

15 December 2023

Richard Green
 The Planning Team
 Greater London Authority
 City Hall
 Kamal Churchie Way
 London
 E16 1ZE

Dear Richard Green

**Re: 84 MANOR ROAD
 HOMEBASE MANOR ROAD
 PUBLIC CONSULTATION ON AMENDED APPLICATION
 LOCAL AUTHORITY REF: 19/0510/FUL - GLA REF: 4795**

Comments on the updated report

The Council has reviewed the updated report, dated 4 December, and would like to report the following objections, inaccuracies and misleading comments. It is requested these are brought to the attention of the Mayor of London prior to a decision being made. The comments as set out in the Council’s November 2023 response remain to apply.

Paragraph	Comments
20	<p><i>“the adopted local plan does not follow the prescriptive approach ...i.e. it does not identified areas as suitable for tall buildings”.</i></p> <ul style="list-style-type: none"> • Factually incorrect – policy LP2 identifies suitable locations for tall buildings within the Borough.
21	<p><i>“Policy 45 and the evidence base which underpins it (Urban Design Study 2023) are subject to unresolved objections (including issues of non-conformity with the London Plan and NPPF) and have not been subject to examination in public, therefore both carry limited weight in the consideration of this application”.</i></p> <p>The above paragraph implies the GLA have raised objections to policy 45 and the Urban Design Study, however, this does not come across in the GLA representation to the Regulation 19 Local Plan – extract below:</p>

Paragraph	Comments
	<p>Tall Buildings</p> <p>Policy 45 sets out a definition of Tall Buildings that is in line with the minimum height stated in Policy D9 of the LP2021 and as such is welcomed, as is the policy stating that such buildings are only appropriate in the identified Tall Building Zones. The policy also takes</p> <hr/> <p style="text-align: center;">GREATERLONDONAUTHORITY</p> <p>account of the protected strategic views and the Kew World Heritage Site which is consistent with Policies HC3 and HC2 in the LP2021 respectively.</p> <p>The Tall Building Zones are identified on map 22.1 within the Plan and Appendix 3. These maps highlight both the areas appropriate for Tall Buildings and Mid-Rise Buildings and use a gradient to show the suitability for respective heights. However, this means the maps are unclear as to which areas are appropriate for tall buildings and which are appropriate for Mid-Rise buildings. A clearer spatial definition of Tall Building appropriate zones is recommended.</p> <ul style="list-style-type: none"> • The Council disagrees that policy 45 and evidence that underpins it should only be given limited weight as a material planning consideration. While this will be a matter for the Examination in Public and it is recognised that full policy weight cannot currently be afforded to these requirements, the Council is confident in its evidence base and approach and the Council does intend to defend its robust evidence base and sound policy position on these two points, and some weight as a material consideration should be given as part of the decision-making process. It should be noted that the evidence base and policy is as a result of adopted London Plan policy requirements.
22	<p><i>“The proposal will not harm views”</i></p> <ul style="list-style-type: none"> • The Council wholly disagrees: <ul style="list-style-type: none"> ○ The views wholly demonstrate the incomparable height adjacent to the two storey Buildings of Townscape Merit in Trinity Road and no appropriate transition in scale with the surrounding content. ○ The sheer massing and scale of the development, which is clearly out of character to surrounding context. ○ The overwhelming quantum and form of development and its conceptual proposals and impact on Manor Road. ○ Wall of Development on Dee Road. ○ A number of viewpoints have not been remodelled, thereby not showing the impact on the height and footprint alterations nor the plan and therefore the decision maker is not able to draw conclusions or rely on the accuracy of the TVIA.
23 70	<p><i>“servicing arrangements are acceptable”</i></p> <p><i>“The stores would remain easily accessible for refuse vehicles”</i></p> <ul style="list-style-type: none"> • The Council disagrees and advises this cannot be left to condition. The vehicle tracked by the applicant has 4 axels and the vehicle currently used by Richmond Council has three axels. This is relevant because the vehicle tracked has a kerb to kerb turning radius of 9.25m whereas

