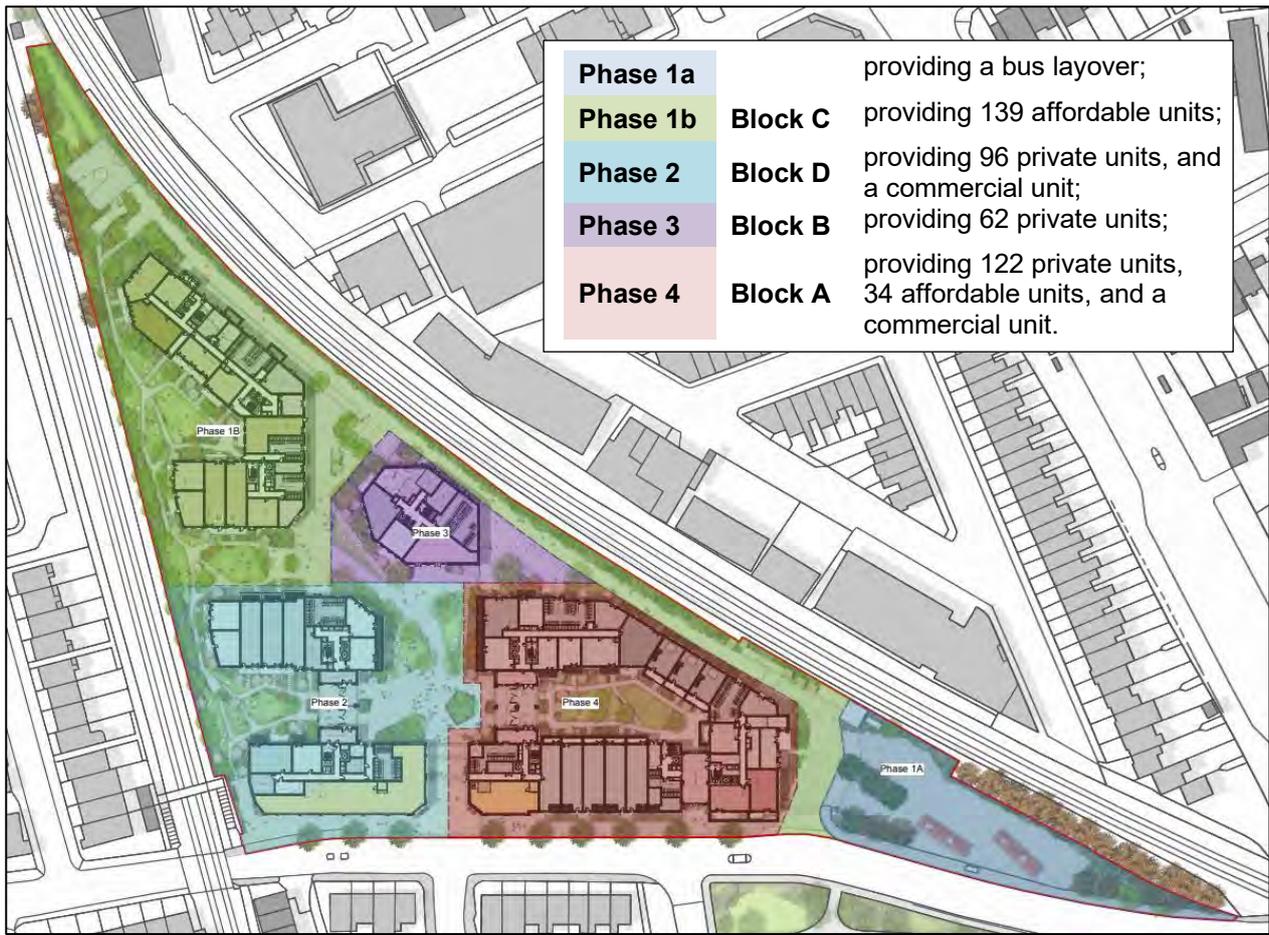


Figure 3 - proposed phasing plan / layout with annotations and use of each building

17 As shown in Figure 4, above, the development would comprise four blocks. The layout has been designed to address existing development along Manor Road to the east, whilst responding to the constraints of the railways along the western and southern boundaries. For this reason, the tallest elements of the development are clustered in the centre of the site and approaching the western boundary, stepping down towards the edges along Manor Road and towards the southern boundary. The elevations fronting onto Manor Road are limited to four storeys to maintain reasonable proportions with the existing residential across the street. The site's main pedestrian and cyclist entrance is from the east of the site from Manor Road close to the North Sheen Station entrance and opposite Manor Grove. The main vehicular entrance is located towards the north of the site (south of the existing bus depot). This entrance retains the existing vehicular access onto Manor Road.

18 The proposed development is split into four separate blocks, known as Blocks A, B, C, and D. The blocks have been subject to amendments in terms of heights, massing and layout to improve the design and residential quality of the proposals.

19 Block A (Phase 4) sits towards the north of the site adjacent the primary vehicular access route. This perimeter block is split into four cores with a central courtyard. The northernmost core is eight-storeys stepping down to four-storeys along Manor Road and the main pedestrian entrance to the site. The block then steps up towards the centre of the site to eight-storeys. The block is predominantly residential with units on all floors, including the ground level, and a ground level commercial unit wrapping around the

southeast corner marking the pedestrian entrance from Manor Road to the heart of the site. The cycle and waste storage are also at ground level in each core. A small basement is located at the south of the building to accommodate cold water tank and pumps, accessed via a hatch.

20 Southwest of Block A is Block B (Phase 3), an octagonal-shaped building, and at eleven-stories, the tallest within the site. It is situated at the western edge across the site from the public entrance creating a visual and physical terminus to the route from Manor Road. There are residential units on each floor with the ground floor also accommodating cycle and waste storage.

21 Block C (Phase 1b) is located at the southwest corner of the site, south of Block B. It is comprised of three cores arranged over two distinct elements. Core A is housed within a ten-storey element that is situated towards the centre of the site and is oriented north-south. Cores B and C are housed within an eight-storey element, which is oriented diagonally paralleling the railway line.

22 Block D (Phase 2) comprises two distinct elements joined by an interconnecting link. The block steps up from a four-storey element fronting onto Manor Road to an eight-storey element towards the centre of the site, with ground floor commercial space along Manor Road and wrapping around the northeast corner marking the pedestrian entrance. The massing and arrangement of this block largely mirrors that of Block A providing visual symmetry which frames the primary pedestrian entrance to the site.

23 The elevations of the proposed buildings from Manor Road looking west are shown in Figure 4 below.



Figure 4 - Manor Road elevation as proposed

24 The proposal includes a new public space in the centre of the site, accessed from Manor Road to the east. The proposed public space includes new tree planting, plant boxes, seating and formal and incidental play space.

25 Vehicular access runs from the main access point, to the north, along the western site boundary to the south western corner of the site. This access is also required by Network Rail to service the neighbouring railway lines. A ball court has been introduced to the far south west of the site, and residents can cross the site from east to west through the landscaped areas to the south of the site between the buildings and the railway line, marking the boundary.

26 The scheme proposes 14 car parking spaces for Blue Badge users with the capability to increase this to 10% if required. 20% of these spaces will be provided with electric vehicle charging facilities. Vehicle access to the car parking and servicing area is

proposed from Manor Road to the east via the existing vehicular entrance currently serving the bus terminus and car park on site. A total of 849 cycle spaces are proposed: 817 to serve the residential component (805 long stay and 12 short stay) and 32 for the commercial (7 long stay and 25 short stay). The residential long stay cycle parking is spread across the development at each core located at ground level.

## Relevant planning history

27 The site's planning history dates back to 1990, for the erection of the non-food retail warehouse that stands on the site (1990 & 1991), change of use of a car sales area to car parking and the bus terminus that stands on the site today (1991), extension to the garden centre (1994), improvements to the bus terminus (2000), and variation of a condition to enable sub-division of the store (the site is currently occupied by Homebase and Pets at Home stores).

28 With reference to the current application, an Environmental Impact Assessment (EIA) Screening Opinion request was considered by Richmond Council, where an EIA was determined not to be required on 14 December 2018. In addition, the GLA considered an EIA Screening Opinion Request for the revised scheme and a negative screening opinion was also given on 24 August 2020. There is no other relevant planning history associated with this site.

29 In addition, it is relevant to note that the adjacent Sainsbury's site to the east is allocated within the LB Richmond Local Plan (SA.21) for a comprehensive redevelopment including retail and residential uses. The continued use of the site as a food store and the re-provision of the existing retail floorspace would also be required.

## Current Application Background

30 Stage 1: On 4 March 2019, Richmond Council notified the Mayor of London that a planning application of potential strategic importance had been submitted, referring it under Categories 1A, 1B and 1C of the Schedule to the Order:

- 1A *“Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”*
- 1B – *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a floorspace of more than 15,000 square metres.”*
- 1C(a) *“Development which comprises or includes the erection of a building that is more than 25 metres high and is adjacent to the River Thames.”*

31 On 15 April 2019 the Mayor considered a GLA planning Stage 1 report with reference GLA/4795/01. This report advised Richmond Council that the principle of a redevelopment of the site for residential and commercial accommodation was supported. The quantum of affordable housing (which was then proposed to be 35% of the scheme), split 36% affordable rent to 64% shared ownership was supported and confirmed as capable of being considered under the Fast Track route, subject to the tenure split being agreed with the Council, affordability being confirmed and the use of grant funding being explored. The high-quality design was supported in line with

strategic policy. Although an increase in cycle parking and amendments to the energy strategy was required, along with some additional information and mitigation, the development was largely in accordance with London Plan and draft London Plan policies, subject to conditions and Section 106 obligations.

32 On 3 July 2019, Richmond Council's Planning Applications Committee resolved to refuse planning permission for the application, in line with officers' recommendation, and on 16 July 2019 the Council advised the Mayor of its decision. The Council's draft decision notice proposed the following reasons for refusal:

1. **Affordable Housing:** The development, by reason of its failure to deliver the maximum reasonable amount of affordable housing, would represent an unacceptable form of development, contrary to the aims of the NPPF, the London Plan (adopted and emerging), Local Plan (policy LP36), Affordable Housing and Planning Obligations Supplementary Planning Document and the Mayor's Affordable Housing SPG.
2. **Design:** The proposal development, by reason of its siting, layout, height, scale, bulk, design and materials is considered to represent a visually intrusive, dominant and overwhelming form of overdevelopment to the detriment of the character of the site and surrounding area; the setting of the Sheendale Road Conservation Area and nearby Buildings of Townscape Merit, and the visual amenities of nearby occupants. The proposal is therefore in conflict with the NPPF, The Adopted and Emerging London Plan, the Local Plan (in particular policies LP1, LP2, LP3, LP4 LP5 and LP8) and Supplementary Planning Documents and Guidance, in particular, Design Quality, Village Plan, Small and Medium Housing Sites.
3. **Residential Amenity:** a. The proposed development, by reason of its siting, layout, height, scale, bulk, and uniform, would represent a visually intrusive and overbearing form of overdevelopment; to the detriment of the surrounding occupant's current level of amenities, in particular those residing at Manor Park; Bardolph Road and Cliveden House; and  
b. The development, by reason of the reductions in daylight to properties immediately adjacent to the site, and the absence of information to demonstrate such resultant levels are akin to existing levels in the immediate and wider local context, the scheme is deemed to result in unacceptable levels of daylight to existing properties.  
For these reasons, the proposed development is contrary to policies LP1 and LP8 of the Local Plan and Supplementary Planning Document 'Residential Development Standards'.
4. **Living Standards:** The proposed development, by reason of its siting, height and design of the proposed buildings, and internal layout and arrangement of the flats; would result in a poor standard of accommodation, causing unacceptable levels of outlook and privacy for future occupiers; and insufficient information has been provided to demonstrate that the scheme provides acceptable levels of daylight to all the proposed residential units. The scheme is thereby contrary to the NPPF, London Plan (Adopted and Emerging), Supplementary Planning Documents and Guidance (in particular Residential Development Standards); and Local Plan (in particular policies LP1, LP8 and LP35).

5. **Energy:** The development, by reason of the insufficient information to demonstrate the scheme:
- a. would comply with the London Plan Energy Hierarchy;
  - b. achieves the highest standard of sustainable design and construction to mitigate the likely effects of climate change and exhausted all opportunities to improve energy conservation and efficiency measures, including an on-site energy network.

The scheme would represent an unacceptable form of development, contrary to the NPPF, London Plan (policy 5.2); Draft London Plan (policy SI2) and the Local plan (LP22).

6. **Absence of a legal agreements**

In the absence of a legal agreement securing the following Heads of Terms, the scheme would represent an unacceptable form of development on grounds of affordable housing; transport; playspace; and sustainability, contrary to the NPPF, the Adopted and Emerging London Plan, the Local Plan (in particular policies LP22; LP31; LP36; LP44; LP45); and Supplementary Planning Documents and Guidance (in particular, Planning Obligations; Car Club Strategy; Affordable Housing):

- Affordable housing -quantum, tenure, affordability, nominations
- Viability Reviews – pre-commencement; early stage and late stage
- Playspace provision and maintenance contribution
- Carbon off-set fund
- Local Employment Scheme – construction and operation
- Controlled parking zone – contribution, consultation, review and implementation
- Removal of car parking permits for controlled parking zone
- Contribution towards railway safety; level crossing improvements, station access feasibility.
- Contribution towards road safety at Manor Circus
- Manor Road improvements
- Car Club provision on site for 2 vehicles and membership for 3 year residential membership;
- Travel Plans – review and bonds

33 Stage 2: On 29 July 2019, The Mayor considered a GLA planning Stage 2 report reference GLA/4795/02. The report concluded that having regard to the details of the application, the development was of such a nature that it would have a significant impact on the implementation of the London Plan, and there were sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The report identified that there were outstanding matters that needed to be resolved, including housing and affordable housing matters, the energy strategy, sustainable drainage and transport matters. The Mayor agreed with this recommendation and on 29 July 2019 issued a direction that the Mayor would act as local planning authority for the purpose of determining this application.

34 Since the Mayor issued this direction, GLA officers have worked with the applicant to resolve the outstanding issues on this case and improve the affordable housing offer. An increase in affordable housing to 40% by habitable room with the inclusion of grant

funding has now been secured. Other changes to the scheme since the Mayoral call in are stated above within paragraph 16.

35 Public consultation: has been undertaken on the proposals outlined above, in line with statutory requirements and is summarised in more detail below.

36 Site visit: Prior to the Representation Hearing the Mayor will undertake a site visit in accordance with the Interim Procedure for Representation Hearings at the Greater London Authority during the Covid 19 Pandemic.

37 On 15 September 2020, the Secretary of State issued a Holding Direction preventing the Mayor from granting planning permission.

## **Relevant legislation, policies and guidance**

38 This application for planning permission must be determined by the Mayor in accordance with the requirement of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 which confirms that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the area comprises the 2016 London Plan (consolidated with alterations since 2011) and the Richmond Local Plan 2018. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should: *“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.”*

39 The Mayor is also required to have regard to supplementary planning documents and emerging policy (taking into account of the state of the process which it has reached). These are not part of the development plan for the purpose of s. 38(6) of the Planning and Compulsory Purchase Act 2004. National planning policy and guidance is also a material consideration as discussed below.

40 The relevant planning policies and guidance at the national, regional and local levels are noted in the following paragraphs.

### **National planning policy and guidance**

41 The National Planning Policy Framework (NPPF) provides the Government’s overarching planning policy framework. First published in 2012, the Government published a revised NPPF in July 2018 and further revised in February 2019 and June 2019. The NPPF defines three dimensions to sustainable development: an economic role – contributing to building a strong, responsive and competitive economy; a social role - supporting strong, vibrant and healthy communities; and, an environmental role - contributing to protecting and enhancing the natural, built and historic environment. The sections of the NPPF which are relevant to this Application are:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities

- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

42 A key component of the NPPF is the presumption in favour of sustainable development. In terms of decision making, this means approving applications that accord with the development plan without delay; or, where there are no relevant development plan policies, or where such policies are out-of-date, granting permission unless either: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or where NPPF policies that protect areas or assets of particular importance provide a clear reason for refusing a proposed development.

43 The National Planning Practice Guidance (NPPG) is also a material consideration.

### **Strategic planning policy and guidance**

44 The London Plan 2016 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.9 Inner London;
- Policy 2.18 Green infrastructure;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people's play and informal recreation facilities;
- Policy 3.8 Housing choice;
- Policy 3.9 Mixed and balanced communities;
- Policy 3.10 Definition of affordable housing;
- Policy 3.11 Affordable housing targets;
- Policy 3.12 Negotiating affordable housing;
- Policy 3.13 Affordable housing thresholds;
- Policy 3.16 Protection and enhancement of social infrastructure;
- Policy 4.1 Developing London's economy;
- Policy 4.3 Mixed use development and offices;
- Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment;
- Policy 4.7 Retail and town centre development;
- Policy 4.8 Supporting a successful and diverse retail sector;
- Policy 4.10 New and emerging economic sectors;
- Policy 4.12 Improving opportunities for all;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.4A Electricity and gas supply;
- Policy 5.5 Decentralised energy networks;

- Policy 5.6 Decentralised energy in development proposals;
- Policy 5.7 Renewable energy;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.11 Green roofs and development site environs;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 5.14 Water quality and wastewater infrastructure;
- Policy 5.15 Water use and supplies;
- Policy 5.17 Waste capacity;
- Policy 5.18 Construction, excavation and demolition waste;
- Policy 5.21 Contaminated land;
- Policy 5.22 Hazardous substances and installations;
- Policy 6.1 Strategic approach;
- Policy 6.2 Providing public transport capacity and safeguarding land for transport;
- Policy 6.3 Assessing the effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure;
- Policy 6.7 Better streets and surface transport;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 6.14 Freight;
- Policy 7.1 Lifetime neighbourhoods;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.7 Location and design of tall and large buildings;
- Policy 7.8 Heritage assets and archaeology;
- Policy 7.13 Safety, security and resilience to emergency;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 7.19 Biodiversity and access to nature;
- Policy 7.21 Trees and woodlands;
- Policy 7.29 The River Thames;
- Policy 8.2 Planning obligations; and
- Policy 8.3 Community Infrastructure Levy.

45 On 1 December 2017, the Mayor published his draft London Plan for public consultation. Consultation on the Plan closed on 2 March 2018. On 13 August 2018, the Mayor published a version of the draft Plan that includes his minor suggested changes. The draft London Plan was subject to an Examination in Public (EiP), which was undertaken between 15 January and 22 May 2019. On 16 July 2019, the Mayor published the draft London Plan – Consolidated Suggested Changes Version (July 2019), which incorporates the suggested changes put forward by the Mayor before,

during, and after the EiP sessions. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor and this was published on the GLA website on 21 October 2019. On 9 December 2019, the Mayor issued to the Secretary of State his Intend to Publish London Plan, together with a statement of reasons for any of the Inspectors' recommendations that the Mayor did not wish to accept. On 13 March 2020, the Secretary of State wrote to the Mayor setting out his consideration of the Mayor's Intend to Publish London Plan, and issued Directions under Section 337 of the Greater London Authority Act 1999 (as amended). The Mayor has suggested some minor amendments to the Secretary of State's Directions in order to remove policy ambiguities and achieve the necessary outcomes. Discussions are underway to resolve these matters in order to publish the London Plan as soon as possible.

46 The Secretary of State's Directions are reflected in the relevant sections below, and to the extent that they are relevant to this particular application, have been taken into account as a material consideration. The emerging policies of the Intend to Publish London Plan are considered to be consistent with the NPPF and can be given significant weight, other than those subject to Directions from the Secretary of State. Where a material policy is covered by the Secretary of State's Direction this is highlighted in the analysis below (in respect of Policies D3 and H10).

47 The following policies in the Intend to Publish London Plan are considered relevant:

- Objective GG1 Building strong and inclusive communities;
- Objective GG2 Making best use of land;
- Objective GG3 Creating a healthy city;
- Objective GG4 Delivering the homes Londoners need;
- Objective GG5 Growing a good economy;
- Objective GG6 Increasing efficiency and resilience;
- Policy SD10 Strategic and local regeneration;
- Policy D1 London's form, characteristic and capacity for growth;
- Policy D2 Infrastructure requirements for sustainable densities;
- Policy D3\* Optimising site capacity through the design-led approach;
- Policy D4 Delivering good design;
- Policy D5 Inclusive design;
- Policy D6 Housing quality and standards;
- Policy D7 Accessible housing;
- Policy D8 Public realm;
- Policy D9 Tall buildings;
- Policy D11 Safety, security and resilience to emergency;
- Policy D12 Fire safety;
- Policy D13 Agent of Change;
- Policy D14 Noise;
- Policy H1 Increasing housing supply;
- Policy H4 Delivering affordable housing;
- Policy H5 Threshold approach to applications;
- Policy H6 Affordable housing tenure;
- Policy H10\* Housing size mix;
- Policy S4 Play and informal recreation;
- Policy E8 Sector growth opportunities and clusters;

- Policy E9 Retail, markets and hot food takeaways;
- Policy E11 Skills and opportunities for all;
- Policy HC1 Heritage conservation and growth;
- Policy HC3 Strategic and local views;
- Policy G1 Green infrastructure;
- Policy G5 Urban greening;
- Policy G6 Biodiversity and access to nature;
- Policy G7 Trees and woodland;
- Policy SI1 Improving air quality;
- Policy SI2 Minimising greenhouse gas emissions;
- Policy SI3 Energy infrastructure;
- Policy SI4 Managing heat risk;
- Policy SI5 Water infrastructure;
- Policy SI7 Reducing waste and supporting the circular economy;
- Policy SI12 Flood Risk Management;
- Policy SI13 Sustainable drainage;
- Policy SI14 Waterways – strategic role;
- Policy T1 Strategic approach to transport;
- Policy T2 Healthy Streets;
- Policy T3 Transport capacity, connectivity and safeguarding;
- Policy T4 Assessing and mitigating transport impacts;
- Policy T5 Cycling;
- Policy T6 Car parking;
- Policy T6.1 Residential parking;
- Policy T6.3 Retail parking;
- Policy T6.5 Non-residential disabled persons parking;
- Policy T7 Deliveries, servicing and construction;
- Policy T9 Funding transport through planning; and
- Policy DF1 Delivery of the plan and planning obligations.

