

9 October 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**

Introduction

In **February 2019**, a planning application for the following development was submitted to the London Borough of Richmond (the Council):

Demolition of existing buildings and structures and comprehensive residential-led redevelopment of a single storey pavilion, basements and four buildings of between four and nine storeys to provide 385 residential units (Class C3), flexible retail /community / office uses (Classes A1, A2, A3, D2, B1), provision of car parking spaces and cycle storage facilities, landscaping, public and private open spaces and all other necessary enabling works. (Ref: 19/0510/FUL).

The application was referred to [the Council's Planning Committee](#) on 3 July 2019, with a recommendation to refuse. The Committee upheld the recommendation, and it was resolved to REFUSE the scheme on the following grounds (refer to link for full reasons for refusal):

- 1) Affordable Housing
- 2) Design
- 3) Residential Amenity (visually intrusive, overbearing, impact upon light)
- 4) Living Standards: Poor standard of accommodation – outlook, privacy and levels of daylight.
- 5) Energy: Insufficient information to demonstrate the scheme complies with the Energy Hierarchy and achieves the highest standard of sustainable design and construction.
- 6) Absence of a legal agreement to secure the necessary mitigation:
 - a. Affordable housing -quantum, tenure, affordability, nominations
 - b. Viability Reviews – pre-commencement; early stage and late stage
 - c. Playspace provision and maintenance contribution
 - d. Carbon off-set fund
 - e. Local Employment Scheme – construction and operation
 - f. Controlled parking zone – contribution, consultation, review and implementation
 - g. Removal of car parking permits for controlled parking zone
 - h. Contribution towards railway safety; level crossing improvements, station access feasibility.
 - i. Contribution towards road safety at Manor Circus
 - j. Manor Road improvements

- k. Car Club provision on site for 2 vehicles and membership for 3 year residential membership;
- l. Travel Plans – review and bond

On **29 July 2019**, the Mayor of London notified the Council that he would act as the local planning authority (LPA) for the purposes of determining the planning application (under article 7 of the Mayor of London Order and the powers conferred by Section 2A of the 1990 Town and Country Planning Act).

Subsequent to the Mayor's direction, the Applicant submitted revisions to the application on **22 November 2019** and later in **July 2020**, and altered the description of development to:

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.

The amendments included:

1. Increase of residential units from 385 to 453
2. Increase in height of building A (core A) by 1 storey, increase in building B by 2 storeys, increase in building C (core A) by 3 storeys and increase in building C (Cores B and C) by 1 storey.
3. Decrease in height of building A (core D) and D (core B) by 1 storey;
4. Reduction in floor to floor heights from 3.3m to 3.15m
5. Removal of Building E which was part of the revisions made on 22 November 2019.
6. Increased provision of affordable housing from 35% (134 units) to 40% (173 units) (with grant funding) by habitable room and amendments to tenure split from 30/70% affordable rent / intermediate to 52/48%.
7. Reduction of basement and relocation of cycle parking and bin storage to ground floor of each Block.
8. Increase in cycle parking.
9. Design amendments to maximise residential quality including additional cores, dual aspect units along Manor Road, less north facing units, increased overlooking distances and improvements to residential amenity spaces.
10. Rearrangement of commercial floorspace including extending Block D commercial frontage towards North Sheen Station and removal of retail pavilion in central courtyard.
11. Alteration to building elevations and detailed design.
12. Public realm amendments including redesign of the central courtyard; revisions to the play space strategy; introduction of a half ball-court; and reconfiguration of car parking.
13. Amendments to the site-wide Energy Strategy to comply with the London Plan Energy Hierarchy.

On **3 September**, the Council made representations on the scheme (Appendix 1). Whilst recognising the housing, and affordable housing contribution this scheme would deliver, it was concluded given the current housing delivery performance of the Borough, the housing benefits were not deemed to outweigh the clear and apparent harm that derives from the excessive height and scale of this development, which is completely out of context with local character. The following objections and comments were raised:

1. Affordable housing:
 - The proposal falls short of the 50% on site provision
 - Fails to comply with either the Mayoral or Richmond policy on affordable housing mix (thus not compliant with the Fast Track approach)

- Lack of viability information to demonstrate that the maximum reasonable provision of affordable housing is being delivered.
 - Further modelling required to confirm that the overall number and proposed affordable mix provides the optimum level and tenure mix of affordable homes and, given the Council's priority need is for family accommodation, whether adjustments to the tenure mix could bring about an increase in family homes.
 - Lack of Wheelchair accessible homes across all tenures.
 - Shared ownership units do not meet the Boroughs affordability criteria (two thirds being affordable at household incomes not exceeding £47,000)
 - The London Living Rent homes would be at more than 90% of market rent.
 - Matters to be resolved through the S106: Quantum, tenure, mix, affordability, phasing, reviews, service charges, marketing, grants, wheelchair accessible homes.
2. Housing: GLAs call in letter contained inaccuracies.
 3. Design, height, materials and landscaping
 4. Residential amenity: Overbearing, visually intrusive, overlooking, lack of information on light.
 5. Living standards: Overlooking, single aspect units, levels of light.
 6. Energy: Expected that the GLA will fully explore whether the concerns raised at the Stage 1 stage have been fully addressed and that, overall, the development is in accordance with the Energy Hierarchy and achieves the highest standard of construction.
 7. S106 Legal Agreement and conditions: All planning obligations and conditions outlined in the original Committee Report remain valid.
 8. Playspace: Further details required; on-site requirements for U11s are not being met; Operation policy required; Contribution to offset uplift at local parks.
 9. Transport
 - Necessary amendments: Waste and servicing details; increase in refuse and recycling storage; clarity on future provision of disabled bays.
 - Necessary Heads of Terms: Highway works required to pedestrian refuge; CPZ contribution required; Removal of car parking permits; Various financial contributions; S38 and S278 works; Contribution towards uplift in servicing.
 10. Ecology: Urban greening factor requirements are not being met
 11. Trees: Concern over suitability of street planting. Details to be secured via condition.
 12. Air quality & Noise: Requirements of recently adopted Air Quality SPD should be met.
 13. Education: The increased educational need and the continued uncertainty over the delivery of a new secondary school are important material considerations.
 14. Health: A financial contribution of £193,500, is required towards primary healthcare