Paragraph	Comments
	<p>the Council one has a kerb to kerb turning radius of 11.15m, meaning that the vehicle tracked is easier to turn than the one likely to be used. In order to reach a conclusion the decision maker should require tracking for a 3 axel vehicle.</p>
29	<p><i>“The weight that can be placed on the emerging plan is limited due to the early stage of process that it is at and the fact that it is subject to consultation and has not been considered at an examination in public”.</i></p> <ul style="list-style-type: none"> • Factually incorrect. The emerging plan has been subject to two rounds of public consultation and will be submitted for examination shortly. It has been a material consideration for the purposes of decision-making on planning applications since 9 June 2023 as determined by Full Council in considering the plan to be sound and legally compliant and ready for Submission.
37	<p>Policy H5 sets out the eligibility criteria to follow the Mayor’s fast-track route. There remains lack of clarity as to whether the scheme meets such criteria:</p> <ul style="list-style-type: none"> • There is still a lack of clarity whether the scheme meets the 35% threshold without public subsidy (H5(a)) • The report states <i>“The tenure split for the first 35% would now be 70:30 LAR to intermediate products”</i>. To be consistent with the relevant tenure split (adopted policy - 62% rented / 38% intermediate, or emerging policy - 58% rented / 42% intermediate); • As summarised in the Council’s November response and this correspondence, the scheme does not meet other policy requirements or obligations (H5(c)). • The submission states the affordable housing offer provides for an absolute requirement to deliver 40% affordable housing (by habitable room) on site. This requirement is not wholly predicated on the ability to secure GLA grant funding, and there are no provisions within the S106 Agreement relating to GLA grant funding. As such, has the scheme sought to increase the provision of affordable housing under policy H5(d)? <p>It should be noted, as set out in Policy 11 of the emerging Local Plan the threshold approach to fast track applications providing lower levels of affordable provision is not considered appropriate in the borough context given the significant land constraints and high level of general affordable housing need. The Mayor of London has raised this is a matter of general conformity and the issue will therefore be considered at the Examination in Public.</p>
58	<p><i>“A sequential test accompanies the planning application.....GLA officers are content that the Sequential Test is robust”.</i></p> <ul style="list-style-type: none"> • The Council disagrees. It is not possible to determine whether the scheme passes the sequential test, with the assessment lacking essential details including, necessary size requirements and whether disaggregation was considered. The Sequential Test cannot be considered to have been met, contrary to policy. This weighs heavily against the proposal.
59	<i>“An Exception Test is not required”</i>

Paragraph	Comments
	<ul style="list-style-type: none"> • The Council disagrees: In line with paragraph 164 of the NPPF, the Council has adopted the approach as set out in the SFRA, whereby the site is within Flood Zone 3a (by reason of its surface water flood risk), and with reference to the flood risk vulnerability classifications of the use an exception test is required. No such test has been undertaken.
60	<p><i>“The flood warning and evacuation plan.....includes the provision of safe refuse areas for all the blocks”.</i></p> <ul style="list-style-type: none"> • The Council disagrees: The evacuation route does not all cover all access points to buildings, including the west / south of Block A. The area to the west of Block A is identified as a danger for some, and therefore, it has not been demonstrated the scheme provides safe access and escape routes as required by the Framework.
64	<p><i>“The applicant is accompanied by a Drainage Strategy to ensure compliance with policy SI13 of the London Plan”</i></p> <ul style="list-style-type: none"> • The Council disagrees. The report takes not into account the comments from the Lead Local Flood Authority as set out in the Council’s Response: <ul style="list-style-type: none"> ○ Drainage Hierarchy: The scheme does not comply with the hierarchy of drainage set out in the London Plan, Policy SI 13. The applicant has proposed raingardens, permeable paving, and geocellular attenuation tanks. Infiltration is not possible due to a high water table. The applicant has not sufficiently justified why the use of rainwater harvesting (e.g. blue roofs, water butts) has not been included in the design. ○ Runoff Rate: The scheme proposes a discharge rate of 25.2 l/s which the submission states was previously agreed with the Council’s Drainage Officer in the original planning application. The previous correspondence with the Council Drainage Officer has not been provided. Current policy states that all development must meet greenfield runoff rates, which for this development is 5.32 l/s. ○ The Thames Water confirmation of capacity provided in Appendix D of the drainage strategy states: <i>‘If they are consulted as part of any planning application, Thames Water Planning team would ask to see why it is not practicable to attenuate the flows to Greenfield run-off rates i.e. 5l/s/hectare of the total site area or if the site is less than hectare in size then the flows should be reduced by 95% of existing flows. Should the policy above be followed, we would envisage no capacity concerns with regards to surface water for this site’.</i> As this application does not meet the stated policies, surface water sewer capacity for this development has not been confirmed. ○ Attenuation Volume: The site area used in the calculations (1.08 ha) is less than the total site area (1.842 ha). The volume of the attenuation features included in the calculations do not match the volumes stated in the drainage report or SuDS proforma. ○ A sustainable drainage proforma has not been submitted.