48 The following published supplementary planning guidance (SPG), strategies and other documents are also relevant:

- Affordable Housing and Viability SPG (August 2017).
- Housing SPG (March 2016);
- Social Infrastructure SPG (May 2015);
- Accessible London: achieving an inclusive environment SPG (October 2014);
- The control of dust and emissions during construction and demolition SPG (July 2014);
- Shaping Neighbourhoods: character and context SPG (June 2014);
- Sustainable Design and Construction SPG (April 2014);
- Shaping Neighbourhoods: play and informal recreation SPG (September 2012);
- Sustainable Design and Construction SPG (April 2014);
- All London Green Grid SPG (March 2012);
- Planning for Equality and Diversity in London (October 2007);
- Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy (April 2013);
- Crossrail Funding (March 2016);

- Mayor’s Transport Strategy (March 2018);
- Mayor’s Environment Strategy (May 2018);
- Mayor’s Housing Strategy (May 2018);

49 The following pre-consultation draft strategic supplementary planning guidance (SPG), strategies and other documents are also relevant but have no material weight due to their early stage of adoption:

- London Cycle Design Standards (October 2016);
- Energy Planning Guidance (April 2020);
- Good Quality Homes for all Londoners - pre-consultation draft (March 2020);
- Public London Charter - pre-consultation draft (March 2020);
- Circular Economy Statement Guidance - pre-consultation draft (April 2020);
- Whole Life-Cycle Carbon Assessments - pre-consultation draft (April 2020);
- ‘Be Seen’ Energy Monitoring Guidance - pre-consultation draft (April 2020);
- Fire Statements Guidance – pre-consultation draft (July 2020); and
- Evacuation Lifts Guidance – pre-consultation draft (July 2020).

### **Local planning policy and guidance**

50 Richmond Council’s Local Plan (2018) provides the local policy approach for the Borough. There have been two applications to the High Court for a statutory review (under s.113 of the Planning and Compulsory Purchase Act 2004) in respect of the adoption of the Local Plan and on 3 March 2020 the Council adopted the two matters that were subject to legal challenges within the Local Plan. Those two matters are not relevant to the issues in this present case. The relevant policies in Richmond Council’s Local Plan are:

#### Richmond Local Plan

- LP 1 Local Character and Design Quality
- LP 2 Building Heights
- LP 3 Designated Heritage Assets
- LP 4 Non-designated Heritage Assets
- LP 5 Views and Vistas
- LP 6 Royal Botanic Gardens, Kew World Heritage Site
- LP 8 Amenity and Living Conditions
- LP 10 Local Environmental Impacts, Pollution and Land Contamination
- LP 11 Subterranean Development and Basements
- LP 15 Biodiversity
- LP 16 Trees, Woodland and Landscape
- LP 17 Green Roofs and Walls
- LP 20 Climate Change Adaptation
- LP 21 Flood Risk and Sustainable Drainage
- LP 22 Sustainable Design and Construction
- LP 23 Water Resources and Infrastructure
- LP 24 Waste Management
- LP 27 Local Shops, Services and Public Houses
- LP 30 Health and Wellbeing

- LP 31 Public Open Space, Play Space, Sport and Recreation
- LP 34 New Housing
- LP 35 Housing Mix and Standards
- LP 36 Affordable Housing
- LP 37 Housing Needs of Different Groups
- LP 39 Infill, Backland and Backgarden Development
- LP 40 Employment and Local Economy
- LP 44 Sustainable Travel Choices
- LP 45 Parking Standards and Servicing

#### Supplementary Planning Documents/Guidance:

- Air Quality
- Affordable Housing
- Buildings of Townscape Merit
- Conservation Areas
- Design for Maximum Access
- Design Quality
- Development Control for Noise Generating and Noise Sensitive Development
- Planning Obligations
- Refuse and Recycling Storage Requirements
- Residential Development Standards
- Richmond and Richmond Hill Village Planning Guidance
- Security By Design
- Sheen Road Conservation Area Statement and Study
- Sheendale Road Conservation Area Statement and Study
- Sustainable Construction Checklist
- Transport
- Trees: Landscape Design, Planting & Care
- Trees: Legislation and Procedure

#### Richmond Community Infrastructure Levy

51 London borough councils are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL (MCIL). Richmond Council's CIL Charging Schedule came into effect from 1 November 2014. The CIL charging schedule for "residential development (higher band)" in the borough (where the application proposal is located) sets a rate of £250 per sq.m. for housing and "Retail (wholly or mainly convenience) (all areas)" sets a rate of £150 charge for the retail element of the development. The remaining uses proposed are nil charge. Following the adoption of a new charging schedule, MCIL 2 rates now apply to planning permissions granted from 1 April 2019. Accordingly, a MCIL rate of £80 per sq.m. would apply to the residential and commercial floorspace proposed. CIL liability would be subject to relief for the affordable housing element of the scheme.

#### **Response to consultation and notification**

52 As part of the planning process Richmond Council has carried out statutory notification on the application. The application was publicised by sending notifications to

approximately 2,400 addresses in the vicinity of the site, as well as posting site notices close to the site and press notices. Consultations of all relevant bodies also took place.

53 Following the submission of the amended scheme to the GLA on 22 November 2019, the GLA issued notifications on 29 November 2019; however, due to an administrative error several intended recipients were omitted from this distribution. For this reason, a second notification was issued on 10 January 2020. The re-notification included letters to all those originally notified, all respondents to the Councils original notification, a press notice in the Richmond and Twickenham Times and site notices in the vicinity. 21 days were given from the date of the letter to respond to the notification.

54 Following further amendments to the scheme received on 31 July 2020 a third consultation commenced on 6 August 2020. This consultation included site notices, letters to all those originally notified and respondents to previous notifications, letters to statutory consultees, and press notifications. 28 days were given from the date of the letter to respond to the consultation.

55 All responses received in response to Richmond Council's local notification process, and any other representations received by Richmond Council and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below. All comments received have been considered in forming the officers' recommendation set out in this report. The Mayor has been briefed on the amount and content of all consultation and notification responses and has copies of these made available to him in either electronic or hard copy for consideration.

### **Statutory Consultee responses to Richmond Council**

56 Greater London Authority (including Transport for London): The Mayor's consultation stage comments (GLA report ref: GLA/4795/01) and the Mayor's stage 2 decision (GLA report ref: GLA/4795/02) are set out in those reports and summarised in the 'Relevant case history' section above.

57 Historic England: no objection.

58 Greater London Archaeological Advisory Service (GLAAS): no objection.

59 Kew Gardens: no objection.

60 Natural England: no comments.

61 Thames Water: No objection subject to a condition and informatives.

62 Environment Agency: No objection subject to conditions.

63 Metropolitan Police: No objection subject to Secure by Design condition.

64 Network Rail: No objection subject to s106 contributions.

65 Achieving for Children (children's services for Kingston and Richmond): primary level capacity; secondary level capacity subject to new school coming forward being delivered.

66 Kingston and Richmond Clinical Commissioning Groups: no objection subject to a S106 contribution towards primary healthcare in the local area.

67 London Underground Infrastructure Protection: no comments.

68 London Overground Infrastructure Management: no assets nearby.

69 Cadent Gas: no objection and gas pipeline will not be affected.

### **Richmond Council Internal Consultees**

70 LB Richmond Housing: The proposal fails to comply with Mayoral and Richmond targets and requires s106 obligations.

71 LB Richmond Ecology: No objection subject to conditions.

72 LB Richmond Emergency Planning: No comments.

73 LB Richmond Parks and Open Spaces: identify playscape concerns and possible remedies. Additional detail required by planning condition and planning contributions requested.

74 LB Richmond (Environmental Health – Air Quality): No objection subject to conditions.

### **Other responses to the Council, including residents' groups and elected members**

- Richmond and Twickenham Green Party: concerned about scale and density of the proposals, traffic congestion impacts and lack of open space.
- The Kew Society: concerned about height, density, its design and impact, parking provision, air quality and affordable housing.
- Richmond Society: concerned about parking, density, height and mass; suitability of car free development and queried application boundary red line.
- Two joint submissions were received from North Richmond Ward Councillors Baldwin, Pyne and Warren: The first submission objected to the overdevelopment of the site; highlighted the unreasonable impacts this would have on local amenities through parking, congestion, transport issues and height; called for North Sheen Station to be upgraded; and raised a greater proportion of the flats to be available for rent via a housing association; A second response was submitted to Richmond in response to the GLA stage 1 review and its view on housing, transport, height and density, design and community, stating the GLA's analysis of Avanton's proposals is poor and they have paid scant regard to the local area and how the envisaged scheme will affect it. Notably, they agreed that Richmond Affordable Rent affordability is too high.

### **Representations to the Mayor of London**

75 At the time of reporting the application to its planning committee, Richmond Council reported that it had received 724 responses (to the initial, first and second notifications) from local residents, of which 694 were objections, 5 were in support and 25 were general observations. All responses were provided to the GLA subsequent to the

decision to take over the application. Following the Mayor's decision to take over the application, there were two subsequent re-notifications on the amended scheme. In total, an additional 1073 responses in objection and 1 response in support of the development have been received. All representations submitted have been taken into account in the consideration of this application, as set out below, and have been made available to the Mayor in advance of the hearing.

76 The relevant material planning considerations raised in objection to the proposals can be summarised as follows:

- Insufficient affordable housing provision
- Impact of height, scale and mass on heritage assets, neighbourhood and amenity;
- Out of character and materials not in-keeping;
- Poor design quality;
- Disabled access not sufficient;
- Insufficient landscaping and greenspace;
- Loss of trees;
- Lack of playspace;
- Adverse impact on highways, traffic, parking and public transport;
- Lack of parking on site;
- Cycle infrastructure insufficient and needs improving
- North Sheen station cannot cope with additional capacity and needs improving;
- Concerns about effectiveness of proposed Controlled Parking Zone (CPZ)
- Concerns proposals will be a gated community / lack of access to local residents
- Impact on noise, privacy, daylight, sunlight, air pollution and general amenity;
- Social infrastructure insufficient (doctors, schools);
- Drainage and sewerage will not cope;
- Urban heat island effect will be caused;
- Anti-social behaviour will increase;
- Loss of retail on site;
- Loss of employment;
- Approving the proposals would be inconsistent with Richmond's previous decisions and set a planning precedent;
- Cumulative impact of other development coming forward locally; and
- Construction impacts – dust, noise etc.

77 The relevant material planning considerations raised in support of the proposal can be summarised as follows:

- The need for additional housing;
- The need to reduce cars on the roads;
- The activity that the development would bring to the area; and
- Presents an opportunity to modernise the North Sheen Station.

78 The relevant material planning considerations raised in general observation of the proposal can be summarised as follows:

- Concern regarding the parking provided;
- Observation that the nearest primary school is half-empty and would benefit from this proposal;
- Suggested that spaces should be available for car-sharing;
- Suggestion that a clear statement of intent regarding the regulation of resident parking permits be provided;
- Suggestion that the vehicle access point be located as close to Manor Circus as possible to prevent further congestion on Manor Road;
- Suggestion that Council should introduce new signage on Manor Road directing drivers to switch off their engines waiting at the barrier crossing;
- Questions whether there was a covenant on the site; and
- Questions regarding the role and remit of the Design Review Panel.

### **Richmond Council Comments on Revised Scheme**

79 On 3 September 2020 Richmond Council submitted a formal response to the July 2020 amended scheme. In its response the Council reiterated its objection to the proposed scheme, citing the following outstanding concerns:

#### Affordable Housing

80 The response notes that despite the increase in affordable housing from 35% to 40% this provision does not meet the 50% requirement set by Local Plan Policy LP 36 nor does it meet Fast Track tenure split requirements. The Council objects to the lack of viability information demonstrating that the maximum reasonable provision of affordable housing is being delivered and requires further modelling to confirm that the overall number and proposed affordable mix provides the optimum level and tenure mix of affordable homes in line with local need. To this end, the Council states that it would welcome the opportunity to swap intermediate homes and LAR homes in order to improve the number of family-sized rented homes, with support from the Council's Housing Capital Programme, in order to better meet the Mayor and Borough affordable housing requirements set out in the adopted Development Plan.

81 The Council further objects to the distribution of wheelchair accessible units across tenures, the affordability criteria for the Shared Ownership units, and affordability of the proposed London Living Rent units.

82 The Council identified the following matters to be resolved through the s106 negotiations:

- Quantum, tenure and mix, affordability;
- Phasing and delivery;
- Review mechanisms;
- Service charge to be captured within the Borough's affordability threshold;
- Marketing to those living or working in the Borough of Richmond in housing need;
- To consider uplift (or adjustment of tenure mix) through potential of Mayoral grant together with the Council's Housing Capital Programme funding; and
- Wheelchair accessible homes across tenure.

### Design and Landscaping

83 The Council contends that despite some improvements, the reasons for refusal set out in the initial committee report have not been overcome including the proposed heights in relation to the surrounding townscape, and the top floors of Blocks A, C, and D appearing 'heavy' and requiring further refinement in terms of materials choice.

### Residential Amenity

84 The Council reiterated that previous objections and reasons for refusal remain valid, including:

- The increase in height of Blocks C and D exacerbating impact on amenity of neighbours to the south on Manor Par and Calvert Court by way of being overbearing, visually intrusive, and overlooking;
- The increase in height of Block B worsening its impact on residents to the west of the site (in combination with Blocks C and D) to the detriment of their amenity;
- Concerns over the proposal's impact on Cliveden House; and
- Lack of information of light – whether the proposed relationship is reflective of the surrounding context.

### Living Standards

85 The Council recognises that some concerns have been addressed; however, previous and new objections remain including issues of overlook, the separation of units within Block C, single aspect units within Block B facing Block D, and light levels.

### Energy

86 While improvements in carbon dioxide reductions are noted, the Council expects that concerns raised at Stage 1 will have been fully addressed and that the development will comply with the Energy Hierarchy overall. The Council also expects that the required carbon offset contributions be secured within the s106 and that the development achieve the highest standard of construction.

### Legal Agreements and Conditions

87 The Council acknowledges that the heads of terms referred to within the committee report (Appendix 2) is forming the basis of a draft Section 106 Agreement. The Applicant has stated that this will be agreed in advance of the public hearing and LBRuT officers expect to be involved in the process of agreeing the legal agreement. The Council will provide specific comment separately; however, reiterated that all planning obligations outlined in the initial committee report remain valid.

### Land Use

88 The Council raise no objection.

## Playspace

89 The Council require further details on play facilities and justification as to why the play space requirement for under-11s is not being met on site. In addition, the Council require that an operations policy and contribution to offset increased use of local parks be secured by s106 obligation or planning condition, as appropriate.

## Transport

90 The Council require amendments to the following:

- Waste and servicing details;
- Increase in refuse and recycling storage; and
- Clarity on future provision of disabled bays.

91 The Council also require the following Heads of Terms:

- Highway works required to pedestrian refuge;
- CPZ contribution required;
- Removal of car parking permits;
- Various financial contributions;
- S38 and S278 works; and
- Contribution towards uplift in servicing.

## Ecology

92 The Council raises concern over the Urban Greening Factor requirements not being met.

## Trees

93 The Council raises some concern over the suitability of the proposed street planning and requests that further details of planting and landscaping, including a Tree Planting Scheme, be secured by condition.

## Air Quality and Noise

94 The Council insist that the requirements of the recently adopted Air Quality SPD be met.

## Education

95 The Council assert that the increased education need and continued uncertainty over the delivery of a new secondary school are important material considerations.

## Health

96 The Council require a financial contribution of £193,500 towards primary healthcare.

## **Representations summary**

97 All the representations received in respect of this application have been made available to the Mayor; however, in the interests of conciseness, and for ease of reference, the issues raised have been summarised in this report as detailed above.

98 The main issues raised by the notification responses and the various other representations received are addressed under the relevant topic headings within this report and, where appropriate, through the proposed planning conditions, planning obligations outlined in the recommendation section herein.

## **Environmental Impact Assessment**

99 On 19 July 2020, an EIA Screening Opinion was requested by Avison Young on behalf of the Applicant regarding the proposed mixed-use development to provide 453 homes, flexible commercial floorspace, new public realm, associated landscaping and servicing arrangements. On 24 August 2020 the Greater London Authority provided written confirmation that an EIA would not be required.

## **Principal Planning Issues**

100 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are:

- Principle of development, including residential-led mixed-use development, housing delivery, and loss of retail;
- Housing, including affordable housing, housing tenure and mix, and playspace;
- Design, including design scrutiny; site layout; height, massing, townscape and views; architecture and materials; heritage; density; residential quality, including impacts on neighbouring properties (aspect; external amenity; privacy, outlook and sense of enclosure; daylight, sunlight, and overshadowing; and air quality); fire safety; designing out crime; and inclusive design;
- Environment, including energy (minimisation of carbon emissions in development and through energy efficient design); flood risk, sustainable drainage, and water efficiency; air quality; noise impact; waste management; and urban greening;
- Transport, including trip generation and modal split; mitigating highway network impact; public transport capacity and mitigation; active transport; Healthy Streets; car and cycle parking; deliveries and servicing; construction logistics; travel planning; and infrastructure and transport operations protection;
- Mitigating the impact of development through planning obligations;
- Legal consideration; and
- Public Sector Equality Duty (PSED) and Human Rights.

101 These issues are considered within the following sections of the report.

## **Land Use Principles**

102 The NPPF identifies a set of core land-use planning principles which should underpin both plan-making and decision-taking when making effective use of land. Of particular relevance to this case are the directions that planning should:

- encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains;

- give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; and
- promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).

103 The Mayor's overarching objective is to meet London's housing and development need by making the best use of land, whilst safeguarding the Green Belt and designated open spaces. This is reflected in London Plan Policy 1.1 and Intend to Publish London Plan objectives on 'Good Growth' GG1, GG2, GG3, GG4, GG5, and GG6, which support intensified, high-density, mixed-use and mixed housing tenure places, particularly on sites well connected by existing or future public transport, walking and cycling connections, and development on brownfield land.

104 London Plan Policy 2.6 states that the Mayor will work to realise the potential of outer London, recognising and building upon its great diversity and varied strengths by providing locally sensitive approaches to enhance and promote its distinct existing and emerging strategic and local economic opportunities, and transport requirements. This policy also states that the Mayor will enhance the quality of life in outer London for present and future residents as one of its key contributions to London as a whole.

105 Intend to Publish London Plan Policies D3 and D4 encourage the masterplanning of large sites in order to optimise site capacity and deliver good design. These policies promote a design-led approach to development which responds to a site's context and optimising its capacity for growth in line with relevant planning policies and objectives. It is noted that Policy D3 is subject to the SoS Direction and the implications of this are discussed in more detail in the design section of this report.

106 Whilst the site is not in an Opportunity Area, it does comprise previously developed land in a highly accessible and sustainable location. Richmond Core Strategy Policy LP1 supports development proposals that are compatible with the local area, make best use of land and are appropriate in terms of suitability and compatibility of uses. The existing buildings are not noted for their historical or architectural merit, so their demolition is acceptable in principle. For these reasons, a residential-led mixed use development on the site is consistent with the aims of strategic and local planning policy. Specific land use considerations are outlined further below.

## **Commercial Uses**

107 London Plan Policy 4.7 and Intend to Publish London Plan Policy E9 prioritise retail development in town centre locations. Richmond's Local Plan does not seek to retain a large quantum of retail in this location nor is the existing retail use protected under LP 25 or LP 26, since it is not within a town centre or defined retail frontage.

108 Richmond's Local Plan Policy LP40 states that the Council will support a diverse and strong local economy, directing major new employment development towards Richmond and Twickenham centres. Other employment floorspace of an appropriate scale may be located elsewhere. The provision of small units, affordable units and

flexible workspace is also encouraged. Richmond Local Plan Policy LP41 support smaller scale office development in suitable locations.

109 The proposals include 495 sq.m. of flexible retail/community/office floorspace.

Table 2 - Existing versus proposed employment floorspace (GIA)

<b>Use Class</b>	<b>Existing sq.m. (GIA)</b>	<b>Proposed sq.m. (GIA)</b>	<b>Net change (sq.m.)</b>
Class A1	5,000	0	<b>-5,000</b>
Flexible retail/community/office	0	495	<b>+495</b>
<b>Total</b>	<b>5,000</b>	<b>495</b>	<b>-4,505</b>

110 To ensure that active frontages are retained to the sites frontage a restriction will be imposed by condition to ensure that at least 50% of the commercial floor area would be used for A1 (retail)/A3 (restaurants) as per the use classes order in August 2020. In addition, the applicant has confirmed that facility will be provided for tenants to install mechanical ventilation systems in these units and the space for a roof extraction system in Core A of Block D to ensure no harm to neighbouring or future residents from fumes / noise should any restaurant uses be implemented at ground floor level.

111 Whilst the proposal would result in the loss of the existing buildings containing approximately 5,000 sq.m. (GIA) of retail floorspace, there is no in principle objections to this loss given the policy position that such uses will only be protected in certain centres. 495 sq.m. of flexible commercial uses would be re-provided within the site close to North Sheen Railway Station. This provision would be a more appropriately scaled for this area whilst at the same time increasing activation along Manor Road. In addition, the proposal would create additional employment through the buildings construction and the applicant has agreed to enter into a local employment scheme with the Council.

## **Residential Use**

112 The NPPF sets out the Government’s priority to deliver a sufficient supply of new homes to meet housing requirements and states that planning policies and decisions should seek to make effective use of land and support the redevelopment of under-utilised land and buildings. In line with paragraph 118 of the NPPF, substantial weight should be given to the value of developing brownfield land in meeting housing need.

113 London Plan Policy 3.3 seeks to increase the supply of housing within London and sets Richmond Council a target to deliver a minimum of 3,150 homes in the Plan period 2015-2025, which equates to an annualised average housing target of 315 homes per year. Policy H1 of the Intend to Publish London Plan updates this target to 4,110 homes to be delivered between 2019/20 and 2028/29, which equates to an annualised average of 411 new homes.

114 To meet housing targets, London Plan Policy 3.3 emphasises the particular importance of mixed-use redevelopment of surplus commercial capacity. Similarly, Policy H1 requires boroughs to optimise housing delivery on all suitable and available

brownfield sites, specifically identifying car parks and low-density retail parks as a source of capacity for housing delivery. These policies carry forward the Mayor's overarching objective to meet London's housing need by making the best use of potential capacity on brownfield land within the capital, whilst safeguarding the Green Belt and other designated open spaces, as set out in London Plan Policy 1.1 and Intend to Publish London Plan objective GG2.

115 Richmond Local Plan Policy LP 34 makes provision for the borough to meet or exceed the housing target set by the London Plan. This policy identifies the area of Richmond, inclusive of the application site, as having some of the highest indicative capacity for new housing units within the borough.

116 Table 3 below sets out the London-wide delivery against current London Plan housing targets for the period of FY2016 to FY2018, the most recent years for which reliable data is available.

Table 3 - Delivery against pan-London housing and affordable housing targets (source: London Development Database).

<i>London</i>	<b>FY2016</b>	<b>FY2017</b>	<b>FY2018</b>	<b>Total</b>	<b>Delivery</b>
Homes target	42,389	42,389	42,389	127,167	<b>85% of target</b>
<b>Homes delivered</b>	<b>40,674</b>	<b>31,543</b>	<b>36,161</b>	<b>108,378</b>	
Affordable homes target	17,000	17,000	17,000	51,000	<b>35% of target</b>
<b>Affordable homes delivered</b>	<b>6,827</b>	<b>4,431</b>	<b>6,648</b>	<b>17,906</b>	

117 Table 4 below sets out the number of homes and affordable homes delivered within LB Richmond upon Thames relative to the London Plan targets.

Table 4 - LBRuT delivery against London Plan housing targets and Local Plan affordable housing targets (source: London Development Database).

<i>LB Richmond upon Thames</i>	<b>FY2016</b>	<b>FY2017</b>	<b>FY2018</b>	<b>Total</b>	<b>Delivery</b>
Homes target	315	315	315	945	<b>134% of target</b>
<b>Homes delivered</b>	<b>469</b>	<b>381</b>	<b>419</b>	<b>1,269</b>	
Affordable homes target	158	158	158	474	<b>37% of target</b>
<b>Affordable homes delivered</b>	<b>62</b>	<b>41</b>	<b>70</b>	<b>173</b>	

118 The above tables demonstrate that while Richmond has exceeded its overall housing delivery target for the past three years, over this same period it has fallen well short of meeting its affordable housing targets. It should also be noted that all targets are expressed as minimums, with a clear expectation in the London Plan that delivery of housing should be maximised.

119 The proposal comprises 173 affordable housing units (40% by habitable room) with a tenure split comprising 52% London Affordable Rent, 27% London Living Rent, and 21% Shared Ownership units. This proposal, which is equal to the Council's total affordable home delivery over the 2016-2018 period, would exceed Richmond's annual affordable housing target by 10%. The proposal would also contribute towards meeting a strategic affordable housing need in London as per Table 3 above.

120 In accordance with the NPPF, significant weight should be given to the value of developing brownfield land in meeting housing need. The proposed scheme would optimise the residential capacity of this well-connected brownfield site and make a significant contribution towards achieving the Council's housing targets and meeting a strategic pan-London need for conventional and affordable housing by providing 453 new homes, including 173 affordable units (40% by habitable room, 38% by unit). The proposal therefore accords with the NPPF; London Plan Policies 2.13 and 3.3; Intend to Publish London Plan Policies H1 and SD1; and Good Growth objectives within the Intend to Publish London Plan.

### **Social Infrastructure**

121 London Plan Policies 3.16, 3.17, and 3.18 and Policies S1, S2, and S3 of the Intend to Publish London Plan support the provision of adequate social infrastructure including health and education facilities as part of new developments and states that facilities should be accessible by walking, cycling and public transport.

122 Richmond Local Plan Policy LP 28 states that development proposals for 10 or more residential units should assess the potential impacts on existing social and community infrastructure in order to demonstrate to the Council that there is sufficient capacity within the existing infrastructure to accommodate the needs arising from the new development. This policy also supports new or extensions to existing social and community infrastructure where it provides for an identified need; is of a high quality and inclusive design providing access for all; and where practicable is provided in multi-use, flexible and adaptable buildings or co-located with other social infrastructure uses which increases public access.

123 The applicant's updated Health Impact Assessment (HIA) has modelled the impact of the development on social infrastructure in the area, including primary and secondary schools and healthcare facilities, taking into account the existing and future levels of demand and capacity and cumulative effects associated with other extant planning permissions expected to be brought forwards in the area.

### **Primary and Secondary Schools**

124 According to the GLA's Population Yield calculator, the development is expected to generate approximately 920 residents including 73 children under 5, 51 children between ages 5-11 and 25 children aged 12-17. This would result in the need for 51 primary and 25 secondary school places. The HIA indicates that there is a surplus capacity of 560 primary school places within a 1.6-mile radius and a surplus capacity of 5,671 secondary school places within a 3.4-mile radius of the site.

125 Concerns were expressed in the Committee Report and the Council's formal response to the amended scheme over the secondary school capacity, stating that the secondary school capacity in the eastern part of the borough is dependent on a new school being provided as part of the redevelopment of the Stag Brewery site. The Council resolved to grant permission for the Stag Brewery redevelopment, however this application has been called in by the Mayor with a hearing scheduled for November.

126 The Council decided not to recommend refusal on these grounds, and it is considered that the increased demand for school places can be adequately met through the existing school capacity in the area and the CIL contribution from the development of this site. For these reasons, the impact of the proposed development on the secondary and primary school provision in the local area is considered to be limited and acceptable.

### Healthcare

127 The HIA includes an assessment of the impact on health facilities. This assessment indicates that there are seven GP surgeries within a one-mile radius of the proposed development and that the average number of registered patients per FTE GP within this radius is 1,712 (which is lower than the HUDU<sup>2</sup> guidance of 1,800 patients per GP). A contribution of £193,500 towards the provision of healthcare in the local area will also be secured within the Section 106 Agreement. The impact on local healthcare facilities is therefore considered acceptable, subject to the mitigation measures described herein.

### Impact on Social Infrastructure Conclusion

128 The impact of the proposal on existing and planned social infrastructure within the local area would be mitigated through appropriate CIL and Section 106 contributions and therefore the proposal accords with London Plan Policies 3.16, 3.17, 3.18; Intend to Publish London Plan Policies S1, S2, S3; and Local Plan Policy LP 28.

### **Principle of Development Conclusion**

129 As set out above, the residential-led mixed use redevelopment of this highly accessible edge of town centre brownfield site would contribute significantly towards the housing and affordable housing targets for the borough and wider London area as well as providing complementary commercial floorspace and a new high-quality piece of public realm. Additionally, it is noted that Richmond Council did not resolve to refuse planning permission on land use grounds. For these reasons, the proposal accords with London Plan Policies 1.1, 2.6, 3.3, 3.16, 3.17, 3.18, and 4.7; the Intend to Publish London Plan Good Growth objectives and Policies H1, SD1, E9, S1, S2, and S3, and Richmond Council Local Plan Policies LP 25, LP 26, LP 28, LP 40 and LP 41. The principle of the proposed development is in accordance with the development plan.

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<sup>2</sup> London Healthy Urban Development Unit Planning Contributions Model

## Housing

### Affordable housing

130 The NPPF states that local planning authorities should specify the type of affordable housing required and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified; and the agreed approach contributes to the objective of creating mixed and balanced communities.

131 London Plan Policy 3.11 states that the Mayor will, and boroughs should, seek to maximise affordable housing provision and ensure the provision of an average of at least 17,000 more affordable homes per year in London up to 2031, 60% of which should be social/affordable rent with the remaining 40% comprised of intermediate tenures and products.

132 London Plan Policy 3.12 requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual schemes, taking into account a range of factors, including the requirement for affordable housing; affordable housing targets; the need to promote mixed and balanced communities; specific site circumstances; development viability; public subsidy and the resources available to fund affordable housing; and the implications of phased development, including provisions for re-appraising the viability of schemes prior to implementation.

133 In August 2017, the Mayor published his Affordable Housing and Viability Supplementary Planning Guidance (SPG) which sets out his preferred approach to maximising the delivery of affordable housing and introduced the 'Fast Track Route' for applications that meet or exceed the Mayor's threshold for affordable housing (by habitable room). In addition, to qualify for the 'Fast Track Route', an applicant must have explored the potential to increase the level of affordable housing using grant funding and an early stage review mechanism must be secured, which seeks to incentivise the early implementation of any planning permission. Applications which are considered eligible for the Fast Track Route are not required to submit a financial viability assessment or be subject to a late stage viability review mechanism (as is required for applications which follow the 'Viability Tested Route').

134 The threshold approach to affordable housing is also set out in Policies H4, H5 and H6 of the Intend to Publish London Plan. Policy H4 sets a strategic target for 50% of all new homes to be affordable. Policy H5 identifies a minimum threshold of 35% affordable housing (by habitable room); or 50% on public sector owned sites and industrial sites. In this case the land is neither publicly owned nor is it an industrial site; therefore, the 35% threshold applies.

135 Policy H6 of the Intend to Publish London Plan confirms the Mayor's priority to deliver genuinely affordable housing and sets out minimum expectations in relation to tenure split. This requires at least 30% of affordable housing to comprise low cost rent units (either social rent or London Affordable Rent); 30% intermediate housing; with the remaining 40% determined by the borough, having regard to identified need.

136 Richmond Local Plan Policy LP36 seeks 50% affordable housing on all sites, 80% of which should be for affordable rent and 20% intermediate tenure. For individual planning applications, a financial viability assessment should be submitted where schemes propose less than 50% affordable housing. A key objective of policy LP 36 is to

secure the maximum reasonable amount of affordable housing taking account of the relevant circumstances.

137 When the Mayor considered this application at Stage 1, the scheme proposed 385 residential units, of which 134 units (35% by habitable room) were affordable, split 36% Richmond Affordable Rent (RAR) and 64% intermediate shared ownership by habitable room. At that time, the tenure mix was considered to comply with the Mayor’s SPG and draft London Plan Policy H6, however, it did not meet the boroughs required 80:20 split. It was noted that the scheme could be eligible for the Fast Track Route if the proposed tenure split was agreed by the Borough. The Mayor also raised concern with the affordability of Richmond Affordable Rent in comparison to London Affordable Rent; which is demonstrated in Table 5 below. As such, the submitted financial viability assessment was to be robustly scrutinised; however, this process was not completed prior to Richmond Council’s refusal of the scheme and Stage 2 referral to the Mayor.

Table 5 - Affordable rent rate comparison as presented at Stage 1 (2019)

<b>Units size</b>	<b>Richmond Affordable Rent</b>	<b>London Affordable Rent</b>
1-bed	£210/week	£144/week
2-bed	£225/week	£153/week
3-bed	£200/week	£161/week

### Tenure

138 At Stage 2, the 35% affordable housing offer comprising 36% RAR and 64% intermediate shared ownership continued to be supported by the GLA and considered eligible for the Fast Track Route. Since the Mayor’s decision to take over the application in July 2019, the affordable housing offer was increased to comprise 40% of the overall scheme (with grant funding), and the tenure split was amended to comprise 52% London Affordable Rent, 21% Shared Ownership and 27% London Living Rent, calculated by habitable room. The evolution of the affordable housing offer from the initial submission to date is summarised in Table 6 below.

Table 6 - Affordable Housing History

	Initial submission considered by Mayor at Stage 1 and 2 (July 2018)		Current proposal (July 2020)	
	Units	Habitable Rooms	Units	Habitable Rooms
<b>London Affordable Rent</b>	0	0	84	247
<b>Richmond Affordable Rent</b>	40	135	0	0
<b>London Shared Ownership</b>	94	236	34	101
<b>London Living Rent</b>	0	0	55	129
<b>Total</b>	<b>134</b>	<b>371</b>	<b>171</b>	<b>477</b>
	<b>35% by habitable room</b>		<b>40% by habitable room</b>	

139 As noted above, the scheme originally comprised a 35% affordable housing offer with a 36:64 tenure split of affordable rent to intermediate and was considered eligible for the Fast Track Route. Subsequent to the Mayor’s takeover of the scheme the affordable housing offer was improved in terms of number of units and affordability of tenures. The tenure split of the first 35% of the affordable offer was improved to comprise 60:40 London Affordable Rent to intermediate products, plus an additional 31 intermediate units to take the overall total up to 40%. This offer continues to be considered Fast Track eligible on the grounds that the homes provided in exceedance of the 35% threshold are genuinely affordable, per Intend to Publish London Plan Policy H6B. The resultant affordable housing offer, which will be secured in the Section 106 Agreement, is expressed below in Table 7.

Table 7 - Detailed affordable housing offer

Tenure	Unit size			Affordable Percentage		Total	
	1-bed	2-bed	3-bed	By unit	By habitable room	Units	Habitable Rooms
<b>London Affordable Rent</b>	20	49	15	49%	52%	84	247
<b>Shared Ownership</b>	1	33	0	20%	21%	34	101
<b>London Living Rent</b>	36	19	0	31%	27%	55	129
<b>Total</b>	<b>57</b>	<b>101</b>	<b>15</b>	<b>100%</b>	<b>100%</b>	<b>173*</b>	<b>477**</b>
* 38% of scheme by unit							
** 40% of scheme by habitable room							

## Affordability

140 Policy H6 of the Intend to Publish London Plan and the Mayor's Affordable Housing and Viability SPG set out the Mayor's priority to deliver genuinely affordable housing. London Affordable Rent constitutes a low-cost rent product for households on low income, with rent levels based on social rent and set in relation to the GLA's published benchmarks set out in the Mayor's Affordable Homes Programme 2016-21 Funding Guidance.

141 At Stages 1 & 2 the affordable rent component of the proposed scheme comprised 40 units (135 habitable rooms) to be let at Richmond Affordable Rents. Following the Mayor's takeover of the scheme the affordable rent component was revised to comprise 84 units (247 habitable rooms) to be let at London Affordable Rent levels. The proposed London Affordable Rent units will have rent levels as set annually by the GLA, to be secured in the section 106 agreement. These are shown in Table 8 below. Eligibility for London Affordable Rent units would be restricted, based on local need and subject to a nominations agreement with the Council.

Table 8 - London Affordable Rents benchmarks

<b>Unit size</b>	<b>London Affordable Rent *</b>	<b>Market Rent **</b>	<b>Percentage of Market Rent</b>
1-bed	£159/week	£295/week	54%
2-bed	£169/week	£369/week	46%
3-bed	£178/week	£577/week	31%

\* London Affordable Rents are based on 2020-2021 benchmarks and are exclusive of service charges.

\*\* Market rents for TW9 are sourced from the GLA London Rents Map, which is based on 2018/2019 Valuation Office Agency data. To enable comparison, monthly market rents shown in the GLA Rents Map have been multiplied 12 and divided by 52 to provide estimated weekly rents.

142 The Shared Ownership units would be subject to the eligibility and household income requirements as set out in the Intend to Publish London Plan, to ensure that annual housing costs (including mortgage payments, rent and service charge) do not exceed 40% of net household income, assuming a maximum household income of £90,000 (as updated in London Plan Annual Monitoring Reports).

143 Richmond Council expressed concerns that the Shared Ownership units would not meet either the Borough's affordability requirement or Mayor's position in the London Plan Annual Monitoring Report. Following negotiations, the applicant has confirmed that these units would be affordable to households as set out below in Table 9, for the first three months of marketing and meet Richmond Councils expectations in relation to the household income cap. The Section 106 agreement would ensure priority is given to local residents and secure first marketing of the units at these affordability levels, with a cascade mechanism thereafter.

Table 9 – Affordability of shared ownership units based on estimated household income required

Unit size	Refused proposal	Current proposal	Difference
1-bed	£67,367	£47,000	- 30%
2-bed	£80,904	£47,000	- 42%

144 The Council also expressed concern over the affordability of the proposed London Living Rent (LLR) units. LLR levels are based on a third of average local household incomes and ward-level house prices. These units will be offered at GLA published levels for the ward, inclusive of service charges, and will be affordable to households with incomes that are lower than the upper limit for intermediate rent set out in the London Plan AMR. The Section 106 agreement will include further provisions to ensure the affordability of the LLR units by specifying that the rents (inclusive of Service Charges) are to be set by an Affordable Housing Provider in consultation with the Council and at the time of letting should both be not more than 80 per cent of the market rent of the property and shall be equal to or less than the LLR levels published by the GLA. For these reasons, the affordability of the intermediate tenure units is considered acceptable.

145 In its reasons for refusal the Council stated that the proposal failed to deliver the maximum reasonable amount of affordable housing. Whilst the overall offer falls short of Richmond’s planning policy requirement of 50% affordable with an 80:20 tenure split in favour of affordable rent, the revised affordable housing offer of 40% split 52:48 London Affordable Rent to intermediate products, provided at the affordability levels set out above, addresses a demonstrated need for affordable housing within the Borough, particularly with respect to family-sized units. Additionally, as stated in paragraph 139 above, the 35% affordable provision split of 60:40 in favour of London Affordable Rent over intermediate products complies with the Fast Track Route criteria in the adopted London Plan Policy 3.11, and the additional intermediate units satisfy Intend to Publish London Plan Policy H6B. On balance, this affordable housing offer is considered Fast Track eligible, is strongly supported, and is consistent with the policy goal of securing the maximum reasonable affordable housing contribution.

### Grant Funding

146 To be eligible for the ‘Fast Track Route’ the applicant must also have sought grant to increase the level of affordable housing, taking into account the Mayor’s strategic target of 50% affordable housing, in line with Policy H5 of the Intend to Publish London Plan and the Mayor’s Affordable Housing and Viability SPG.

147 The revised application would provide 40% affordable housing by habitable room with the inclusion of grant funding following the Approved Provider route, in line with the Mayor’s Affordable Homes Programme Funding Guide. The affordable housing offer is therefore based on the inclusion of grant at £28,000 per unit for the shared ownership and London Living Rent units and £60,000 per London Affordable Rent unit. This equates to a total grant figure of £7.532 million. In addition, the s106 agreement will allow for further improvements to the affordable housing offer should Richmond Council grant funding come forward in the future.

## Restrictions and Review Mechanisms

148 An early stage viability review will be secured within the Section 106 agreement, which would be triggered if substantial implementation (construction of the ground floor slab to the first floor of Block C) has not been achieved within two years of the permission being granted, in accordance with Policy H5 of the Intend to Publish London Plan and the Mayor's Affordable Housing and Viability SPG. The affordable housing offer meets policy requirements; however, should the early review mechanism be triggered, and a surplus identified, the Section 106 agreement ensures that additional affordable housing would be provided. Officers are satisfied that the review mechanism will incentivise delivery and secure an improved affordable housing offer should it not be implemented, in accordance with the Mayor's Affordable Housing & Viability SPG and Policy H5 of the Intend to Publish London Plan. As the proposal is eligible for the Fast Track Route, a late stage review is not required.

149 Occupational restrictions will be secured within the Section 106 which prohibit the occupation of any open market housing units prior to the practical completion of 50% of the affordable housing units in Block C, and prohibit the occupation for more than 50% of the open market units until an affordable housing provider enters into a nominations agreement with the Council in respect of the London Living Rents units.

## Conclusion on affordable housing

150 In response to concerns raised by the Mayor at both Stage 1 and Stage 2, the applicant has increased the affordable housing offer to 40% by habitable room through grant funding, which represents a significant improvement on the 35% proposed at Stage 2 and is strongly supported. For the reasons set out above, the increased affordable housing offer meets the GLA's Fast Track Route requirements in this instance. The proposed tenure split accords with the requirements set out in the Intend to Publish London Plan and Mayor's Affordable Housing & Viability SPG and the affordability levels proposed across each tenure would comply with the relevant requirement set by the NPPF, London Plan, and within the Intend to Publish London Plan. Also, as demonstrated above, the provision of London Affordable Rent is considered a significant improvement over the originally proposed Richmond Affordable Rent. The scheme is fully compliant with the criteria set out in Policy H5 of the Intend to Publish London Plan and the Mayor's SPG for following the Fast Track Route. The affordable housing will be secured in the Section 106 agreement including the terms of eligibility and affordability and an early stage review mechanism, should permission be granted.

151 On this basis, the application accords with London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.9, 3.11 and 3.12, and the objectives of Richmond Local Plan Policy LP36 including the securing of the maximum reasonable amount of affordable housing. It is consistent with Mayor's Housing SPG (2016) and the Mayor's Affordable Housing & Viability SPG (2017). It accords with Intend to Publish London Plan objective GG4 and Policies D4, D5, D6, H1, H4, H5, H6 as set out above. The affordable housing offer is judged to be in overall conformity with the development plan taking account of the circumstances outlined above. It represents the maximum reasonable amount of affordable housing.

## Housing mix

152 London Plan Policies 3.8 and 3.9 state that new development should provide a mix of housing sizes and types, taking into account local and strategic housing requirements, the needs of different groups, and the strategic priority for affordable family housing provision. Policy H10 of the Intend to Publish London Plan states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. These include recognition that a higher proportion of one and two bed units may be more appropriate in locations closer to a town centre, station or with higher levels of public transport access and connectivity; and the role of one and two bed units in freeing up family housing. The Secretary of State Directions modify this latter point to have regard to “*the need for additional family housing and the role of one and two bed units in freeing up existing family housing*”.

153 Richmond Local Plan Policy LP35 states that development should 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 and that the housing mix should be appropriate to the site-specifics of the location.

154 The application, as amended, would provide 453 units, of which 280 would be private market sale units, and 173 would be affordable units, comprising 84 London Affordable Rent units, 34 Intermediate Shared Ownership units and 55 London Living Rent units. The housing mix would be as follows:

Table 10 - Proposed unit size mix

<b>Unit size</b>	<b>Private market sale</b>	<b>London Shared Ownership</b>	<b>London Living Rent</b>	<b>London Affordable Rent</b>	<b>Total</b>	<b>Percentage</b>
<b>Studio</b>	30	0	0	0	30	6.6%
<b>1-bed</b>	86	1	36	20	143	31.6%
<b>2-bed</b>	145	33	19	49	246	54.3%
<b>3-bed</b>	19	0	0	15	34	7.5%
<b>Total</b>	280	34	55	84	453	100%

155 The site is in a sustainable location in very close proximity to the railway station and bus routes where development should be optimised. In optimising the site a greater number of 1 and 2 bed units have been provided which will add to the local mix. Whilst the proposal only provides 7.5% 3-bed units, it also contains 123 2b4p units which could also be suitable for small families. As such, the unit size mix is considered acceptable given the sustainable location of the site and noting the context of the area which already comprises a large number of family sized dwellings.

156 As such, for the reasons given above, the housing mix is acceptable and in accordance with the London Plan Policy 3.8 and 3.9, Intend to Publish London Plan Policy H10, and Richmond’s Local Plan Policy LP35.

## Play Space

157 Policy 3.6 states that development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Further guidance is provided in the Shaping Neighbourhoods: Children and Young People’s Play and Informal Recreation SPG (2012), which sets a benchmark of 10 sq.m. of child play space to be provided per child. It states that play space for under-fives should be provided on site, within 400 metres for those aged 5-11, and for those aged 12 and over, within 800 metres. Policy S4 of the Intend to Publish London Plan states that residential developments should incorporate good quality, accessible play provision for all ages that is not segregated by tenure, of at least 10 sq.m per child. Play space provision should normally be provided on-site; however, off-site provision may be acceptable where it can be demonstrated that this addresses the needs of the development and can be provided within an accessible and safe walking distance, and in these circumstances contributions to off-site provision may be secured by section 106 agreement.