Paragraph	Comments
Carbon offset section	Makes no reference to the failure of the scheme to meet the Be Lean target (15%) for the commercial floor area, nor identifies this as a harm in the planning balance.
81	When considering the UGF and biodiversity net gain, the report seems to make no reference to the loss of landscaping and biodiversity value if and when the 7% disabled parking bays are installed. This falls contrary to emerging policy 38, which requires appropriate information on how the urban greening elements will be maintained and managed for the lifetime of the development. Such matters cannot be left to condition.
83	<p>In reference to the Urban Design Study, the report states, <i>“the evidence base is subject to unresolved objections and has not been subject to examination in public. Accordingly, limited weight can be applied to it and the policies which it underpins”</i>.</p> <p>The Council disagrees. Refer to previous comments under paragraph 21.</p>
90	<p><i>“The Applicant has submitted a TVIA and TVIA addendum which undertakes site-specific analysis of the proposed heights and provide robust justification for the heights proposed”</i></p> <p>The Council disagrees for the reasons set out in their November response. Further a number of viewpoints have not been remodelled, thereby not showing the impact on the height and footprint alterations nor the plant and therefore the decision maker is not able to draw conclusions or rely on the accuracy of the TVIA.</p>
93	<p><i>“Marginal enlargement to the building footprints have been incorporated to elevations facing into the site and therefore the relationship and distances with the neighbouring sites remain unaffected”</i></p> <ul style="list-style-type: none"> • This is factorially incorrect. Buildings are being extended in width / depth, perceptible from the adjoining sites. <p>The report seems to rely on a letter from the daylight and sunlight surveyor that states the design amendments are unlikely to materially alter the headline daylight and sunlight results presented within the July 2020 report in relation to impact surrounding residential buildings, rather than undertake a new assessment. This is wholly inadequate. It is unclear how the GLA or the decision maker can conclude whether this is a compliance or harm, and thereby afford weight in the planning balance.</p>
111	The report only considers 10% of habitable rooms against BRE guidelines, (120 out of 1190 rooms), which is wholly insufficient to determine whether the scheme provides satisfactory standard of accommodation.
119	Summary of representations received from School Place Planning. The report does not address the concerns raised, nor demonstrate how the education needs will be met, as required by policy LP28 and Planning Obligations SPD.
119	As set out in the Council’s Planning Obligation SPD, which is material consideration, the Health Impact Assessment should assess the health