158 At Stages 1 & 2 the proposed development included the provision of doorstep play space for children under 11 with offsite plays space proposed for older children. Owing to the constrained nature of the site the offsite provision with a contribution in lieu was accepted and the overall play space provision was considered appropriate. Following the Mayor’s takeover of the scheme alterations were made to the proposed unit size mix and the affordable housing provision grew rather significantly, which in turn altered the play space requirement. Based on the GLA Population Yield Calculator, the anticipated child yield of the proposed development now is as follows:

Table 11 - Proposed play space provision

<b>Age range</b>	<b>Anticipated child yield</b>	<b>Play space required</b>	<b>Play space proposed</b>
Under 5	73.1	731	721 sq.m.
5 – 11	50.8	508	505 sq.m.
Over 11	24.6	246	offsite
<b>Total</b>	<b>148.5</b>	<b>1485</b>	<b>1226 sq.m.</b>

159 Courtyards within the scheme have been rationalised to allow for the entirety of the proposed play space to be provided at ground level by way of 20-128 sq.m. “pockets” across the site. There is no provision on site for 12-15 year olds or 16 and 17 year olds; however, there are existing facilities within walkable distance (800m) for older age groups and it is accepted that in this case there are a number of facilities within the vicinity including North Sheen Recreation Ground and Raleigh Road Recreation Ground.

160 Although the proposal falls 13 sq.m. short of delivering the required 1,226 sq.m. on-site provision, because of the overall high quality of design and landscaping, which is to be secured by condition, GLA officers consider the proposed play space provision acceptable in this instance. A contribution towards the offsite provision of play space for children aged 12 and over will be secured in the section 106 agreement.

## **Housing Conclusion**

161 In summary, the scheme would deliver high-quality residential accommodation, including a significant proportion of affordable housing which would address an evidenced need both within the borough as well as within the wider London context. The proposed housing is therefore supported in line with London Plan Policies 3.3, 3.4, 3.6, 3.8, 3.9, and 3.11; and Intend to Publish London Plan Policies H1, H4, H5, H6, and H10. The proposal also accords with Richmond Local Plan Policy LP 35 and is in overall conformity with the development plan as a whole in respect of housing an affordable housing.

## **Urban Design**

162 The NPPF (at paragraph 124) states that good design is a key aspect of sustainable development. Paragraph 127 of the NPPF sets out a number of high level design objectives for new development, including the need to optimise the potential of a site; provide appropriate and welcoming layouts and landscaping; good architecture; establish a strong sense of place; and be sympathetic to local character while not preventing or discouraging appropriate change. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

163 Chapter 7 of the London Plan and Chapter 3 of the Intend to Publish London Plan include a range of design principles and requirements for new development and are set out within specific policies on designing out crime (London Plan Policy 7.3 and Intend to Publish London Plan Policy D11); local character (London Plan Policy 7.4 and Intend to Publish London Plan Policy D1); public realm (London Plan Policy 7.5 and Intend to Publish London Plan Policy D8); architecture (London Plan Policy 7.6 and Intend to Publish London Plan Policy D3); tall and large scale buildings (London Plan Policy 7.7 and Intend to Publish London Plan Policy D9); accessible and inclusive design buildings (London Plan Policy 7.2 and Intend to Publish London Plan Policy D5); and heritage assets and views (London Plan Policies 7.8 and 7.9 and Intend to Publish London Policies HC1, HC2 and HC3).

164 Richmond Council's Local Plan Policy LP1 (Local Character and Design Quality) sets the Council's intention for all development to be of high architectural and urban design quality, and the character and heritage of the borough to be maintained and enhanced where opportunities arise. Policy LP 2 states that the Council will require new buildings to respect and strengthen the setting of the borough's valued townscapes and landscapes, through appropriate building heights.

## **Design Scrutiny**

165 Intend to Publish London Plan Policies D2 and D4 establish that the higher the density of a development, the greater the level of design scrutiny that is required, particularly qualitative aspects of the design. Policy D4 identifies that proposals with a density of over 350 units per hectare or that include a tall building (as defined by the Borough, or above 30 metres), should be subject to a greater level of design scrutiny.

166 This scheme, as originally submitted, was considered in detail at pre-application stage, during the initial Stage 1 considerations by the Mayor, and by the Council in

reporting the application to Committee. Two design review panels were carried out in November 2018 and February 2019 as part of Richmond Council's assessment of the initial application. The Richmond DRP felt there was no justification for the height and massing proposed on the previous scheme, they questioned the form of the development, felt the layout could be improved and had concerns about the definition between the private and public spaces and lack of integration of affordable housing and North Sheen railway station.

167 Following the Mayor's takeover of the scheme the proposals were presented to the Mayors Design Advocates as part of the London Review Panel (LRP) Process to advise on the scheme's: urban design; height and massing; architecture; residential quality; public realm and landscape design. Meetings were held on five separate occasions: a formal review was conducted 20 September 2019, a surgery review was conducted 9 October 2019 (chair only), a second formal review was conducted 1 November 2019, a second surgery review was conducted 18 June 2020 (chair only), and a final review was conducted 22 July 2020. The scheme has evolved in an iterative manner in response to these consultations culminating in the amendments submitted on 31 July 2020.

168 In its final review, the Panel commended the design team for addressing the recommendations from the previous reviews and encouraged them to continue to develop the detailed designs beyond planning and into delivery. The Panel thoroughly supported the removal of Block E, which was introduced in the November 2019 revisions, and agreed that the reduction in floor to floor heights is helpful in minimising the impact of the proposed massing. The Panel also agreed that the enclosing of the cut-through in Block A to Manor Road is a positive move that creates a more legible, secure street edge and generous lobby space. The Panel further commended the design team for their development of the landscape proposals including improvements made since the last iteration, such as simpler path layouts and improved place space provision.

169 The Panel noted the change in material from stone to metal on the top floors of Blocks A, C, and D to improve the contrast with the brickwork below, and that this change was supported by Richmond Council. The Panel advised that the design team robustly detail the metal cladding to ensure that the design is delivered well. The applicant responded that the updated design of the top floor setback is demonstrated in the planning submission drawings and the addendum, and that high-quality, robust materials are to be selected for finish.

170 The Panel echoed concerns raised by Richmond Council over the proximity of windows to balconies, particularly in Blocks A and D. In response, the applicant team resized balconies and revised the fenestration to minimise overlooking from units onto adjacent balconies.

171 The Panel noted that the height and massing of some of the buildings had increased slightly in the latest iteration of the scheme and advised the design team to consider revising the bulk where possible to minimise their impact on the local context and heritage assets. The applicant team indicated that the surrounding context was carefully considered in the massing revisions with height increases proposed in areas of the site where they would have the least impact on neighbouring properties and views.

172 The applicant team furthermore sought to mitigate this impact through revisions to the architectural treatment, floor to ceiling heights, and materials palette: top floor

parapets were minimised across the scheme, floor-to-ceiling heights were reduced from 3300 mm to 3150 mm, and the top floor 'set back' detailing on Blocks A, C, and D was lightened to appear less heavy. A comparison between the original (February 2019) and amended schemes is demonstrated in Figure 6 below, taken from the Townscape and Visual Impact Assessment Addendum.



Figure 5 – Refused scheme (left) and Amended proposals (right) as viewed from Manor Road.

173 The Panel encouraged the team to explore design solutions to avoid overheating, rather than a relying on mechanical interventions. The applicant team reviewed comfort levels in all units and made design revisions including locating windows centrally within rooms, locating services and bathrooms towards the back of floorplans to minimise deep room arrangements, maximised the provision of dual aspect units, included Juliet balconies to allow for large openable areas and secure night-time ventilation, substituted balconies for winter gardens in high-noise areas, and fitted all units with MVHR units. Some MVHRs were also fitted with cooling coils to mitigate overheating where windows could not be opened due to background noise levels. The applicant further committed to reviewing overheating strategies at the detailed design phase to improve comfort levels without increasing residents' costs.

174 The Panel questioned the flexibility of the commercial units particularly in view of potential changes to the use class system and advised the applicant team to revisit the proposed delivery and servicing plan to better reflect what they termed as the likely reality of deliveries to the commercial units including the potential for deliveries from Manor Road. The applicant team noted that the proposed flexible floorspace (Use Class A1, A2, A3, D2, and B1) would all fall under the new Use Class E and that these units have been designed to ensure ongoing flexibility of use through the inclusion of comfort facilities and showers and layouts which support subdivision of spaces into smaller units. The applicant team also reviewed the servicing arrangement, concluding that the introduction of a loading bay along Manor Road is not practicable given its proximity to the level crossing and risk of pedestrian and vehicular conflicts. For this reason, the rear-approach servicing strategy was retained.

175 Finally, the Panel questioned the relationship between the proposed materials palette and the local context, advising the applicant team to clearly demonstrate how research into context and heritage informed the choice of materials. The Panel also encouraged the applicant team to test the tones of the proposed materials to avoid looking too grey, suggesting that the local context may serve as a useful precedent. In response, the applicant demonstrated that a contextual analysis of the surrounding

buildings informed the proposed materials palette. The analysis and details of the white/cream stone were included in the planning addendum.

### Design Scrutiny Conclusion

176 The proposal includes tall buildings above 30 metres requiring a greater level of design scrutiny in accordance with Intend to Publish London Plan Policy D4. Accordingly, and as outlined above, the proposals were subject to an extensive and iterative process of design scrutiny: twice by the Richmond Design Review Panel and five further times by the Mayor's Design Advocates. The scrutiny highlighted concerns around the height, massing, and materiality of the proposal and the scheme has evolved as a result of these comments, including the removal of Block E, simplification and rationalisation of the landscaping, redistribution and refinement of the massing, increased separation distances, revisions of the fenestration, and changes to the proposed materiality and architectural detailing. As a result, and as discussed in greater detail below, the proposed scheme provides a high standard of residential accommodation, including compliance with residential space standards, aspect, privacy and overlooking, daylight and sunlight, noise and vibration, and air quality. Additionally, the scale and massing are considered acceptable in this instance and the proposal is not considered to harm the setting, historic interest, or overall significance of heritage assets. The proposal is therefore considered to comply with Intend to Publish London Plan Policy D4.

### **Density**

177 London Plan Policy 3.4 requires new development to optimise housing output, having regard to site context and character, urban design principles and public transport capacity. Table 3.2 of the London Plan includes a sustainable residential quality (SRQ) density matrix which sets out broad density ranges by Public Transport Accessibility Level (PTAL) and setting; however, paragraph 3.28 of the London Plan states that it is not appropriate to apply density matrix mechanistically, and that other factors relevant to optimising housing potential ought to be taken into account for individual applications. Paragraph 1.3.51 of the Housing SPG (2016) states that it may be acceptable for schemes to exceed the ranges in the density matrix in appropriate circumstances, providing qualitative design and management concerns are addressed, including the requirement to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and having regard to other factors such as the proposed housing mix.

178 Intend to Publish London Plan Policies D1-D4 place a greater emphasis on optimising the density of a site through a design-led approach, providing residents with safe, secure and inclusive environments that provide active frontages and appropriate outlook, privacy, and amenity whilst also having regard for the site's context, public transport access and infrastructure capacity. The Secretary of State's Directions propose additions to the Policy: "*The design of the development must optimise site capacity. Optimising site capacity means ensuring that development takes the most appropriate form for the site. Higher density developments should be promoted in areas that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.*"

179 The site has a PTAL of 5 and whilst the wider context is predominantly 'suburban', the site and its immediate surrounds could reasonably be considered 'urban' in

character. The London Plan density matrix guideline for an urban site with a PTAL between four and six is 200-700 habitable rooms per hectare or upwards of 260 units per hectare. The proposals would result in a residential density of 252 units (661 habitable rooms) per hectare, which is within the London Plan guideline density range for proposals on sites such as this one.

180 As discussed in the 'Design Scrutiny' section above, the current scheme has evolved in response to comments made through an iterative process of pre-application advice, public consultation, and professional scrutiny. Additionally, the scheme layout, massing, materiality, residential quality and housing mix have been improved in the July 2020 Amendments since the Mayor's decision to take over the Application. As such, it is considered that the proposal has been subject to an appropriate level of design scrutiny and, subject to the conditions and obligations set out above being secured in relation to pedestrian, cycle and inclusive access, residential and environmental quality, design, landscaping, play space and management, the application accords with London Plan Policy 3.4, Intend to Publish London Plan Policies D1-D4, as well as the Mayor's Housing SPG.

## **Layout**

181 The site is located in the Old Gas Works character area as defined by the Richmond and Richmond Hill Village Planning Guidance SPD. According to this guidance, the area has an irregular and ad hoc character, with no coherent frontage along Manor Road. This guidance identifies a lack of definition and coherence in street frontages as a threat, stating that should redevelopment opportunities come forward for appropriate uses there is an opportunity to re-plan and upgrade the public realm and achieve improvements to the visual appearance of the area.

182 The local context is varied with residential terraces to the east, a mix of residential terraces and purpose-built flatted blocks to the south and commercial buildings with some residential terraces and flats to the west. The site itself is bound by railway lines to the south and west, constraining its permeability and limited pedestrian and vehicular access to the east of the site from Manor Road.

183 In line with the development aspirations identified in the Richmond and Richmond Hill Village Planning Guidance SPD, a broad layout principle of this scheme was to enhance the street frontage along Manor Road utilising perimeter blocks to activate the ground level opening inward towards a new public square at the heart of the site. The decision to position this primary route into the site at the junction of Manor Road and Manor Grove creates a legible site entrance that serves as a continuation of the existing local street pattern and provides future residents with convenient access to North Sheen station. The proposal seeks to maintain the existing, separate vehicular access to the site further along Manor Road.

184 The site layout comprises a series of distinct blocks clustered around a new public open space at the heart of the site connected at ground level via landscaping. In the original proposal, ground floor commercial space flanked the public square and following the Mayor's takeover of the application these commercial units were relocated to the bases of Blocks A and D fronting onto Manor Road. Blocks A and D are set back from Manor Road to provide space for enhanced public realm and landscaping. This enhances and activates the Manor Road streetscape, creating an inviting and vibrant public space for members of the local community and commuters using North Sheen

Station. The original proposal also included a pavilion at the centre of the site. This was removed in later iterations of the scheme upon advice from the LRP to allow for a more generous and flexible public open space.

185 The scheme would provide between two and ten units per core, with dual lifts. Most of the cores would serve eight units or less, save for one Block A core and one Block D core. Given the overall residential quality, and the limited occurrence of cores serving more than eight units, this is acceptable in this instance and is considered to meet the standards set out in the Mayor's Housing SPG and in Intend to Publish London Plan Policy D4, which aim for a maximum of eight units per core.

186 Following the Mayor's takeover of the scheme an additional block, Block E, was introduced at the northern tip of the site atop the bus layover in an effort to bolster the proposal's affordable housing offer; however, this block was subsequently removed over concerns around site constraints in this location.

187 The proposed layout represents a sensible and appropriate response to the local context and approach to optimising the site's capacity. Notable benefits of the proposals are the provision of active frontage, a high-quality public realm, urban greening and connections to Manor Grove existing street pattern for the main pedestrian access to the site and public space. For these reasons, the proposed layout is supported in line with London Plan Policy 7.5 and Policy Intend to Publish London Plan Policy D3.

### Landscaping

188 The landscaping proposal was revised following the Mayor's takeover of the application and in response to advice from the Mayor's Design Advocates. These revisions include a reorganisation of the pathway network to respond to desire lines and provide more coherent routes to residential entrances, a rationalisation of the courtyard spaces to maximise the provision of usable amenity space and play space, simplification of some of the proposed planting over concerns about long term maintenance.

189 The proposed landscaping would result in a net gain of trees on site including the planting of 141 new trees. The latest iteration of the scheme including the removal of Block E would also allow for an increase in tree retention in the northern corner of the site. A rich mix of ornamental planting, grassland, green walls, and hedges are proposed which would help meet urban greening objectives and address air quality issues. Subject to details of planting, hard surface treatments and street furniture, the landscaping proposals would ensure a high-quality setting for the proposed buildings

### **Height, Massing, and Townscape**

190 In its reasons for refusal Richmond Council stated that the proposal development, by reason of its siting, layout, height, scale, bulk, design and materials is considered to represent a visually intrusive, dominant and overwhelming form of overdevelopment to the detriment of the character of the site and surrounding area; the setting of the Sheendale Road Conservation Area and nearby Buildings of Townscape Merit, and the visual amenities of nearby occupants. Similar opinions are echoed in several of the letters of objection.

191 Following the Mayor's decision to take over the application, the proposals were subject to further design scrutiny as GLA officers worked with the applicant to secure

design revisions. During this process an additional block, Block E, was proposed on the northernmost corner of the site atop the bus layover. While the addition of this block allowed for an improvement in the affordable housing offer, concerns were raised over the general layout of the building. Options were then considered to remove Block E and increase massing elsewhere on the site in order to resolve outstanding concerns whilst still providing significant improvements in the affordable housing offer. Figure 7 below demonstrates the redistribution of this massing.

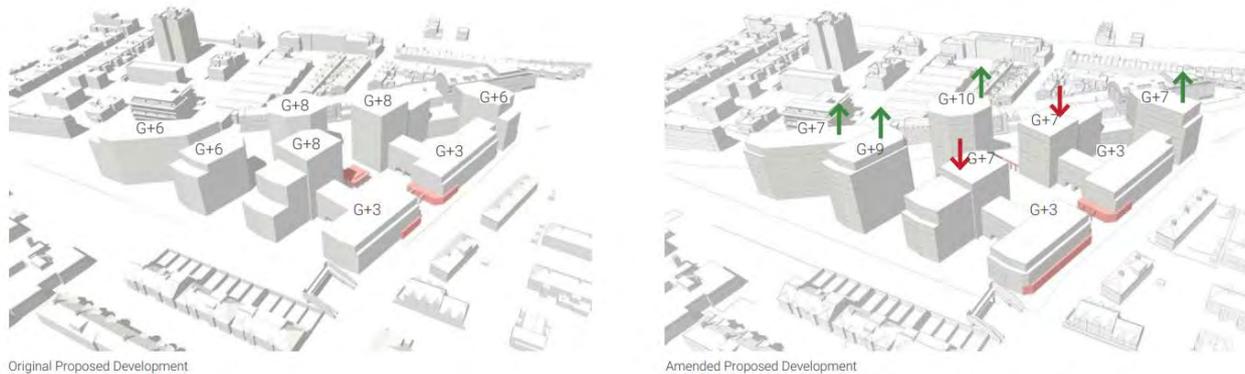


Figure 6 – Original scheme submitted to Richmond Council (left) and current proposal (right) heights and massing

192 The changes were as follows:

- An additional storey was added to Block A, Core A;
- Two additional storeys were added to Block B;
- An additional three storeys were added to Block C, Core A;
- An additional storey was added to Block C, Cores B and C;
- A storey was removed from Block A, Core D;
- A storey was removed from Block D, Core B; and
- Floor to ceiling heights were reduced from 3300 mm to 3150 mm.

### Tall Buildings Policy

193 According to paragraph 7.25 of the London Plan, tall buildings are those that are substantially taller than their surroundings, cause a significant change to the skyline, or are larger than the threshold sizes set for the referral of planning applications to the Mayor. Based on this definition, the proposal includes the provision of tall buildings. Richmond Local Plan Policy LP 2 identifies a tall building as 18 metres in height or higher.

194 London Plan Policy 7.7 and Intend to Publish London Plan Policy D9 indicate that tall buildings should be part of a plan-led approach and not have an unacceptably harmful impact on their surroundings. In terms of location, Policy 7.7 states that tall buildings should be generally limited to the Central Activities Zone, opportunity areas, and areas of good access to public transport but leaves scope for tall buildings to be considered in other locations outside of these areas, subject to urban design analysis and compliance with the criteria set out in Policy 7.7. To accord with these criteria, tall buildings should:

- be located in areas whose character would not adversely be affected;
- relate well to the surrounding buildings, urban grain and public realm, particularly at street level;

- improve the legibility of an area and enhance the skyline;
- incorporate the highest standards of architecture and materials;
- provide active ground floor activities that provide a positive relationship to the surrounding streets;
- contribute to improving the permeability of the site and wider area, where possible;
- incorporate publicly accessible areas on the upper floors where appropriate;
- make a significant contribution to local regeneration;
- not adversely affect their surroundings in terms of microclimate, wind, overshadowing, noise, glare, or give rise to interference with aviation or telecommunication infrastructure; and,
- not adversely impact local or strategic views.

195 Policy D9 of the Intend to Publish London Plan states that applications for tall buildings should be subject to design scrutiny and encourages boroughs to proactively identify locations where tall buildings will be considered suitable.

196 In their Local Plan, Richmond Council defines a 'Tall Building' as one that is 18 metres in height or higher. This is separate from a 'Taller Building' which is defined as being significantly taller than the neighbouring buildings, but less than 18 metres in height (below six stories). Local Plan Policy LP 2, which addresses building heights, states that proposals for Tall or Taller Buildings require full design justification based on a comprehensive townscape appraisal and visual assessments and will only be acceptable where these demonstrate that no material harm is caused to interests of acknowledged importance. Moreover, proposals for Tall or Taller Buildings should positively contribute to the streetscape by means such as creating high quality public spaces that deliver wider public realm benefits or incorporating uses that enable local communities and the public to access the ground level of buildings. According to this policy, design consideration should also include matters relating to height, scale, massing, alignment, silhouette, crown, style, facing material, and use. Supporting text 4.2.2. of this policy indicates that the potential for 'tall' buildings is generally clustered close to Richmond and Twickenham stations, and that 'tall' or 'taller' buildings are likely to be inappropriate and out of character with the exception of limited sites around existing 'tall' or 'taller' buildings including Richmond upon Thames College, Twickenham Rugby Stadium, Teddington Studios, and Mortlake Brewery.

#### Assessment Against Tall Buildings Policy

197 Based on the criteria of a 'tall building' set forth in both the London Plan and Richmond Local Plan all four blocks in this scheme could reasonably be considered tall buildings. Intend to Publish London Plan Policy D9, which does not form part of a statutory development plan but is a material consideration, places the onus on boroughs to determine appropriate locations for tall buildings. While Richmond Local Plan Policy LP 2 does not specifically indicate appropriate or inappropriate locations for tall buildings, as noted above, the supporting text for this policy does demonstrate a resistance to the development of tall buildings within the borough apart from certain locations.