Paragraph	Comments
	<p>impacts of a development, including using the London Healthy Urban Development Unit (HUDU) guidance and Planning Obligations Model to calculate the capital cost of the additional health facilities required to meet the increased demand which arises from new developments, in line with policies LP 30 and 51 of the adopted and emerging Local Plans respectively.</p> <p>The report states the NHS London Health Urban Development Unit have requested a financial contribution towards health facilities and as a minimum would expect the original figure to be uplifted by the Building Cost Index to current prices then indexed with the S106. However, the paragraph continues to conclude, <i>“the applicant has undertaken a Heath Impact Assessment.....which demonstrates that there is sufficient capacity to absorb the demand of development whilst still falling below the HUDU benchmen. Accordingly, there is no need for a further update to the health contribution”</i>.</p> <p>The report wholly fails to take into account the HUDU Model that was updated in July 2022, following the October 2020 Hearing, which now includes build costs which has produced significantly higher figures. The LPA has been copied into an email from Head of the NHS London Healthy Urban Development Unit to the GLA, which set out their position:</p> <ul style="list-style-type: none"> • The original primary care mitigation (£193,500) is not sufficient, given the increased understanding of health needs, and the impact of the Covid-19 pandemic the need for additional health infrastructure across acute, mental health, community and intermediate health has increased with new developments and populations as well as for primary care. • Had they been consulted and calculated the mitigation costs for the impact on health infrastructure using the HUDU Model the initial capital figure at 2023 costs would be £1,055,789 based on a net additional population of 597. The primary care element of the £1,055,789 figure is £395,685. As a minimum they expect the original figure to be uplifted by the Building Cost Index to current prices and then indexed within the S106 agreement. <p>The failure to correctly report the NHS London Health Urban Development Unit comments, necessary financial contribution, misleads the decision maker, and also demonstrates the scheme will not be compliant with the Development Plan.</p>
127	<p>The report states, <i>“the proposals have undergone extensive design security and were concluded to provide a high-quality development that optimises an underutilised brownfield site”</i>. This is misleading the decision maker. The last London Review Panel review in July 2020 also concluded:</p> <ul style="list-style-type: none"> • <i>The Panel believe the changes to the massing increases the impact on the context and that the design team should review how and where this can be minimized considering the number of units now proposed.</i> • <i>The Panel recommend that the design team reduce the bulk of the massing where possible.</i> • <i>The Panel recommend the design team look at reducing the number of units to further to minimise the impact on massing.</i>

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128	<p>Any planning decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004), and it is for the decision maker to decide what weight is to be given to the material considerations in each case.</p> <p>There is significant concern over the lack of acknowledgement to the failings and non-compliance with the development plan, which is not correctly reflected in the planning balance section of the report, only identifying one non-compliance, policy D9. The report is thereby misleading the decision maker, in particular regarding the following matters:</p> <ul style="list-style-type: none"> • Weighting of the emerging Local Plan. • Incorrect statement that only limited weight can only be given to the Urban Design Study and emerging local plan. • Incorrect statement that the emerging plan is subject to consultation. • Lack of mention of the non-compliance with the updated Refuse and Recycling Storage Requirement SPD, adopted in December 2022. • The interpretation and understanding of policy LP2. • Statement that the scheme includes provision of safe refuge areas for all blocks. • Failure to meet the drainage hierarchy in line with policy SI 13. • Failure to take into account the Lead Local Flood Authority comments. • Failure to identify the scheme does not meet the Be Lean target (15%) for the commercial floor area. • Incorrect statement that an exception test is not required, which is contrary to the Council's Strategic Flood Risk Assessment. • Failure to meet the UGF target. • Failure to demonstrate the harm caused through the provision of 7% disabled bays – through the loss of landscaping and playspace. • Failure to address the concerns raised by Achieving for Children. • Failure to assess the application against the updated London HUDU model. • Failure to correctly report the conclusions of the London Review Panel.

Additional and amendments to conditions:

The Council has reviewed the proposed conditions, and request the following additional conditions are secured, and amendments to published conditions are made:

M4(2) and M4(3) units

- Secure 10% M4(3)
- Secure 90% M4(2)
- Need for M4(3) units to be distributed across all tenures.