198 London Plan Policy 7.7 contemplates that tall buildings might be developed in areas outside of those identified as appropriate within a borough's local development framework, instructing that such applications should include an urban design analysis

which demonstrates that the proposal is part of a strategy that will meet a defined set of criteria. The proposed development is assessed against these criteria in detail in the subsequent paragraphs.

### *Visual impact and views*

199 The submitted Townscape and Visual Impact Assessment (TVIA) Addendum provides 14 representative views of the proposals in long-range, mid-range and immediate views in line with Intend to Publish London Plan Policy D9. These views are referenced in the subsequent paragraphs.

200 Following the July 2020 revisions, the tallest element of the scheme is Block B at 11-storeys. This block is situated towards the centre of the site furthest away from any neighbouring properties. The applicant's approach positioning the tallest element towards the centre of the site would allow Block B to serve as a visual terminus for sightlines viewed from along Manor Grove and create a legible backstop to the new section of public realm at the heart of the site. Studies undertaken by the applicant during the design process demonstrated that this approach would minimise the development's impact on sensitive views along Manor Road and Manor Grove. This view is represented in the TVIA as Representative View 1, which the assessment concludes would be subject to a moderate and neutral impact. GLA officers concur with this assessment.

201 The building heights step down from Block B to eight storeys and then four storeys in Blocks A and D as they approach Manor Road. Articulating the building heights in this manner would create a clear visual hierarchy, both framing the new section of public realm and moderating the step change between the taller elements of the proposal and the existing two-storey houses across Manor Road. The resultant impact of the proposal on Manor Road is captured in Views 2, 10, and 11; the assessment concludes that the proposal would result in minor to moderate beneficial impact on views 2 and 10 and moderate beneficial impact on view 11. GLA officers concur with this assessment.

### *Sensitive areas*

202 London Plan Policy 7.7 E instructs that the impact of tall buildings proposed in sensitive locations, which might include conservation areas and World Heritage Sites, should be given particular consideration. As the proposed development is located near the Sheendale Road Conservation Area and within the wider vicinity of the Sheen Road Conservation Area, Grade II\* Listed Hickey's Almshouses and the Royal Botanic Gardens Kew World Heritage Site, this additional consideration is warranted.

203 Views 4 and 12 within the TVIA are taken from within the Sheendale Road Conservation Area north west of the site. The TVIA concludes that the proposal would have a moderate and neutral impact on these views. In assessing views from inside the conservation area GLA officers consider that the proposed development would only be visible from certain vantage points wherein it would be seen the context of other contemporary buildings. For this reason, GLA officers concur that the impact would be neutral.

204 Views 9, A1, and A2 are taken from the Royal Botanic Gardens Kew Heritage Site. The TVIA concludes that the proposal would have a minor and neutral impact on View 9 and no impact on views A1 and A2. As the proposal would not breach the skyline when

viewed from this vantage point and would comprise part of an existing and varied built context, GLA officers consider that the proposed buildings would have a neutral effect in View 9. GLA officers also concur that the proposal would not be seen in views A1 and A2 and therefore would have no impact on these views. Full detail of the assessment of these views can be found within the heritage section of this report.

205 View 3 is taken from the Hickey's Almshouses within the Sheen Road Conservation Area. This view demonstrates that the proposed development would not be visible from this vantage point and therefore GLA officers consider that the proposal would have no impact on the conservation area or almshouses.

### *Character and appearance*

206 In its reasons for refusal, Richmond Council cited the height, scale, and bulk of the proposed buildings, asserting that they represent a visually intrusive, dominant, and overwhelming form of overdevelopment. Several letters of objection received in response to the public consultation cited similar concerns.

207 As stated above in paragraph 194, London Plan Policy 7.7 instructs that tall and large buildings should only be considered in areas where they would not adversely affect the character and appearance of the surrounding area. Paragraph 7 above recognises that the existing character of the site and surrounding area is variable, comprising a mix of commercial and residential uses in buildings of up to 11-storeys that vary in age, quality, and character. Additionally, this triangular site is segregated from its wider context on two sides by rail and road infrastructure, and on the third side by a three-lane road.

208 The NPPF in paragraph 127 states that development must make the best use of land through a design-led approach; a principle which is echoed in Intend to Publish London Plan Policy D3. Whilst it is noted that Policy D3 should be afforded reduced weight owing to the SoS Directions, the principle of this approach has not been questioned and moreover, the SoS directed that text be added to the policy which promotes higher density development in areas that are well connected to jobs, services, infrastructure, and amenities by sustainable transport; characteristics which is true of this particular site.

209 The site is within the Old Gas Works Character Area. The Richmond and Richmond Hill Village Planning Guidance SPD states that there is a lack of definition and coherence in street frontages in the Old Gas Work Character Area due to the proliferation of small industrial yards and car parks, and should redevelopment opportunities come forward there is an opportunity to re-plan and upgrade the public realm including improvements to the visual appearance of the of the area. The proposal, which introduces active frontages and an upgraded public realm along Manor Road in place of the existing surface car park and a new section of high-quality public realm at the heart of the site, therefore accords with the area objectives set forth in the SPD and would improve immediate views of the site.

210 In view of the existing character of the area and process of rigorous design scrutiny undergone by the proposal, GLA officers are satisfied that the proposed heights and massing of tall buildings present a sensitive response to the existing context, that the materiality and architectural detailing draw upon the local vernacular, culminating in a positive relationship with the existing context, particularly along Manor Road. For these

reasons, GLA officers do not consider that the proposals will have an adverse effect on the character or appearance of the site's context and the massing and height of the proposed buildings are considered appropriate.

### Tall Buildings Conclusion

211 In summary, a thorough assessment of the proposal's impact on the townscape, local character, skyline, and heritage assets demonstrates that the proposed buildings, being of high-quality architecture and materials, would not result in undue harm. Moreover, the proposal would result in enhancements to the current streetscape along Manor Road and deliver additional benefits, discussed in further detail in subsequent sections of this report. The proposal is likewise considered to accord with Local Plan Policy LP 2 and London Plan Policy 7.7.

## **Residential Quality of Future Occupiers**

### Internal and Private Amenity Space

212 Table 5.1 of the Local Plan, Table 3.3 of the London Plan and Table 3.1 of the Intend to Publish London Plan set minimum internal space standards for new homes. In terms of ceiling height, all units would comply with the 2.5 metre standard set out in the Intend to Publish London Plan and strongly encouraged in the London Plan and Housing SPG. Having assessed room layouts, GLA officers consider these would provide a good quality of accommodation and provide policy compliant levels of storage space.

213 The Housing SPG and Intend to Publish London Plan Policy D6 state that a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings, with an extra 1 sq.m. for each additional occupant; and the depth and width of outdoor space should be at least 1.5 metres. Paragraph 2.3.32 of the Housing SPG recognises that there may be exceptional circumstances where site constraints mean that it is impossible for private external amenity open space to be provided, in which case dwellings may be provided with additional equivalent living space. In this case private amenity space is provided for each unit in the form of external balconies, terraces or gardens. Each balcony or terrace is a minimum of 1.5 metres deep in accordance with policy guidance. The proposed units are therefore supported in accordance with London Plan Policy 3.5, Intend to Publish London Plan Policy D6, and Richmond Local Plan Policy LP36.

### Privacy, Outlook and Sense of Enclosure

214 London Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, including privacy. Intend to Publish London Plan Policies D3, D6, and D9 state that development proposals should achieve appropriate levels of privacy. The Housing SPG states that design proposals should demonstrate how habitable rooms are provided with an adequate level of privacy in relation to neighbouring properties, the street, and other public spaces. While it identifies that a minimum distance of 18–21 metres between habitable rooms can be used as a benchmark it advises against setting rigid separation distances, noting that “in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18-21 metres between habitable rooms. Whilst these can still be useful yardsticks for visual privacy, adhering rigidly to these

measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density.

215 Richmond Local Plan Policy LP1 requires consideration of the space between buildings, relationship of heights to widths and relationship to the public realm, heritage assets and natural features in the assessment of development proposals. Local Plan Policy LP 8 instructs that new development must protect the amenity and living conditions for occupants of new, existing, adjoining, and neighbouring properties. The subtext for this policy gives guidance that a minimum distance of 20 metres should be sought between habitable rooms, but that this distance can be reduced as far as 13.5 metres in some instances.

216 Richmond Council’s fourth reason for refusal cited living standards, stating that the proposal would present unacceptable levels of outlook and privacy for future occupiers. Following the Mayor’s takeover of the scheme Block C was redesigned to increase offset distances for courtyard-facing units from 13.8 metres to 18 metres. Additionally, the fenestration arrangements were revised to further ensure privacy within these units. As demonstrated in Figure 7 below, separation distances of at least 18 metres are achieved across the scheme except for a 14.5 metre distance between Blocks B and D. In this instance the unit layouts have been oriented such that facing windows are offset and balconies do not face each other in order to minimise the impact of the proximity. For these reasons the proposal is considered to comply with London Plan Policies 7.6, Intend to Publish London Plan Policies D3, D6, and D9; Richmond Local Plan Policy LP 1 and the Council’s Housing SPD.



Figure 7 - Offset distances of proposed scheme

## Dual Aspect

217 The Housing SPG states that development should minimise the number of single aspect units and avoid the provision of single aspect units that are north facing; contain three or more bedrooms; or are exposed to noise levels above which significant adverse effects on health and quality of life occur. Intend to Publish London Plan Policy D6 states that development should maximise the provision of dual aspect units; and normally avoid the provision of single aspect units, which should only be provided where they provide an acceptable quality of accommodation in terms of passive ventilation, daylight, privacy, and avoiding overheating.

218 Following advice from the Mayoral Design Advocates revisions were made to the scheme, in particular to Blocks A and D, which further decreased provision of single aspect units from 44% to 39%. The provision of dual aspect units is now considered to be maximised and the scheme no longer contains north-facing single aspect units. The Applicant's overheating assessment identifies mitigation measures in response to the overheating risk. As discussed further in the energy section below, these measures include passive and mechanical ventilation which would sufficiently safeguard units from overheating.

## Daylight/Sunlight and Overshadowing

219 London Plan Policy 7.6 requires new development to avoid causing 'unacceptable harm' to the amenity of surrounding land and buildings, including light and overshadowing. Intend to Publish London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context. Richmond Local Plan Policy LP 8 states that all development will be required to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties, instructing that good standards of daylight and sunlight to be achieved in new development.

220 GLA officers commissioned an independent daylight, sunlight and overshadowing analysis from TFT consultancy to review the findings of the updated Daylight, Sunlight, and Overshadowing report submitted by the Applicant following the July 2020 amendments to the proposed scheme. That independent review has informed the assessment of these issues in this report.

221 The Average Daylight Factor (ADF) method was used to consider whether the new habitable rooms within the propose development would receive an adequate level of daylight. The results of this analysis indicated that the proposed development would generally achieve acceptable levels of daylight in line with expected values for a scheme of this density. The TFT review did note one area of concern, which is that lower floor courtyard-facing units in Block A may include some poorly lit spaces as a result of the balconies overhead, noting that more information on these rooms would be helpful in further understanding the daylight implications. This result is not entirely unexpected, as there is always a balance to be struck between the provision of private outdoor amenity space and daylight penetration into lower floor units, and in this instance considering that 69% of units are expected to comply with BRE target values, that balance is considered acceptable.

## **Detailed Design and Architecture**

222 London Plan Policy 7.6 requires buildings to be of the highest architectural quality and comprise materials which complement rather than necessarily replicate local architectural character. Intend to Publish London Plan Policy D1B further states that a design-led approach should be used for optimising site capacity through attention to the form and layout, experience and quality and character of a development. Intend to Publish London Plan Policy D2 also details the approach to design scrutiny, including design review panels, to ensure good design. Richmond's Local Plan Policy LP 1 (local character and design) requires high architectural quality.

223 The development demonstrates an excellent quality of architectural design. Richmond raised no objection to the choice of individual materials in the original application but were concerned about the lack of contrast (particularly to Manor Road and Block C) in materials, in combination with the uniformity of design, are considered to exacerbate the scale and mass of the buildings.

224 The proposed materials comprise of brick, stone and metalwork. The link blocks, town houses and public square facing buildings are proposed in a grey brick responding to the nearby Sheendale Road Conservation Area. The Manor Road frontage and Block C are proposed in red brick and red stone Notwithstanding this point, should this application be approved, further details of materials could be secured through conditions.

225 It is noted that the applicant has proactively engaged with and responded positively to the recommendations of London Design Review Panel. Through this process the applicant has amended the elevation design to create a defined hierarchy, enforced design rules to ensure consistency of details across buildings established and made the use of balconies and balcony design consistent across scheme. GLA officers have welcomed the improvements to the design of the scheme, which complies with the thrust of London Plan and local policy aspirations.

## **Designing out crime**

226 Policy 7.3 of the London Plan seeks to ensure that the principles of designing out crime are integrated in the design of new development to promote a sense of security without being overbearing or intimidating. The criteria in Policy 7.3 requires new development to provide legible, convenient and well-maintained movement routes and spaces which are well-overlooked and benefit from an appropriate level of activity, with private and communal spaces clearly defined to promote a sense of ownership. Richmond Councils Security by Design SPG (2002) set out the borough's requirements for design and layout.

227 Intend to Publish London Plan Policy D11 further states that development proposals should be designed to ensure that measures to design out crime are inclusively and aesthetically integrated into the public realm.

228 There is no ambiguity about access to the proposed amenity spaces as the public realm has no barriers to pedestrian access and the private amenity spaces are only accessible to residents, ensuring its security. Vehicular access to the central public realm is prevented by bollards, providing safety whilst allowing pedestrian and cycle access including by disabled people. Residential core entrances would be well

distributed and whilst there are some areas of servicing, cycle and refuse storage on the ground floor, these would be minimised and broken up by residential entrances and commercial uses to ensure that the public realm feels vibrant and safe to use, maximising active frontages across the site. The commercial uses fronting onto the public realm and Manor Road will encourage activity during the day, whilst at night the public realm would be well-lit and well overlooked by residential properties. The maintenance plan for the public areas will form part of the requirements of the S106 agreement for any planning permission.

229 The Metropolitan Police has raised no objections to the application subject to a condition securing Secure by Design accreditation. As such, the proposals are acceptable with respect to designing out crime and comply with London Plan Policy 7.3 and Richmond's Security by Design SPG, as well as Intend to Publish London Plan Policy D11.

## **Noise and Vibration**

230 Paragraph 180 of the NPPF states that new development should ensure that potential adverse impacts resulting from noise are mitigated or reduced to a minimum; and noise levels which give rise to significant adverse impacts on health and the quality of life are avoided. Further guidance is provided in National Planning Practice Guidance (NPPG) and the Noise Policy Statement for England (NPSE) (2010).

231 While the NPPG and NPSE do not provide decision makers with technical or numerical values for categorising and assessing noise levels in decibels (dBs), industry standard guidelines set out in British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' recommends that daytime noise levels do not exceed 35dB and night-time values in bedrooms do not exceed 30dB. This is aligned with the World Health Organisation recommendations set out in Guidelines for Community Noise (1998). With regard to external private and communal amenity spaces, British Standard BS8233:2014 recommends that external noise levels do not exceed an upper guideline value of 55dB.

232 London Plan Policy 7.15 and Policy D14 of the Intend to Publish London Plan state that development should manage noise to improve health and quality of life by avoiding significant adverse noise impacts on health and quality of life; mitigating and minimising existing and potential adverse noise impacts within the vicinity of new development; separating new noise sensitive development from major noise sources through the use of screening, internal layout, set back distances; and where this is not possible, adverse effects should be controlled and mitigated by incorporating good acoustic design principles. The Mayor's Environment Strategy aims to reduce the number of people adversely affected by noise and includes policies and proposals to support this aim.

233 Richmond Local Plan Policy LP 10 in relation to noise seeks to encourage good acoustic design to ensure occupiers of new and existing noise sensitive buildings are protected. The Development Control for Noise Generating and Noise Sensitive Development SPD sets guidance for internal noise levels in line with British Standard BS8233, recommending that daytime noise levels do not exceed 35-40 dB and night-time levels in bedrooms not generally exceed 30 dB.

234 The applicant has provided a Noise and Vibration Impact Assessment that reports the likely noise and vibration effects of the proposed development. The assessment

considers noise and vibration occurring from road traffic, the railway lines, building services and the bus layover.

235 An acoustic survey was undertaken between the 20th July and 25th July 2018. This survey comprised of six days of unattended sound measurements by a single sound level meter with additional attended short-term sound measurements taken at various locations across the site. This survey was undertaken to inform the proposals for the original scheme and validate a specialist acoustic model of the existing site. The survey indicated that the site is exposed to relatively high levels of environmental sound, primarily governed by road and railway traffic activity in the local area, and that these sound levels do not vary significantly from day to night-time. As the survey area conditions have not materially changed since the survey was undertaken the results remain valid.

236 An assessment was undertaken to understand the implications of the existing sound environment on the design of the façade and ventilation of the proposed buildings. This assessment found that the sound reduction performance of the external façade will be controlled by the performance of the glazing and that facades overlooking the road and railway lines will require high-performance, double glazed window systems in the region of 45 dB Rw. The assessment also found that mechanical ventilation with air tempering is likely to be required for most of the development, with openable windows for purge ventilation. Additional work was done understand the impact of plant noise emissions on the site. This work indicates that guideline plant noise emission limits have been derived within local authority requirements, are not considered particularly onerous, and should be readily achieved with appropriate mitigation measures which can be enforced by a suitably worded planning condition.

237 Vibration measurements were undertaken at several ground floor locations, in line with the proposed facades of buildings across the development. The results of these measurements indicate that vibration levels on site from railway sources are below the threshold required by the Council and BS 6472:2008 of low probability for adverse comment. As such, perceptible vibration and re-radiated sound from ground-borne vibration is not expected to require mitigation.

238 Based on the information provided in the Noise and Vibration Impact Assessment it is considered that any material impacts on the proposed development can be adequately addressed during the detailed design stages. A condition is recommended to ensure that details of sound insulating façade materials and suitable soundproofing including acoustic performance glazing is installed between second floor residential units and the commercial floorspace below. Conditions should also be added to any consent restricting the hours of operation of any outside seating associated with the potential flexible A3 cafe use and requiring details of any ventilation equipment or plant to be submitted for approval to ensure it has satisfactory noise attenuation to avoid disturbance to residential occupiers.

## **Heritage**

239 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “*should 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*”.

240 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Any harm or loss of significance of a designated heritage asset requires clear and convincing justification. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a proposed development will lead to 'substantial harm' to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In every case, great weight should be given to the conservation of heritage assets.

241 London Plan Policy 7.8 and Policy HC1 of the Intend to Publish London Plan state that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. London Plan Policy 7.10 and Intend to Publish London Plan Policy HC2 state that development should not cause adverse impact to World Heritage Sites or their setting, (including buffer zones), and should not compromise a viewer's ability to appreciate Outstanding Universal Value, integrity, authenticity and significance. Further guidance is provided in the Mayor's supplementary planning guidance 'London World Heritage Sites - Guidance on Settings'.

242 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise." The case also makes it clear that there is a strong presumption against granting planning permission that would harm the character and appearance of a conservation area.

243 Richmond Local Plan Policy LP 3 requires development to conserve and, where possible, take opportunities to make a positive contribution to, the historic environment of the borough. Policy LP 4 requires Buildings of Townscape Merit (BTM) to be preserved, and where possible enhanced.

244 The application site does not lie within a conservation area, nor does it contain any statutory or locally listed buildings. It is, however, located approximately 100 metres east of the Sheendale Road Conservation Area and approximately 150 metres northwest of the Sheen Road Conservation Area. Kew Gardens is also located to the north of the site and is a World Heritage Site. There are local Buildings of Townscape Merit opposite the site on Manor Road as well as approximately 100 metres to the north east on Trinity Road and St George's Road. The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG.

245 The following sections of this report consider the impact of the development on the significance of heritage assets, having regard to the statutory duties and local, strategic and national policy tests set out in this report.

### Royal Botanical Gardens Kew World Heritage Site

246 The proposal is located south of Royal Botanical Gardens Kew, which is a World Heritage Site, Registered Park and Garden (Grade I) and Conservation Area.

247 The proposal was assessed in views from the top of the Grade I listed Pagoda, the Boardwalk (view A1) and Cedar Vista (view A2). The assessment demonstrates that while the uppermost parts of the development would be visible from the top of the Pagoda (recently opened to the public), it would not breach the skyline and would be read as only a small part of a panorama across West London, showing development from all periods. Furthermore, the proposed development would be imperceptible within views from the Boardwalk and Cedar Vista (see Figure 8 below) resulting in a negligible and neutral effect. That notwithstanding, Kew raised concern that the removal of any trees right of the Pagoda in view A2 would reveal a corner of Block A, resulting in harm to the integrity and authenticity of key attributes of the site.



Figure 8 - Views A1 (left) and A2 (right)

248 Having considered these views, GLA Officers are satisfied that while the proposed development would be perceptible from the top of the Pagoda, it would be read as part of a wider, varied panorama and would therefore not result in any harm. In terms of the ground level vantage points, the proposed development would be imperceptible under most circumstances from views A1 and A2 and therefore would cause no harm to the significance of Royal Botanical Gardens Kew World Heritage Site, or its overlapping Registered Park and Garden or Conservation Area designations.

### Conservation areas

249 The application site is within the vicinity of the Sheendale Road and Sheen Road Conservation Areas and consequently a Heritage Assessment and a Townscape and Visual Impact Assessment (TVIA) have been submitted in support of the application.

250 As mentioned above, the Sheendale Road Conservation Area, lies north west of the site and comprises a formal group of mid-nineteenth century semi-detached 'miniature villas' along Sheendale Road with two outlying villas on Crown Terrace. The Crown Terrace villas back onto the Sheendale Road properties and are connected to via Dee

Road. The heritage significance of this conservation area is derived from the unique architecture of the villas and the streetscape along Sheendale Road.

251 The villas are currently set amongst newer housing blocks of varying ages and architectural quality, as shown in Figure 9 below. Alterations to the doors and windows of several of the villas and publicly viewable extensions to two of the villas closest to the application site has diminished their architectural unity.



Figure 9 - Sheendale Road Conservation Area, currently.

252 Owing to the orientation of the streets, the proposed development would not be visible from most of Sheendale Road and therefore is not considered to harm the significance of its streetscape. As demonstrated in Figure 10 below, the proposed development would be visible in views along Dee Road looking east from Sheendale Road; however owing to the separation distance, prevalence of existing modern buildings of mixed quality and character, the poor quality alterations to the two villas closest to the application site and the high architectural quality of the proposed development, GLA officers consider that no harm would be caused to the significance of the setting on the Sheendale Road conservation area.



Figure 10 - Original submission (left) and current proposal (right) as viewed from Dee Road

253 Sheen Road Conservation Area is located south of the site and includes numerous Victorian terraces and villas, several of which are of group value and identified by Richmond Council as Buildings of Townscape Merit. The most significant buildings within this conservation area are the (separately) Grade II\* Listed Hickeys Almshouses. Owing to its siting and distance from the application site, the proposed development will not be seen from public vantage points within the Sheen Road Conservation Area. As such, no harm would be caused to the significance of the conservation area from impact on its setting.

#### Listed buildings

254 As the proposal is not within a conservation area or near to a listed building, the applicant has carried out a Heritage Assessment and a Townscape, and Visual Impact Assessment (TVIA). There are no statutorily listed buildings within close proximity of the site, the nearest being the Grade II\* listed Hickey's Almshouses. As evidence by the TVIA, the proposals would not be clearly visible above the almshouses and therefore would have no impact on these statutory listed heritage assets. Other listed buildings in Richmond are located some distance from the site so the proposal would not be visible from the settings of these heritage assets.

#### Locally Listed Buildings and Registered Parks and Gardens

255 The proposal is located south of Royal Botanical Gardens Kew World Heritage Site, which is also Registered Park and Garden (Grade I). The proposal's impact on Kew Gardens has been assessed above.

256 The proposals are near non-designated Buildings of Townscape Merit (BTM) located opposite at Manor Road and also to the northeast at Trinity Road and St George's Road. These BTMs have mostly been significantly altered through permitted development rights and their character compromised considerably in some cases. It is considered that the Trinity Road and St Georges BTMs are adequately separated from the site so as not to result in harm to their setting. It is accepted that development would result in a significant change in the setting of the Manor Road BTMs. These are non-designated assets and the change is considered to be an enhancement as a result of the Manor Road frontage being completed with buildings of appropriate scale along this edge. Officers are therefore satisfied that there would be no harm to the significance of these or any other locally listed buildings as a result of the proposals.

#### Archaeology

257 The site is not located within an archaeological priority area and Historic England (Archaeology) had no comments on the proposals.

#### Conclusion on heritage assets

258 GLA officers conclude that the proposals would not harm the setting or historic interest, and so the overall significance of heritage assets. The application is therefore considered to be in accordance with the NPPF; London Plan Policies 7.4, 7.6, 7.7 and 7.8; Intend to Publish London Plan Policy HC1; and Richmond Local Plan Policies LP 3 and LP 4. In coming to this conclusion, GLA officers have taken account of the statutory duties contained in the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **Fire Safety**

259 Policy D12 of the Intend to Publish London Plan seeks to ensure that development proposals achieve the highest standards of fire safety and to ensure the safety of all building users. Policy D5 requires as a minimum at least one lift per core to be a suitably sized fire evacuation lift appropriate for use to evacuate people who require level access from the building.

260 Accordingly, a Fire Strategy prepared by chartered fire engineers at Hoare Lea Consultants has been submitted alongside the planning application. In line with Policy D12, the Fire Strategy includes details of the design, construction materials, construction methods, and management regulations to be implemented to ensure that adequate protection would be provided to limit the spread of fire within the buildings and satisfy the appropriate classification stated within BS 9991:2015. An escape strategy, details of means of evacuation for all building users and specific measures to reduce the risk to life from fire have been provided including confirmation that firefighting lifts will be programmed to also be used as evacuation lifts. Access to the site for fire engines and service personnel would be from the main vehicular access into the site with another access provided opposite Manor Grove via the main pedestrian route through the site. Whilst the Fire Strategy is considered to accord with Intend to Publish London Plan Policies D5 and D12 in terms of broad content, the fire safety strategy of the buildings would be considered at a later stage outside of the planning process and also secured through planning condition.

## **Inclusive design**

261 London Plan Policy 7.2 and Intend to Publish London Plan Policy D3 require all future development to meet the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including those with disabilities, older people, children and young people, will be able to use the places and spaces that are proposed. London Plan Policy 7.6 expects that buildings and structures meet the principles of inclusive design; and London Plan Policy 3.8 sets out requirements to meet Building Regulation requirement M4(2) and M4(3). Intend to Publish London Plan Policy D7 requires that at least 10% of new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings'; and that all other dwellings meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Planning Practice Guidance states that Local Plan policies for 'wheelchair accessible' (already adapted) homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling, otherwise M4(3) dwellings should be 'wheelchair adaptable'. Intend to Publish London Plan Policy T6.1 states that residential development should ensure that one disabled persons parking bay should be provided for 3% of dwellings from the outset, and a Parking Design and Management Plan, should demonstrate how an additional 7% of dwellings could be provided with a designated disabled persons parking space upon request should existing provision be insufficient. Richmond Council's Local Plan Policies LP35 and LP30 on accessibility promote accessible and inclusive design and reflect the requirements of the London Plan.

262 Details of accessible and inclusive design have been provided within the Addendum to the Design & Access Statement which focuses on the inclusive design measures within the public realm and buildings. The application drawings and landscape drawings also show how key inclusive design features would be incorporated.

## Accessible homes

263 90% of the residential units would be designed to meet Building Regulation requirement M4(2), with the remaining 10% designed to meet Building Regulation M4(3). These units are split proportionally by tenure and size across the scheme to comply with Richmond Council policy. Detailed layouts for the M4(3) units are included as part of the submitted drawings and will ensure that the scheme delivers accessible homes of an acceptable standard in accordance with London Plan and Local Plan policy. A s106 obligation is recommended that will ensure that the units meet the relevant Building Regulations requirement in consultation with the Council's occupational therapist. Through this condition, the London Affordable Rent units would meet the M4(3)(2)(b) accessible standard, which is strongly supported.

264 Richmond Council expressed concern that the proposal does not offer an even mix of 1-, 2-, and 3-bed wheelchair units, and that there is an overabundance of 2- and 3-bed wheelchair units in the affordable rent provision. The applicant has confirmed that although the Registered Provider has not identified issues with the delivery of these units and there is some flexibility to adjust the mix of wheelchair units further as necessary at the detailed design stage. The Registered Provider requested that the wheelchair units be within the affordable rent tenure where the larger 2 and 3-bed homes are also located. On the basis that this is secured within the s106 agreement, GLA officers raise no concern.

## Public realm

265 The submitted drawings and landscape drawings demonstrate that appropriate levels and gradients can be provided across the site to ensure an inclusive environment throughout. The wider public realm has been designed to be inclusive to all users, including adequate illumination and tactile and visual aids for navigation. Additionally, level access would be provided to all commercial uses.

## Car parking

266 The overall development is car-free apart from 14 Blue Badge accessible parking spaces, equating to 3% of the total units, distributed across the scheme adjacent to building entrances. The car parking management plan, secured through the S106 agreement, will set out measures to monitor and increase this provision up to 10% in compliance with Intend to Publish London Plan Policy T6.1. This will be secured within the S106 agreement.

## Inclusive design conclusion

267 The application would achieve a high level of accessible and inclusive design and would comply with London Plan Policies 3.8, 6.13, 7.1, 7.2, 7.5 7.6, Intend to Publish London Plan Policies D3, D7, and T6.1, the Accessible London SPG and Richmond Local Plan Policies LP35 and LP30.

## **Impacts on Neighbouring Amenity**

268 London Plan Policy 7.6 states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. This is

particularly relevant where tall and large-scale buildings are proposed. Intend to Publish London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context. London Plan Policy 7.15 and Policy D13 of the Intend to Publish London Plan state that development should manage noise to improve health and quality of life.

269 Richmond Council's Local Plan Policy LP 8 (amenity and living conditions) seeks all development to protect the amenity and living conditions for occupants of new, existing, adjoining and neighbouring properties from unacceptable increases in traffic, servicing, parking, noise, light, disturbance, air pollution, odours, vibration, local micro-climatic effects, daylight and sunlight, and visual intrusion or overbearing impact as a result of the height, massing or siting, including sense of enclosure.

270 Richmond Council's Local Planning Policy LP 10 (Local Environmental Impacts, Pollution and Land Contamination) seeks to ensure that local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land as a result of air pollution, noise and vibration, light pollution, odours and fumes, solar glare and solar dazzle as well as land contamination.

271 The site is adjacent to a Sainsburys supermarket, two-storey residential properties along Manor Road and residential properties comprising Calvert Court, Robinson Court and No. 2 -24 Manor Park Road to the south. Adjoining the site to the west are a mix of commercial and residential land uses along Dee Road, Victoria Villas and Bardolph Road.

272 The surrounding residential properties to the south and east of the site are mainly two to three storey pre-war housing. To the west the more recently built or converted (via permitted development as in the case of No. 1-5 Dee Road, Clivedon House, Elephant House, 2-6 Bardolph Road and Falstaff House) residential buildings are of a larger scale up to six storeys. This is a large site with the majority of the site given over to car parking and containing buildings that are relatively low rise. As such the site is considered to have the capacity to take on its own character, enabling a scale and massing more significant to the sites potential and local context. With any redevelopment of the site there is likely to be a greater perceived impact on neighbouring properties given the lack of development on the site as existing. As such, any impact on adjacent residential amenity arising from the proposal should be considered in this context. The impact from the proposal on nearby residential occupiers is discussed further below.

### Daylight, Sunlight, and Overshadowing Assessment

273 Following revisions to the scheme in July 2020, the applicant submitted a full daylight, sunlight and overshadowing assessment which considers the impact of the proposal upon existing nearby properties. GLA officers commissioned an independent daylight, sunlight and overshadowing analysis from TFT consultancy to review the findings of that report. That independent review forms the basis for this assessment undertaking in this section of the report.

274 The analysis in the report is based on Building Research Establishment (BRE) Guidelines with specific reference to Vertical Sky Component (VSC), No Sky Line (NSL) and Average Daylight Factor (ADF) for assessing daylight and Annual Probable Sunlight

Hours (APSH) for assessing sunlight. Both the VSC and NSL assessment methods have been used to evaluate the effect the proposed development may have on the neighbouring residential properties.

275 When considering the BRE guidelines it is important to note that paragraph 123 of the NPPF states that local authorities should take a flexible approach to policies and guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site. The Mayor's Housing SPG also states that the BRE guidelines should be applied sensitively taking into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

276 Vertical Sky Component (VSC): This method of assessment quantifies the amount of skylight available at a reference point on a window, taken at the mid-point of a window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky and therefore represents the amount of daylight available for that particular window. The maximum potential VSC if unobstructed is marginally under 40%. The BRE suggests that if the VSC is less than 27%, and is less than 0.8 times its former value, then the neighbouring buildings will experience a noticeable reduction in the amount of skylight they receive.

277 No Sky Line (NSL): The NSL calculates the daylight distribution within a room by plotting points on working plane which can or cannot see visible sky. Following construction of a new development, a room is likely to experience a noticeable reduction if a significant area of the room is beyond the NSL or is less than 0.8 times its former value. It should be noted that consideration will need to be given to the depths of single aspect rooms. If the room is greater than 5 metres deep, then an adverse infringement may be unavoidable.

278 Average Daylight Factor (ADF): The ADF measures the overall amount of daylight in a space. The calculation considers the VSC value, the size and number of windows serving the space, the overall size of the room and its intended use to give an overall percentage value. BS 8206-2 *Code of practice for daylighting* recommends ADF values of 2% in kitchens, 1.5% in living rooms and 1% in bedrooms. It is common for this method to be used to show that neighbouring properties will maintain sufficient levels of light in the proposed condition.

279 Average Probable Sunlight Hours (APSH): When considering the impact on the amount of sunlight to neighbouring buildings, the BRE report recommends that all main living rooms should be considered if they have a window facing within 90° of due south. Direct sunlight to kitchens and bedrooms is considered less important. To calculate this the BRE has produced sunlight templates for London establishing the Annual Probable Sunlight Hours (APSH) unobstructed light. Following the construction of a new development, a living room window facing within 90° due south will experience a noticeable reduction in direct sunlight if it receives less than 20% of APSH, including less than 5% of APSH during the winter months (between 21 September and 21 March), and receives less than 0.8 times its former sunlight hours during either period, and for existing buildings has a reduction in sunlight received over the whole year greater than 4% of APSH.

280 To confirm, the BRE Guidance is intended for building designers, developers, consultants and local planning authorities. The advice it gives is not mandatory and

should not be used as an instrument of planning policy. As the Guidance states: *“This guide is a comprehensive revision of the 1991 edition of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location.”* It should also be noted that the Guidance is based on a suburban model, and in urban areas such as this one, VSC values of less than 27% would be considered to maintain reasonable daylight conditions.

281 Having regard to the flexible approach outlined in the NPPF and the Mayor’s Housing SPG the following target values have been used to assess the daylight and sunlight implications of the proposed scheme. These targets are considered to be reasonable standards for the redevelopment of sites in urban locations.

- VSC: 15% VSC or within 20% of the existing baseline condition;
- NSL: 50% of the room area or within 20% of the existing baseline condition; and
- APSH: 15% annually and no target for the winter months.

282 Given the proposal’s location and surroundings, the following properties were considered to include a residential component that may be affected by implementation of the proposed scheme:

- 36-58 St Georges Road
- Falstaff House
- St George’s House
- 5-11 Manor Grove
- 80 Manor Road
- 2-8 Manor Park
- 10-16 Manor Park
- 18-24 Manor Park
- 1-21 Manor Park
- 1-53 Calvert Court
- 1-39 Robinson Court
- 50-52 St. Mary’s Grove
- Clarence Court
- 1-4 Manor Grove
- 1-5 Marylebone Gardens
- 69A-81 Manor Road
- 33-39 Crown Terrace
- 1-8 Victoria Villas
- 19-22 Victoria Villas
- 2-6 Bardolph Road
- 13-15 Trinity Cottages
- 12-24 Trinity Road
- 7-15 Trinity Road
- 3-11 St Georges Road

283 Based on the findings documented in the report, the following properties have the potential to experience a noticeable reduction in light as a result of the scheme proposals. Those results are discussed in more detail in the subsequent paragraphs.

284 Falstaff House and St Georges House: These properties currently overlook a vacant part of the site and have recessed balconies, which obstruct windows’ ability to view the sky over neighbouring buildings. All but six of the windows considered will remain with a VSC above 15%, which is considered adequate. NSL results indicate that these properties would remain with good levels of daylight, generally complying with BRE guidelines. The APSH indicate that some rooms will fail to maintain adequate levels of sunlight; however, overall these properties will remain within acceptable limits.

The proposed massing results in a lesser daylight/sunlight impact than previous versions of the scheme.

285 1-8 Victoria Villas: While 22 windows would not meet BRE target values, all windows would either remain within 20% of the existing baseline condition or have a VSC of at least 15% in the proposed condition. NSL results indicate that all rooms would remain with at least 60% NSL coverage, which is considered good. APSH results indicate that this property would fully meet BRE target values.

286 19-22 Victoria Villas: These properties are located west of the proposal site immediately adjacent to the railway line. The VSC results for these properties indicate that all-but-nine of the windows would comply with BRE target values and all-but-three would achieve the VSC of at least 15%; however, two windows would have the potential to experience a reduction greater than 40%. NSL results indicate that all rooms would remain with at least 57% NSL coverage, which is considered good and the APSH results indicate that the property would still enjoy sufficient levels of sunlight.

287 2-6 Bardolph Road: This three-storey property is located west of the site, across the railway line, and currently benefits from very good VSC levels over the site. VSC results indicate that although several windows would experience a major loss of light (in excess of 40%), they would all retain VSC levels over 15%. Similarly, all rooms would experience a major reduction in sky visibility; however, all rooms would remain with at least 50% NSL coverage. APSH results indicate that this property would fully comply with BRE target values.

288 Council expressed concerns that further homes on Trinity and St Georges Roads would experience a loss in daylight/sunlight as a result of the proposed development and that the effect of the proposals on these properties has not been adequately considered. Further independent review indicates that these properties would still benefit from adequate daylight/sunlight levels in line with BRE guidelines.

289 The overshadowing assessment indicates that the proposed scheme would not cause excessive overshadowing to the neighbouring residential areas and therefore will generally comply with the BRE target values.

290 In summary, Falstaff House, St Georges House, 1-8 Victoria Villas, 19-22 Victoria Villas, and 2-6 Bardolph Road would experience a noticeable reduction in light as a result of the proposed development. These properties currently benefit from very good levels of light owing to the current underutilisation of the site. In this situation, a reduction in light from the optimisation of the site would be unavoidable. Nevertheless, these properties would all achieve acceptable light levels whether considered against an urban or suburban context. Additionally, the overshadowing assessment indicates that the proposed scheme will not cause excessive overshadowing to the neighbouring residential areas and therefore will generally comply with the BRE target values.

291 Considering the absence of massing on the site currently, any development of scale would necessarily result in adverse daylight/sunlight impacts. Taking this into account, GLA officers acknowledge the need to adopt a flexible approach as outlined in the NPPF and Mayor's Housing SPG. In this respect, although the proposed development would result in a noticeable reduction in light in some nearby properties, the residual light levels are all within acceptable limits and the reduction is considered an unavoidable outcome from optimisation of the site's capacity. GLA officers do not agree that daylight,

sunlight, and overshadowing impacts are severe enough to warrant refusal of the scheme, as stated in Reason for Refusal 3. The daylight, sunlight, and overshadowing impacts of the proposed development are therefore considered acceptable and the application is considered to accord with the NPPF, London Plan Policy 7.6, and Richmond Local Plan Policy LP8.

### Noise and Vibration

292 Specialist acoustic modelling was used to predict sound levels incident on the proposed buildings and across the proposed site as well as to assess the impact of the proposed buildings on the neighbouring properties.

293 In its existing condition the site and surrounding area are already exposed to high levels of environmental sound, primarily governed by road and railway traffic activity. Modelling was undertaken to understand the impact of the proposed development on surrounding residential properties and in particular to address concerns raised about impact on Manor Park properties south of the site. As can be seen in Figure 11 below, the modelling undertaken indicates with the proposed buildings in place the noise levels incident on the properties on Manor Park will remain the same as existing or improve slightly. This is due to the fact that the facades of the proposed buildings are actually set back further from the railway line than the existing Homebase building.

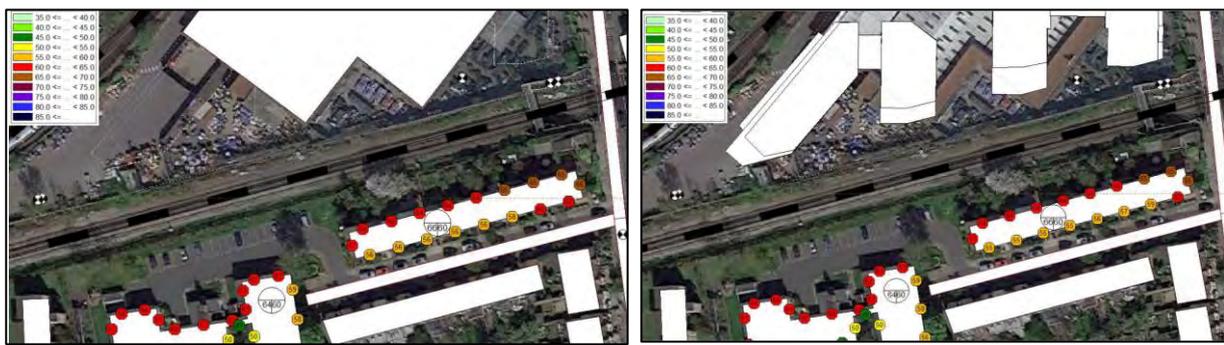


Figure 11 - Noise impact on Manor Grove properties, existing (left) and proposed (right)

294 Based on the information provided in the Noise and Vibration Impact Assessment it is considered that the proposed development will not result in any adverse impact on neighbouring properties by way of noise or vibration and may in fact improve upon existing conditions.

### Outlook and Sense of Enclosure

295 The Council's reason for refusal cites undue harm to the amenity of neighbouring properties, including a loss of outlook and a sense of enclosure. While it is considered that the proposal would affect the outlook of several existing residential properties in the local area and reduce the openness of the site, the current outlook and sense of openness are both products of the underutilisation of the site. This underutilisation runs contrary to national planning policy.

296 A 20-metre separation distance is proposed between the homes on Manor Road and the new development, which steps down to an appropriate four stories along this edge. All other separation distances from existing development are over 20-metres, as

set out in more detail in the privacy section below. The proposal, therefore, is not considered to cause an adverse sense of enclosure for neighbouring properties.

297 Whilst the proposal would represent a change in outlook and a greater sense of enclosure for some properties, it is considered that this impact is acceptable noting that this is a well-designed scheme within a mixed urban and suburban context which provides much needed affordable housing. The site is also of adequate size to inform its own character internally. For these reasons, GLA officers conclude that the proposal would not have an unacceptable impact on outlook and would not cause an adverse sense of enclosure for neighbouring properties.

### Privacy

298 Richmond Council's Local Plan Policy LP 8 specifies within the explanatory text that the minimum distance guideline of 20 metres between habitable rooms within residential developments is required for privacy reasons. The Mayor's Housing SPG (March 2016) notes that minimum separation distances of 18-21 metres between habitable rooms are commonly used yardsticks but advocates a more flexible approach to managing privacy.

299 The proposal provides a minimum separation distance between the balconies and windows of the proposed development and any existing neighbouring properties. There is a 34.8 metre separation distance between the proposed development and the nearest properties to the south, with the interceding railway line acting as an additional buffer. Similarly, there is a 36.6 metre separation distance between the proposed development and properties to the south east of the site. In the central and northern parts of the site, the development is separated from existing properties by 22 and 22.5 metres, respectively.

300 In summary, the separation distances provided between windows and balconies of the proposed development and the neighbouring properties are considered sufficient to ensure that no significant harm would arise to the amenity of neighbouring occupiers.

### Neighbouring amenity impacts conclusion

301 It is concluded that, on balance, the proposal would have an acceptable impact on neighbourhood amenity. Whilst the proposal would impact the daylight/sunlight received by some neighbouring properties, this impact is considered inevitable given that the adjacent neighbours currently borrow amenity from the application site by benefitting from its current underdevelopment. As the impacted light levels in neighbouring properties would still be within acceptable ranges, the proposal is considered acceptable, on balance, in terms of daylight/sunlight. The proposed development would also not cause unacceptable loss of privacy due to the separation distances between the proposed buildings and neighbouring residential properties and there would be no adverse impact in terms of noise and vibration. The proposal would also not result in an unacceptable impact on outlook and would not result in an adverse sense of enclosure. For these reasons, the impact of the proposals on the residential amenity of existing residents close to the site would be acceptable, and the proposals therefore comply with London Plan, Intend to Publish London Plan and Richmond Local Plan Policies.