Air Quality

- Secure non-combustion for heating and cooling

Public realm:

- Prior to the commencement of above ground works, a public realm strategy shall be submitted to and approved in writing demonstrating the scheme complies with the Mayor of London's Public London Charter (dated September 2021) and GLA guidance 'Accessible Landscape – Achieving an inclusive environment' and 'Inclusive Urban Design – Creating Inclusive public spaces'. The public realm shall be implemented and maintained as detailed in the approved strategy.
- Prior to the occupation of any part of the development hereby approved, a Public Access Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied or used other than in accordance with the approved Public Access Strategy.

REASON: To ensure that the proposed development is inclusive and accords with the terms of the application.

Implementation of the approved energy strategy

- No development above ground shall take place until a phasing plan for the delivery of the approved energy strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall not be implemented or occupied other than in accordance with the approved scheme.

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

Obscure glazing

- Detailed scheme to be submitted and approved, to prevent undue overlooking between residential units.

Gated Development

- No pedestrian / vehicular gates on any of the site shall be closed at any time, unless as approved or otherwise agreed in writing with the Local Planning Authority.

REASON: To encourage the integration within the existing neighbourhood and permeability

Necessary amendments to published conditions.

5. Air Quality

The wording needs to be amended to.

- demonstrate air quality neutral and positive.
- include detailed measures to secure neutral and positive and implementation of such.

6. Biodiversity

- Need for the Habitat Ecological Management Plan to be for 5 years.
- The Net loss and gain calculations need to be supported with a management plan for 30 years.

7. BREEAM

- This should be prior to commencement of the commercial units.

11. PV Panels

- There should be a minimum threshold level provided, as set out in the submission, and then details for improving such.

12. Carbon emissions reduction (residential)

- The emissions reduction should be 69% on site, as set out in the submission and report.

14. Construction Management Statement / Logistics Plan

- Should this be seeking one CLP or one for each phase? Prior to the commencement of development of any phase.....
- Include:
 - Restriction on construction vehicles during peak hours and between 08:00-09:30 and 3-4.30pm during term time.
 - System to manage movement of construction vehicles
 - PM10 monitoring
 - Prohibition of bon-fires
 - No diesel generators
 - Plug power to existing buildings / zero emission compliant generators
 - Travel Plan for construction workers

15. Noise and vibration method statement

- Should this be one NVMS or one for each phase? Prior to the commencement of development of any phase.....

16. Dust management plan

- Should this be one DMP or one for each phase? Prior to the commencement of development of any phase.....

17. Cooking Restriction

- Add design and siting.

18. Cycling parking

- Section 3 of the condition needs to be prior to commencement of above ground works. Details of location need to be agreed at an early stage in case amendments are necessary.

20. Drainage

- Under 1 – this needs to include:
 - drainage hierarchy has been followed
 - Greenfield run off rates are achieved
 - Attenuation volume
 - Sustainable drainage proforma

22. Fire Strategy

- Include access for fire appliance and necessary turning circles.

23. Green/Brown roofs

- Should this be prior to above ground works – (need to ensure structurally the buildings are sound for the level of green / brown roof proposed).

30. Hard and soft landscaping

- First sentence does not make sense – ‘full details of both hard and soft landscaping works’ **shall** have been...

34. Building services plant noise control condition

- Where is part 1 of the condition?
- Need details of siting, design and screening
- Part 2 does not make sense – it refers to above, but there is nothing above.

37. Tree planting scheme required

- Add details of soil volumes

42. Urban greening factor

- Include details as to how greening will be managed for the lifetime of the development.

60. Air Quality Positive.

- The last sentence of the condition needs a trigger – after implementation, insert 'prior to occupation within the relevant phase'.

61. Digital connectivity

- Include: Scheme detailing measures to avoid reduced mobile connectivity. The development within the relevant phase shall not be implemented other than in accordance with the approved scheme and maintained as such.

REASON: To ensure full fibre connectivity in line with policy SI6 of the London Plan.

Summary:

If you have any comments or questions of the above, please contact me.

Regards

A handwritten signature in black ink that reads "Lucy Thatcher". The signature is written in a cursive, flowing style.

Lucy Thatcher
Strategic Applications Manager (Richmond)