## **Design Conclusion**

302 The Council resolved to refuse the application on the grounds of its siting, layout, height, scale, bulk, design and materials being considered to represent a visually intrusive, dominant and overwhelming form of overdevelopment to the detriment of the character of the site and surrounding area representing a visually intrusive and overbearing form of overdevelopment; to the detriment of the surrounding occupant's current level of amenities, in particular those residing at Manor Park; Bardolph Road and Cliveden House.

303 It is the view of GLA officers that the proposed massing and height has been carefully considered by the applicant and is appropriate for this site, responding well to the local townscape and context. The development optimises the potential for a generous and enhanced public realm whilst providing increased surveillance, permeability and active frontages in line with SPD guidance.

304 The excellent design of the proposed buildings will promote an enhanced built and public environment and, whilst they are classed as tall buildings for the purposes of Richmond Local Plan Policy LP2, they make a positive contribution to the existing townscape, character and local distinctiveness of the area in accordance with Policy 7.7 of the London Plan. The quality of the design, architecture and materials will ensure a distinctive and high-quality development which will contribute positively to this part of Richmond. The development will thus comply overall with the relevant development plan policies set out above and be consistent with the Intend to Publish London Plan.

## **Climate Change**

305 London Plan Policy 5.2 and Policy SI 2 of the Intend to Publish London Plan, require development proposals to minimise carbon dioxide (CO<sub>2</sub>) emissions to meet the Mayor's targets, in accordance with the following energy hierarchy:

- Be lean: use less energy
- Be clean: supply energy efficiently
- Be green: use renewable energy

306 Richmond Council's Local Plan Policies LP 20 and LP 22 set out the borough's approach to climate change and requires developments to meet the highest standards of sustainable design, including sustainable drainage and the conservation of energy and water, with residential development of 10 units or more development achieving zero carbon standards.

## **Energy**

### Energy strategy

307 The applicant has submitted an energy strategy for the site. This sets out measures to reduce carbon dioxide emissions beyond the 2013 Building Regulations of 35% for the residential element of the development and 35% for the non-residential element of the development, in compliance with the London Plan target. In reporting the application at Stage 1, it was observed that the scheme broadly followed the London Plan energy hierarchy, but was not fully compliant and there remained outstanding issues that

required resolution before it could be confirmed that the scheme was fully in accordance with the London Plan and since that time further discussion has taken place to resolve outstanding matters and ensure full compliance, principally in relation to further passive measures for domestic overheating, the domestic cooling proposed, implementing a site-wide energy system as opposed to by block and further information on PV and heat pumps required; at the time domestic emissions are slightly below the 35% target but were revisited.

308 Energy efficiency (Be Lean): A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Measures include the use of Air Source Heat Pumps (ASHP), low volume water fixtures and fittings, space cooling, high efficiency lighting, high efficiency ventilation and insulated pipework. The applicant is now reporting a 10.2% saving in regulated carbon dioxide emissions from energy efficiency measures alone compared to a 2013 Building Regulations compliant development with the ASHP anticipated to provide an additional 34.9% reduction in emissions. Overall, the anticipated reduction in regulated carbon dioxide emissions is anticipated to be 45.7%.

309 District heating (Be Clean): The applicant is proposing to install a block by block approach as there is no centralised location with sufficient space to accommodate the required heat pumps. Distribution losses are likely to be 18% in a site-wide network, but just 7% with a block-by-block approach and this difference equates to 25 Tonnes CO<sub>2</sub> / annum. Installing pipework now will result in additional embodied carbon and the pipes will deteriorate. In order to future proof the proposals, space allowance has been made for heat interface units to the ground floor of each building with trenching provided between buildings with space allocated for district energy pipework, should a district heating system become available in future. The block by block approach is acceptable in this instance. This approach would enable future connection to an area wide district heating network and the applicant will be required to continue to prioritise connection through a Section 106 obligation.

310 Renewable technology (Be Green): The applicant has investigated the feasibility of a range of renewable energy technologies. The development would use ASHPs. The applicant has also identified photovoltaics (PV) as the most suitable renewable technology, to be located on all higher-level roof spaces where there is space and not outweighed by overshadowing, plant space requirements or access. At this stage, officers consider the level of PVs to be appropriate but to ensure these are maximised, a condition is recommended requiring submission, prior to occupation, detailed roof layouts for all blocks demonstrating that the potential for PV has been maximised

311 Overall savings: Based on the energy assessment submitted, a 45.7% reduction in regulated carbon dioxide emissions per year is expected, compared to a 2013 Building Regulations compliant development. This comprises a 100% reduction in the residential element and a 35% reduction for the commercial areas achieved through a combination of passive design, energy efficiency measures, and LZC technologies. The carbon dioxide savings respectively comply with the target set within Policy 5.2 of the London Plan for both elements of the scheme. In order to meet the zero-carbon target for the residential element, a contribution is required to make up for the deficit, which has been estimated at £422,885 and will be paid into Richmond's carbon offset fund, to be secured in the Section 106 Agreement. Should the Intend to Publish London Plan be adopted prior to a decision on this application, the applicant would be required to pay a further £17,000 in order to meet the zero-carbon target for the commercial element of

the scheme. In addition, there would be an increase in the residential element from circa £423k to £670k. As such, should the Intend to Publish London Plan be adopted prior to a decision into this application the total carbon offset payment to be secured in the S106 agreement would rise to £687,000. A condition is also recommended requiring that the proposal is carried out in accordance with the approved energy strategy.

312 In summary, the development utilises ASHP as the main source of energy and meets policy requirements in respect of Be Lean Be Clean and Be Green. Whilst a site wide network is preferred, given the slim likelihood of a district heat network being implemented in this area in the immediate future, and the demonstrated impacts this would have on the emission of CO2 through loss and embedded carbon, and likely deterioration of the infrastructure, the block by block approach is considered the most appropriate at this time. The development is therefore in accordance with London Plan Policy 5.2, Intend to Publish London Plan Policy SI 2, Richmond Local Plan Policy LP 20 and LP 22, subject to provisions secured as recommended conditions and within the Section 106 Agreement.

### **Flood risk and drainage**

313 Paragraph 163 of the NPPF states that where appropriate, planning applications should be supported by a site-specific flood-risk assessment, which is reflected in London Plan Policy 5.12 and Intend to Publish London Plan Policy SI12. The NPPF also states that major development should incorporate sustainable drainage systems which is reflected in London Plan Policy 5.13 and Intend to Publish London Plan Policy SI13.

314 London Plan Policy 5.12 and Intend to Publish London Plan Policy SI 12 seek to ensure that developments address flood risk through a flood risk assessment and incorporate flood resilient design. London Plan Policy 5.13 and Intend to Publish London Plan Policy SI 13 state that developments should use sustainable drainage systems (SuDS) and should ensure that surface water run-off is managed as close to its source as possible in line with the London Plan drainage hierarchy. SI 13 also states that proposals should aim to achieve greenfield run-off rates.

315 Richmond Local Plan Policy LP 21 requires all developments should avoid, or minimise, contributing to all sources of flooding, including fluvial, tidal, surface water, groundwater and flooding from sewers, taking account of climate change and without increasing flood risk elsewhere, and requires the use of Sustainable Drainage Systems (SuDS) in all development proposals. Local Plan Policy LP 17 instructs that green and/or brown roofs should be incorporated into new developments with roof plate areas of 100 sqm or more where technically feasible and subject to considerations of visual impact.

### **Flood risk**

316 The application site is within Flood Zone 1 and a Flood Risk Assessment (FRA) which assesses any likely significant effects of flooding and drainage was submitted.

317 The FRA assesses the residual risk of flooding due to surface water and groundwater and has taken into consideration Richmond's Strategic Flood Risk Assessment. A full review of flood risk (including residual risks) from all sources of flooding has been provided, and flood resilience and emergency planning measures incorporated to manage these risks. The report recommends a detailed drainage design be produced to secure draining to soakaways and not connect to the surface water

sewers; a surface water drainage strategy using blue and green roofs; and attenuation and infiltration tanks to manage surface water on the site including an allowance for climate change. By implementing these measures, surface water will be managed on site and not increase downstream flood risk. It is recommended that the detailed drainage design is conditioned. As such the proposal therefore complies with London Plan Policy 5.12 and Richmond Local Plan Policy LP 21, along with Intend to Publish London Plan Policy SI 12.

### Drainage

318 The surface water drainage strategy provides an assessment of existing runoff rates, greenfield runoff rates, and required attenuation storage for a range of post-development discharge rates. Selected discharge rate is 25.2 l/s (Greenfield for 1 in 100yr + Climate Change). The surface water drainage strategy addresses the Drainage Hierarchy, and notes that rainwater harvesting, blue/green roofs, permeable paving, and underground storage tanks would be possible options, and that infiltration is feasible.

319 The applicant proposes an attenuation tank of appropriate volume, of 1020 metres cubed, to ensure that the specified tank volume will allow discharge rates to be restricted to the desired rate. An assessment of exceedance flow paths has been provided showing that these are available through the site in the case of attenuation system blockage or an extreme rainfall event.

320 The surface water drainage strategy for the proposed development therefore complies with London Plan Policy 5.13, Intend to Publish London Plan Policy SI 13, and Richmond Local Plan Policies LP 17 and LP 21.

### **Sustainability strategy**

321 Although the London Plan and Intend to Publish London Plan have no specific requirements in relation to BREEAM, Richmond Local Plan Policy LP 22 sets out that non-residential buildings over 100 sq.m. will be required to meet the BREEAM “excellent” rating.

322 The applicant has submitted a BREEAM pre-assessment, which is included in the Sustainability Strategy, and construction management plan for the site, which set out several sustainability measures proposed in the design and construction process, as follows:

323 The BREEAM Pre-Assessment (contained within the Sustainability Strategy) which has been undertaken for the commercial space confirms that scheme is seeking to achieve an ‘Excellent’ rating with a baseline score of 74.2%. This approach and the commitment relating to BREEAM is recommended to be secured by way of planning condition, in line with the requirements of Richmond’s Local Plan Policy LP 22.

324 Water use demand: London Plan Policy 5.15 states that development proposals should incorporate water saving measures and equipment and should be designed so that mains water consumption would meet a target of 105 litres per head per day. This target is retained in Intend to Publish London Plan Policy SI5, with the further requirement that commercial development achieves at least the BREEAM “Excellent” standard for water consumption. The sustainability statement proposes that the proposed dwellings will have a maximum indoor water consumption of 105 l/person/day,

in line with the optional standard in Part G of the Building Regulations. The sustainability statement notes that BREEAM 'Very Good' is targeted for the shell of the non-residential component of the development. Water consumption is noted to be excluded as fitout will be done separately, and the maximum number of other available water credits for the shell is achieved. The proposed development therefore meets the requirements of London Plan Policy 5.15 and Intend to Publish London Plan policy SI 5.

325 Materials and construction waste recycling: The BREEAM pre-assessment sets out commitments by the applicant to specify products with an environmental product declaration and to use FSC certified timber for construction through a sustainable procurement plan. A site waste management plan would be implemented, with targets to be agreed for recycling waste and reduced waste to landfill. The commitments within the site waste management plan would be secured by condition.

### **Climate Change Conclusion**

326 The proposed development would minimise carbon dioxide emissions in line with London Plan and Local Plan policy regarding climate change, with a carbon offset contribution secured in the Section 106 Agreement. The development would not increase flood risk and would deliver sustainable urban drainage benefits over the existing situation at the site. The development has also committed to achieve high standards in sustainable design and construction. In these respects, the development complies with relevant policies regarding sustainability and climate change mitigation.

## **Environment**

### **Trees**

327 London Plan Policy 7.21 requires that wherever possible, existing trees of value are retained and that if permission is granted that necessitates tree removal, adequate replacement is provided based on the existing value of the benefits of the trees removed. The thrust of this is reflected in Richmond Council's Local Plan Policy LP 16 and Intend to Publish London Plan Policy G7.

328 There are 64 existing trees on site which are covered by an area Tree Preservation Order (TPO). The majority (nearly 80%) of the existing trees are low quality, Category C, planted when the site was developed for retail use. A small number are moderate Category B owing to their size and health. There are no Category A high quality trees. 42 trees are proposed for removal, of which 39 are within the Area TPO.

329 An Arboricultural Appraisal and Implications Assessment has been prepared which concludes that that whilst the proposal requires the removal of protected trees, these trees are of moderate to poor quality, with little prospect of ever making a significant contribution to the local landscape.

330 The Amended Proposed Development includes the installation of 141 new trees, which is an increase in 77 trees from the existing position. Additionally, this is a further improvement upon the Original Proposed Development which included 113 replacement trees.

331 Along with the Arboricultural Appraisal and Implications Assessment, a Landscape Design and Access Addendum has been submitted as a separate document, where the

previous landscape strategy was set out in the main Design and Access Statement, in support of the revised planning application.

332 On the basis of the quality of the existing trees within the TPO area, the proposed increase in trees as part of the proposals, and the additional landscaping that will be secured by s106, the proposals are compliant with London Plan Policy 7.21, Intend to Publish London Plan Policy G7 and Richmond Local Plan Policy LP 16. In addition, it is noted that Richmond Council did not object to the proposal on this basis.

## **Biodiversity**

333 Paragraphs 170 and 175 of the NPPF state that planning decisions should contribute to enhancing the natural environment by minimising biodiversity impacts and avoiding or mitigating harm and providing net gains. Paragraph 177 states that the presumption in favour of sustainable development does not apply where the proposal is likely to have a significant effect on a habitats site (either alone or in combination with other proposals), unless an appropriate assessment has concluded that the proposal will not adversely affect the integrity of the habitats site.

334 London Plan Policy 7.19 promotes the protection and enhancement of biodiversity, including green corridors and states that new development should realise the opportunities for positive biodiversity gains. Intend to Publish London Plan Policy G6 further states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively. Richmond's Local Plan Policy LP 15 (biodiversity) seeks to ensure all developments provide net gains for biodiversity.

335 The site does not fall within the boundaries of any statutory or non-statutory sites of nature conservation and is not designated for any nature conservation purposes. A Preliminary Ecological Assessment (PEA) has been carried out by the applicant which identifies opportunities to enhance the biodiversity on site and recognises the majority of habitats within the site that may be lost as a result of a development are of negligible ecological importance and no specific mitigation is required.

336 The PEA incorporates a bat survey which finds that the buildings and trees within the site have negligible potential to support roosting bats but nevertheless recommends including bat boxes within the scheme and sensitive lighting along the site boundaries to avoid disturbance to commuting bats. The survey also recommends that if demolition or vegetation clearance is scheduled between March-August, a pre-works check by an Ecological Clerk of Works (ECoW) is undertaken.

337 The loss of the limited existing habitat is unfortunate, but the proposals mitigate this and enhance the existing biodiversity. Conditions are recommended in relation to demolition and vegetation clearance pre-work checks and invasive species removal. The proposed tree planting and landscaping will greatly enhance the ecology of the site attracting a variety of bats, birds and other species. As such the proposal enhances the biodiversity of the site, providing a net gain in line with the NPPF, London Plan Policy 7.19, Intend to Publish London Plan Policy G6 and Richmond Local Plan Policy LP 15.

## Urban Greening

338 London Plan Policy 5.10 and Intend to Publish London Plan Policy G5 state that developments should provide new green infrastructure that contributes to urban greening. Policy G5 also sets out a new Urban Greening Factor (UGF) to assess the quality of urban greening proposed in new developments, with a recommended target score of 0.4 for predominantly residential developments.

339 The applicant has proposed a range of green infrastructure including green roofs, green walls and flower rich perennial planting

340 The applicant has included a calculation of the development's Urban Greening Factor in the Landscape Addendum. The UGF has been calculated to be 0.35 and therefore falls short of the 0.4 target set within Intend to Publish London Plan Policy G5. Given the reasonable overall quality and quantity of green infrastructure proposed; the positive engagement with the Policy; and a clear description of the constraints to further greening; the current score is considered acceptable in this instance. As it is important that the current level of greening is maintained and delivered as a condition requiring a full landscaping and maintenance scheme to be submitted and approved that will secure the proposed urban greening is recommended.

## Air Quality

341 A core priority of the Mayor's London Environment Strategy (2018) is to improve London's air quality and protect public health by reducing exposure to poor air quality, particularly for the most disadvantaged and those in priority locations such as Air Quality Focus Areas, and outlines a range of initiatives which seek to improve the capital's air quality over time, including the Ultra Low Emission Zone (ULEZ). London Plan Policy 7.14 and Policy SI 1 of the Intend to Publish London Plan state that London's air quality should be significantly improved and exposure to poor air quality should be reduced, especially for vulnerable people and makes provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMA)) and be at least "air quality neutral". Policy SI 1 states that development proposals should not create unacceptable risk of high levels of exposure to poor air quality and should ensure design solutions are incorporated to prevent or minimise increased exposure to existing air pollution.

342 Richmond Council's Local Plan Policy LP 10 promotes good air quality design and new technologies and seeks emissions neutral development. requires measures to be taken to improve air quality and ensure major developments are air quality neutral. In areas with poor air quality such as this one, which is within an Air Quality Management Area (AQMA), the Policy requires assessment and mitigation.

343 An Air Quality Assessment has been submitted in support of the application, which looks at the impacts of demolition and construction, and traffic generated by the scheme and includes an Air Quality Neutral Assessment. This confirms that the development will be air quality neutral based on the benchmarking criteria.

344 Construction Phase: The applicant's air quality assessment stated that dust sensitive receptors will potentially experience increased levels of dust and particulate matter before using any mitigation and control measures. However, with the implementation of a series of dust mitigation measures set out in Air Quality and Dust

Management Plans which will be secured by condition, the residual significance of potential air quality impacts during construction is not significant.

345 Operational Phase: The applicant's air quality assessment finds that there will be no exceedances of the relevant air quality objectives on the site and that as a result, no mitigation measures are required. The proposed development will be air quality neutral through the use of electrical plant as opposed to gas fired energy and transport emissions being below the Transport Emissions Benchmark.

346 The development leads to a large reduction in vehicle movements and thus does not lead to adverse impacts on local air quality. The assessment has shown that future occupants of the development will also be exposed to acceptable air quality. The proposed development thus complies with London Plan Policy 7.14 (B) and Intend to Publish London Plan Policy SI 1 (B). An Air Quality and Dust Management Plan (AQDMP), should be included as part of a Construction Environmental Management Plan (CEMP) to be approved prior to the commencement of works and is recommended as a condition.

## **Wind**

347 London Plan Policy 7.7 states that tall buildings should not affect their surroundings adversely in terms of (amongst other things) microclimate and wind turbulence. The Mayor's Sustainable Design and Construction SPG identifies the Lawson Criteria as a means for identifying suitability of wind conditions. Intend to Publish London Plan Policy D8 further states that wind conditions around tall buildings must be carefully considered and not compromise comfort. Richmond Local Plan Policy LP 2 requires tall buildings take account of climatic effects, including diversion of wind speeds.

348 The applicant produced a wind microclimate assessment. The assessment is based on a qualitative desk-based methodology that has tested the wind impacts of the proposal using meteorological data, the Lawson pedestrian comfort criteria and the occurrence of strong winds.

349 The assessment confirms that due to the orientation of the Amended Proposed Development, presence of railway lines and the predicted calm wind conditions in the area the proposed development is not expected to change the wind conditions for existing residential buildings around the site.

350 The proposed massing and orientation are highly beneficial in that they would create acceptable wind conditions at ground level around the site. Additionally, the phased planting programme of semi-mature landscaping would improve the comfort level of amenity and play areas throughout the site. Specific mitigation measures have been incorporated into the proposed design which would improve windiness in various locations. Additional mitigation measures such as 1.5 metre balustrades, porous side screen, and small-scale landscaping would further improve comfort levels during worst season conditions for Block B, C, and D terraces and upper floor balconies. These measures should be developed at the detailed design stage in conjunction with an experienced wind engineer and submitted as part of the discharge of conditions. Overall the proposals demonstrate acceptable wind and microclimate conditions compliant with the London Plan, Intend to Publish London Plan and Richmond Local Plan.

## Waste

351 London Plan Policy 5.17 requires adequate provision for waste and recycling storage and collection facilities as part of new developments. In relation to waste generated through demolition, groundworks and construction, Policy 5.18 requires applicants to produce site waste management plans to arrange for the efficient handling of construction, excavation and demolition waste and materials. Intend to Publish London Plan Policy SI 7 seeks to reduce waste and increase material reuse and recycling and promotes a circular economy. The policy also sets several waste targets including a strategic target of zero biodegradable waste or recyclable waste to landfill by 2026.

352 Richmond Local Plan Policy LP 24 and Refuse and the Recycling Storage Requirements SPD (2015) require waste to be managed in accordance with the waste hierarchy, which is to reduce, reuse or recycle waste as close as possible to where it is produced. The policy also requires the location and design of refuse and recycling facilities should be sensitively integrated into the scheme. All major developments are required to produce Waste Management Plans to arrange for the efficient handling of construction, excavation and demolition waste and materials.

353 The applicant has provided a Circular Economy Statement, which demonstrates how demolition, excavation, and construction materials will be re-used, recovered, and/or recycled; how the proposed design and construction will reduce material usage, minimise waste and embed longevity, flexibility and adaptability; how the construction plan will take advantage of opportunities to prefabricate or assemble items offsite; and how the development has been designed to support a sustainable approach to waste and recycling. The submitted Circular Economy Statement exists alongside an Operational Waste Management Strategy which considers the quantum of waste to be produced and how its flow from generation to collection will be managed, and a Sustainable Procurement Plan which outlines benchmarks to be met by construction partners and within the supply chain. The Waste Management Strategy is assessed below.

354 Construction waste: A Construction and Environment Management Plan (CEMP) has been submitted which sets out the waste mitigation and management setting out that all and waste to be loaded within the site. Planning conditions are recommended to provide a more detailed Construction Environment Management and Logistics Plan prior to commencement and to ensure that contractors adhere to it.

355 Operational waste: The applicant has provided detail about the operational waste strategy for the site in the Waste Management Strategy. This has the following key themes:

- Each residential block would be provided with a dedicated bin store at ground floor accommodating communal bin storage for each waste stream;
- The stores would be located adjacent to cores, so in a convenient location for all residents, and would be of an appropriate size for required the necessary number of bins;
- The facilities management team will be responsible for taking out and returning the bins from eight out of the eleven refuse storage areas to the refuse collection vehicle at the time of collection and facilitating collection to the remaining three,

which are proposed to be directly serviced by refuse vehicles on collection days;  
and

- Adequate provision is made for commercial waste.

356 Richmond Council raised concerns that the service roads proposed along the western part of the site may be inadequate based on the swept path analysis provided. The Council also requested revisions to push bin routes and additional details on bin and bulky waste storage. The applicant has since reviewed the swept path analysis using the most representative vehicle available and determined that the service roads as proposed would be fit for purpose; however, that notwithstanding revisions to kerb lines could be made during the detailed design process. The applicant has also confirmed that the requested revisions to push bin routes would be adopted and that the details requested could be provided at the detailed design stage and form part of the Waste Management Strategy to be secured by condition.

357 GLA officers are satisfied that the proposal accords with London Plan Policies 5.17 and 5.18, and intend to Publish London Plan SI 7, subject to details being secured by appropriate conditions.

### **Contaminated Land**

358 London Plan Policy 5.21 requires the investigation and, where appropriate, remediation of contaminated sites, with appropriate mitigation to ensure contaminated land is brought back into beneficial use and to avoid harm to the environment or human health. Richmond Local Plan Policy LP 10 seeks to ensure that local environmental impacts of all development proposals do not lead to detrimental effects on the health, safety and the amenity of existing and new users or occupiers of the development site, or the surrounding land.

359 Richmond Council has confirmed that their records indicate that the site and surrounding area has been subject to former potentially contaminative land uses. Geo-Environmental and Geotechnical Preliminary Risk Assessment has been submitted in support of the application. This included a desk-based assessment and on-site survey.

360 Richmond Council's Environmental Health Officer raises no objections. The Environment Agency raise no objections to this application subject to conditions.

361 It is recommended that an intrusive ground investigation is undertaken to further quantify Geo-Environmental and Geotechnical risks associated with the development to be secured by condition and requiring a halt to development on discovery of unexpected contamination is also recommended. This will satisfy the requirements of policy and make that proposals compliant with London Plan Policy 5.21 and Richmond Local Plan Policy LP 10.

### **Transport**

362 Chapter 9 of the NPPF sets out the Government's aim to promote the use of sustainable modes of transport. When considering the transport implications of development proposals, the NPPF states that decision-makers should ensure that site specific opportunities available to promote sustainable transport modes have been taken up; safe and suitable access to site would be achieved for all users; and any significant impacts from development on transport network (in terms of capacity or congestion) or

highways safety can be mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or where residual cumulative impacts on the road network would be severe. Paragraph 110 of the NPPF sets out additional criteria which should be addressed which includes pedestrian, cycle and inclusive access.

363 London Plan Policy 6.1 sets out a strategic approach for transport in London. This includes the aim to encourage patterns of development that reduce the need to travel, especially by car, through the use of maximum car parking standards; seeking to improve the capacity and accessibility of public transport, walking and cycling infrastructure; encouraging shifts to more sustainable modes of travel and promoting walking and safe and step-free access. Intend to Publish London Plan T1 states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated Policy 6.3 states that the impact of development proposals on transport capacity and network should be fully assessed and not adversely affect safety, with schemes appropriately phased where transport capacity is insufficient to allow for the expected trip generation. Other relevant transport policies are Policies 6.9, 6.10, 6.11 and 6.13 which cover cycling, parking and traffic congestion. Policy 8.2 of the London Plan sets out the Mayor's priorities for planning obligations and states public transport improvements should be given the highest importance, alongside affordable housing.

364 The Mayor's Transport Strategy (2018) (MTS) seeks to promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. The MTS aims to ensure that by 2041, 80% of all Londoners' trips will be made on foot, by cycle or by public transport. Policy T1 of the Intend to Publish London Plans requires development proposals to support this overarching aim, as do a range of other policies in the Intend to Publish London Plan on 'Healthy Streets' (Policy T2), cycling (Policy T5), parking (Policy T6, T6.1-T6.5) and funding necessary transport mitigation measures (Policy T9). Policy T4 of the Intend to Publish London Plan requires transport impacts to be assessed and mitigated and avoid road danger.

365 Richmond Council's Local Plan Policy LP 44 states that that the Council will work in partnership to promote safe, sustainable and accessible transport solutions, which minimise the impacts of development including in relation to congestion, air pollution and carbon dioxide emissions, and maximise opportunities including for health benefits and providing access to services, facilities and employment. Local Plan Policy LP 45 requires new development to make provision for the accommodation of vehicles in order to provide for the needs of the development while minimising the impact of car based travel including on the operation of the road network and local environment, and ensuring making the best use of land.

366 Issues with respect to transport were considered by the Council as having been satisfactorily addressed, subject to agreement of appropriate planning conditions and section 106 obligations to secure necessary mitigation measures. Transport does not feature in the Council's reason for refusal. The Mayor's Stage 1 comments concluded that some further work on transport was required prior to determination by the council.

367 These matters have been satisfactorily resolved subject to planning conditions and section 106 obligations, and other matters considered as part of the submitted amendments to the scheme as set out below.

### **Trip generation**

368 The applicant has undertaken their trip generation assessment within the Revised Transport Assessment dated July 2020, in accordance with TfL's methodology. This concludes that the proposed development is likely to generate an additional 264 two-way person movements during the weekday morning peak (0800 to 0900), and approximately 204 two-way movements during the evening peak (1700 to 1800) compared with the existing use on site. Given the car-free nature of the proposed development, this would result in a net reduction in peak hour vehicle trips (-17 two-way trips in the AM peak hour and -51 in the PM peak hour) on the surrounding highway network compared to the existing use on site and as such would have a minimal impact on the surrounding highway network. Most additional movements are predicted to be public transport trips followed by walking and cycling trips. This is consistent with the public transport provision nearby.

### **Car parking**

369 The development is car free except for 14 disabled person's car parking spaces which is in accordance with Intend to Publish London Plan standards. The Intend to Publish London Plan requires that disabled person's parking should be provided for 3% of dwellings, at the onset with up to 10% provided should demand arise, as proposed by this development. It is noted that 20% of the proposed disabled person's spaces would include active charging facilities with passive provision for all remaining spaces. A Car Parking Management Plan, detailing how the disabled car parking spaces would be managed and monitored including confirmation that the spaces will be leased and not sold, along with the location of where the remaining 7% (32 spaces) could be provided should demand arise, will be secured through the Section 106 agreement. All parking is located at-grade and accessed via the existing vehicular access.

370 The Council have raised concerns that occupation of the additional disabled persons parking spaces not provided initially could result in the loss of amenity space and short stay cycle spaces. According to the proposal, additional spaces would only be converted should demand exceed initial supply. Currently, 2.8 per cent of Londoners hold a Blue Badge, and whilst this will fluctuate between boroughs, it is unlikely demand will exceed the 3 per cent supply at the onset and if it does, it would only require an incremental increase in line with the increasing demand. As such, the risk of loss to amenity space is considered minimal.

371 Two car club spaces with active charging facilities are also proposed on site and three years free car club membership will be secured through the Section 106 agreement for all new residents. The Council have highlighted that the car club provision proposed does not accord with their Air Quality SPD; however, given the site location it is considered that sustainable transport, which is better for air quality, should be encouraged over car use. Furthermore, the number of spaces proposed is based on viability discussions with a car club operator and are therefore considered to be acceptable. The location of the car club spaces would need to be detailed in the Car Parking Management Plan

372 Concerns have been expressed by several objectors that any demand for car parking from the development cannot be met on local roads as the site is not currently located within a Controlled Parking Zone. Given the sites access to public transport options, the proposed site is considered an appropriate location for a car-lite development. Should there be an increased demand for parking, parking stress surveys have indicated that there is spare capacity on-street throughout the day. That notwithstanding, a £50,000 contribution will be secured through the Section 106 Agreement towards parking monitoring within the vicinity of the site, review and consultation on the introduction of a new Controlled Parking Zone. A further £50,000 contribution will be secured for the implementation of said Controlled Parking Zone.

373 Should a Controlled Parking Zone come forward in the future, the development would be subject to an appropriate legal planning restriction whereby occupiers would be exempt from parking permits. This will be secured within the Section 106 Agreement. The development is, however, considered acceptable regardless of whether a CPZ were to come forward in the future. As such, this clause within the Section 106 Agreement has been given no weight in the planning balance but is a welcome offer from the applicant.

374 The car parking provision accords with London Plan Policy 6.13 and Richmond Local Plan Policy LP 44 and LP45. It also accords with Policies T6, T6.1, T6.3 and T6.5 of the Intend to Publish London Plan.

## **Healthy Streets**

375 The proposed development would see an increase in pedestrian and cycle trips to and from the site and the local area. Public realm improvements are proposed along the entire site boundary along Manor Road. The layout of the development would provide a significant amount of new public realm and allow pedestrian and cyclist permeability into the site; however, opportunities for through-site permeability are limited by the hard boundaries of the railway lines running north south and east west. Nevertheless, the proposals would add much needed public realm to the locality and offer a good improvement overall for pedestrians, within these parameters. In order to maintain pedestrian and highway safety at the existing pedestrian refuge crossing point to the south of the development site on Manor Road, it is recommended that the existing dropped kerbs on the eastern and western footways of Manor Road be improved to include tactile paving, and that tactile paving also be included on the refuge itself. This can be delivered through a Section 278 agreement which should be secured within the Section 106 agreement. These improvements would contribute to the Mayor's "Healthy Streets" agenda for encouraging active travel and mode shift away from private vehicles. All proposed pedestrian improvements will be secured within the Section 106 Agreement; therefore, GLA officers consider that the application complies with London Plan Policies 6.9 and 6.10 and Policies T2 and T4 of the Intend to Publish London Plan.

376 A significant proportion of the pedestrian and cycle movements generated by the development are expected to use Manor Circus. TfL's Manor Circus improvements scheme will provide residents improved pedestrian and cycle safety at this junction and better links to the cycle networks. TfL previously requested a contribution representing 15% of the estimated Final Scheme Costs. This figure has now been revised due to additional design costs. A revised financial contribution of £380,000 towards the implementation of the Manor Circus scheme will be secured in the Section 106 agreement.

## **Cycling**

377 The applicant is proposing a total of 817 residential cycle parking spaces on site, including 12 short-stay spaces. This quantum slightly exceeds the London Plan Policy 6.9 and Intend to Publish London Plan T5 standards. The applicant is also proposing 7 long-stay and 25 short-stay spaces for the commercial element. All cycle parking is in accordance with the Intend to Publish London Plan standards. Most of the long-stay parking is located within each of the residential blocks to allow residents convenient access. Short-stay parking is located within the public realm close to building entrances. A condition requiring details of the type (at least 5% should be Sheffield stands at wider spacing for larger/wider cycles), location, and number of cycle parking spaces and the provision of shower and locker facilities for the non-residential elements is recommended along with a requirement to ensure that all cycle parking is designed and laid out in accordance with the guidance contained in Chapter 8 of the London Cycling Design Standards (LCDS).

## **Public transport**

378 There are ten bus routes within walking distance of the site: 65, 371, 493, 190, 419, H37, R68, R70, 391 and H22. Due to the distance to the closest Underground station, all underground trips have been combined with bus trips to ensure a robust assessment of the potential impacts on the bus network. Therefore, the proposed development would generate 116 two-way bus trips in the morning peak hour and a further 90 two-way trips in the evening peak hour. Whilst the uplift is significant, there are currently over 30 buses per hour operating between Manor Circus and Richmond which would likely be the most popular direction of flow. There is also spare capacity in the area for against-flow trips away from Richmond. On that basis, TfL have assessed the uplift in demand based on current capacity and conclude that it can be accommodated within the existing bus network capacity. Therefore, mitigation for bus service improvements has not been sought for this development.

379 North Sheen Station and the trains which serve it are operated by South Western Railway (SWT). During the peak hours there are a total of 8 trains per hour to London Waterloo. The development would generate 72 two-way rail trips in the AM peak hour and 55 in the PM peak hour. Recent rail improvements, including new trains, have increased the capacity of North Sheen-served routes by approximately 16%. In addition, Network Rail have recently realigned platforms at Waterloo, including bringing the old international platforms into use, enabling all 24 platforms to be used by SWT services which allows for increased service and reliability.

380 Given the range of public transport options in the area and having regard to the predicted demand from the proposed development, TfL would not expect the proposed development to have a site-specific effect on public transport capacity that would require mitigation; however, in order to mitigate the impacts of the proposed development on the safe and efficient operation of North Sheen Station and the level crossing the following contributions will be secured through the Section 106 Agreement.

381 Due to the increase in rail passengers using North Sheen Station, as a result of the proposed development, improvements to the station are required to enable the additional passengers to be accommodated without creating a safety or operational performance impact on train services. A contribution of £40,000 towards North Sheen Station improvements will be secured in the Section 106 Agreement.

382 The position of the level crossing presents a risk to future occupiers of the development who may not be familiar with the risks associated with using a level crossing. Furthermore, the proposed development will increase the numbers of people using the level crossing, including school children and cyclists. A contribution of £15,000 would contribute towards community education on railway safety.

383 The proposed development would impact the safety of the level crossing and therefore requires physical mitigation measures. A contribution of £60,000 would deliver safety improvements to the level crossing and associated road layout.

384 A contribution of £30,000 would fund a feasibility study to look at accessibility improvements to North Sheen Station.

### **North Sheen Bus Terminus**

385 Vehicle access to TfL's existing bus terminus would be maintained at all times. The bus terminus would remain operational for TfL throughout the construction of the development. The Section 106 Agreement will secure the requirement that a new bus layover lease be in place prior to commencement, which would allow the continued operation of the bus terminus by TfL.

### **Delivery, servicing, construction and travel planning**

386 A Servicing and Delivery Management Plan has been submitted in support of the application. Loading and deliveries for the residents would be centred at the Block B concierge which would then allow for centralised collection or managed distribution throughout the Site. Designated stopping points have been identified for emergency vehicles which will enable fire or ambulance vehicles and personnel. Network Rail has existing rights of access along the existing service road in order to gain access to their equipment. The design of the proposed development would ensure that this right of way is not impeded.

387 Both the Council and TfL agree that the proposed deliveries and servicing arrangement are acceptable and accord with London Plan Policies 6.3, 6.13D, 6.14 and 2.15C and Intend to Publish London Plan Policy T7. The proposals are also in accordance with Richmond Local Plan Policy LP 45. Furthermore, a detailed Delivery and Servicing Management Plan (DSP) is recommended to be secured by condition and should detail how delivery and servicing movements will be controlled, managed and adhered to by all occupiers. The DSP and Waste Management Plan, also to be secured by condition, should reflect comments raised by the Council in their letter response to the revised application consultation dated 03 September 2020 (para 7.3-7.6).

388 London Plan Policy 6.14B and Intend to Publish London Plan Policy T7 promote the provision of Construction Logistics Plans (CLP) and membership of the TfL Fleet Operators Recognition Scheme (FORS), to minimise the impact and safety risks of construction activities on people and the transport network. A Draft Construction Environment Management and Logistics Plan has been submitted with the application and a detailed version will be secured by pre-commencement condition.

389 Draft Residential and Commercial Travel Plans have been submitted and will be used as the basis for full Travel Plans to be prepared for the development prior to

occupation. Submission and approve of the detailed final versions will be secured, monitored, reviewed and enforced through the Section 106 agreement.

## **Transport Conclusion**

390 The proposals would make acceptable alterations to the public realm in order to accommodate the expected pedestrian demand encouraging sustainable travel. The proposed parking provision is considered acceptable in this urban location and the proposal would not result in any highway or pedestrian safety concerns subject to conditions and the completion of a Section 106 Agreement.

391 Subject to a suitable framework of controls and mitigation as identified above being secured through the Section 106 Agreement and use of appropriate planning conditions, the transport impacts of this development are in accordance with strategic and local transport policies in the London Plan (Policies 6.1, 6.3, 6.5, 6.9, 6.10, 6.12, 6.13, 6.14, 8.2 and 8.3 and Richmond Local Plan Policy LP 44 and LP 45. On the same basis, the development accords with Intend to Publish London Plan (Policies T1, T2, T4, T5, T6, T6.1, T6.2, T6.3, T6.5 and T7).

## **Mitigating the impact of development through planning obligations**

392 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is 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. These are statutory tests.

393 The NPPF states that “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”

394 At the regional level, London Plan Policy 8.2 sets out the Mayor’s priorities for planning obligations, and states that affordable housing; supporting the funding of Crossrail where this is appropriate; and other public transport improvements should be given the highest importance. The Mayor’s Intend to Publish London Plan at Policy DF1 identifies that priority should firstly be given to affordable housing and necessary public transport improvements; and following this recognise the role large sites can play in delivering necessary health and education infrastructure; and the importance of affordable workspace, and culture and leisure facilities in delivering good growth.

395 At the local level Richmond Council’s Planning Obligations SPD (2014) provides the basis for determining planning obligations when considering planning applications for development in the borough.

396 GLA officers note that the Council as part of its draft decision notice included a reason for refusal stating that in the absence of a legal agreement securing affordable housing, viability reviews, play space provision and maintenance contribution, carbon offset contribution, local employment scheme, controlled parking zone, railway safety contribution, Manor Circus road safety contribution, Manor Road improvements, car club provision, and travel plan the proposal represented an unacceptable form of overdevelopment. Pursuant to the consideration within the previous sections of this

report, and in line with the policy context set out above, GLA officers propose to secure planning obligations to appropriately mitigate the impact of this development, which are set out below.

### Health and Education

397 London Plan Policy 3.16 and Intend to Publish London Plan Policy S1 support the provision of adequate social infrastructure as part of new developments and state that facilities should be accessible by walking, cycling and public transport. Several objections were made on the issue of capacity of local social infrastructure as part of the public consultation on the initial application and subsequent revisions. Contributions towards education, health, libraries and community facilities are now covered by the Richmond Community Infrastructure Levy. Additionally, a dedicated contribution towards healthcare provision in the local area will be secured in the Section 106 Agreement. Subject to the levy and healthcare contribution being secured, the proposals would not have an adverse impact on local infrastructure including school and healthcare facilities. The application is considered acceptable in terms of its impact on social infrastructure.

### Affordable Housing

398 As discussed in the housing section of this report, the Section 106 Agreement would secure a 40% affordable housing provision (calculated by habitable room), with Fast Track compliant tenure mix and appropriate obligations in relation to the definition, eligibility, affordability and perpetuity of affordable housing units across the various tenures. An early stage review mechanism will be set out in the Section 106 Agreement to incentivise the delivery of the scheme and ensure the appropriately timed delivery of affordable housing. GLA officers consider that these obligations are necessary to ensure compliance with the development plan.

### Transport

399 The following transport obligations will be secured by legal agreement:

- A contribution of £50,000 towards monitoring of parking in the vicinity of the site, plus review and consultation on the introduction of a Controlled Parking Zone;
- A contribution of £50,000 towards implementation of a Controlled Parking Zone;
- A contribution of £380,000 towards implementation of the Manor Circus scheme;
- A contribution of £40,000 towards North Sheen Station improvements;
- A contribution of £15,000 towards community education and railway safety;
- A contribution of £60,000 towards delivery of safety improvements to the level crossing and associated road layout;
- A contribution of £30,000 towards a feasibility study to look at accessibility improvements to North Sheen Station; and
- Provision of two Car Club bays with a free three-year membership.

- Requirement to secure a lease ensuring the continued operation of the bus layover facility prior to commencement.

### Other Obligations

- Carbon off-set payment of £422,885 (or £687,000 in the event that the Intend to Publish London Plan is adopted prior to determination of this application) in to ensure compliance with the zero-carbon standard set out in the London Plan, the Mayor's Intend to Publish London Plan and GLA energy assessment guidance;
- A contribution towards employment and skills training in line with the Council's Planning Obligations SPD; and
- A Section 106 monitoring fee, dispute resolution provisions and provisions for repayment of unspent financial contributions.

### **Legal considerations**

400 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: 19/0510/FUL.

401 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

402 The details of the above are set out in the Mayor's Interim Procedure for Representation Hearings at the Greater London Authority during the Covid 19 Pandemic which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

403 In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

404 In determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.

405 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and

c) Any other material consideration.

406 Section 70(4) defines “local finance consideration” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

407 In this context “grants” might include the Government’s “New Homes Bonus” - a grant paid by Central Government to local councils for increasing the number of homes and their use.

408 These issues are material planning considerations when determining planning applications or planning appeals.

409 National policy is a material consideration. Other guidance, which has been formally adopted by Richmond Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations. Those that are relevant to this application are detailed in this Representation Hearing report. It is important to appreciate that these are not parts of the development plan.

410 Officers are satisfied that the current report to the Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

411 As regards Community Infrastructure Levy (CIL) considerations, the proposal will be required to pay CIL in accordance with the Mayoral and LB Richmond levies taking into account the expected relief from the affordable housing floorspace.

412 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development in line with the NPPF.

413 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues, whilst others remain outstanding at this point in time. Both the Mayor and the borough are given powers to enforce planning obligations.

414 When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and

decided in accordance with the development plan unless material considerations indicate otherwise.

415 The key Articles to be aware of include the following:

- (a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- (b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
- (c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

416 It should be noted, however, that article 8 and article 1 of the first protocol are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan. Whilst there are impacts on neighbours these are justified in the public interest as described in the planning analysis above. Accordingly, they represent a proportionate and justified interference with convention rights (article 8 and article 1 of the first protocol).

417 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is 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. These are now statutory tests.

418 The Equality Act 2010 and the Public Sector Equality Duty provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

419 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

420 Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing. In officers' view the grant of planning permission would be compatible with the Mayor's duty under s149 of the Equality Act 2010.

## Conclusion and Planning Balance

421 As detailed above, Section 38(6) of the Planning and Compensation Act 2004 requires matters to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

422 The Mayor is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood.

423 As set out in paragraph 2 above, GLA officers consider that the proposal conforms overall with the development plan. When considering the proposals, GLA officers have applied the approach in Section 16 of the NPPF and required by the statutory duties relevant to the protection of heritage assets.

424 In preparing this report, officers have taken into account the likely environmental impacts and effects of the development and identified appropriate mitigation action to be taken to reduce any adverse effects. In particular, careful consideration has been given to the proposed conditions and planning obligations which would have the effect of mitigating the impact of the development.

425 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable in terms of land use principles (including mixed use development, loss of retail, commercial uses and residential uses); housing (including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, tall buildings, public realm, play space, historic environment, views); inclusive design; residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking; noise/disturbance); sustainable development (including climate change mitigation and adaptation, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage); other environmental issues (including air quality, contaminated land and waste management); transport, including parking provision; socio-economic issues (including arts and culture); and; mitigating the impact of development through planning obligations and conditions.

426 Accordingly, the recommendations set out at the beginning of this report are proposed. A summary of the key planning considerations which support the grant of planning permissions is contained in paragraph 2 above.

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