On **1 October 2020**, a Representation Hearing was held ([Hearing Report](#) and [Addendum Report](#)). The Mayor of London resolved to APPROVE the application, subject to the completion of a Section 106 Legal Agreement. Notwithstanding the outcome of the Hearing, a decision was not issued.

On **17 November 2021** the Applicant submitted further revisions, a response to the changes in the bus network, adoption of the London Plan 2021, and errors in the site boundary and ownership. The revisions included:

1. Realignment of the application red line boundary to reflect the site ownership.
2. Amendments to the affordable housing tenure split with an increase in London Affordable Rent (LAR) units.
3. The submission of a Revised Application Form, CIL form, Certificates, Design and Access Architectural Addendum, Landscaping Addendum, Construction Environmental Management Plan, Planning Statement, Digital Connectivity Note and

Revised Waste Management Strategy Addendum to reflect the changes to the application site boundary and the requirements of the London Plan 2021.

4. An updated Transport Assessment and Travel Plan to reflect changes to the local bus network since the Representation Hearing.

The Council concluded the scheme appeared to be driven by housing targets, rather than the wider ambition of sustainable development the NPPF seeks, and there are a number of significant areas of policy conflict or lack of information. As such, the following objections and comments were raised (refer to Appendix 2 for letter):

1. Design, height and massing: Wholly overwhelming on the surrounding townscape and amenities, representing an unsympathetic and incompatible addition.
2. Wheelchair housing: Failure to deliver a choice of housing across all tenures.
3. Affordable housing: Failure to comply with the fast track route, with the reliance on grant from the GLA. Lack of engagement with the Council to determine if additional affordable housing can be delivered through grant funding.
4. Residential standards: Unacceptable overlooking between units; insufficient play space on site, especially if the additional disabled parking bays are provided.
5. Residential amenity: Overbearing, loss of light and privacy on surrounding residential amenities.
6. Transport: Absence of any storage provision for cycles for disabled people.
7. Waste: Failure to provide sufficient refuse and recycling facilities to meet the needs of the development.
8. Flooding: Absence of necessary reports, notably, sequential test, Sustainable Drainage Proforma, basement screening and impact assessment and flood emergency plans. Inability to demonstrate the development will be safe for its lifetime and not lead to flooding elsewhere.
9. Energy: Failure to meet the energy hierarchy.
10. Ecology: Reliance on out-of-date data; failure to achieve an Urban Greening factor; absence of Biodiversity Net Gain calculations; impact upon green corridors; and outstanding questions on the green roof.

In **June 2022**, an [updated report](#) was published, to capture the amendments and changes to policy, guidance and any other new material considerations which arose since the Representation Hearing in October 2022. The Council raised the following objections and comments: (Appendix 3):

1. Factually incorrect statements regarding sequential testing, and therefore previously identified comments on flooding remain.
2. Questions whether the correct interpretation of policy H5 has been applied, and the eligibility to follow the fast-track route (particularly around use of grant funding).
3. Lack of a representation hearing.
4. Clarity on Richmond planning policy.
5. Inaccuracies regarding the Local Plan and identification of areas suitable for tall buildings.
6. Absence of an assessment of the fire safety against the Development Plan.
7. Flooding: Failure to take into consideration Richmond Strategic Flood Risk Assessment; Deferring matters to conditions, against the NPPF, namely, FRAs, Drainage Strategy and Basement Screening Assessment.
8. Affordable housing: Clarity regarding First Homes.
9. Ecology: Reliance on out of date surveys, absence of a net gain assessment; failure to meet 0.4 UGF and reliance on a condition.
10. Inclusivity: Failure to provide M4(3) homes across all tenures.
11. Car clubs: Contradictions.

12. Planning balance: Failure to assess several material conditions, deferring these items to condition without knowing if they are achievable. Therefore the planning balance is not possible, nor can the decision maker determine whether the scheme is in accordance with the Development Plan or not.

The latest set of revisions were submitted on **28 September 2023**, as summarised below, which do not alter the description of development:

- Realignment of the red line boundary resulting in a decrease in the overall site area (768.7sqm) and the relocation of the car club spaces and refuse holding area.
- Amendments to the affordable housing tenure split to provide an increase in London Affordable Rent (LAR) units within the affordable housing offer for the Application following the adoption of the London Plan 2021. This results in 18 additional LAR units (43 habitable rooms) with a corresponding decrease in intermediate affordable housing (London Living Rent).
- Changes to site levels and incorporating flood resilience measures along with associated revisions to the landscaping and reductions to maximum AOD heights.
- Updated bins
- Reduction in floor to floor residential heights.
- Residential lobbies amended to be external under-crofts.
- The introduction of a second staircase in Blocks A, B, C and D, and associated internal and external alternations (no net loss of units or changes to unit types), including increases in the building envelope in inward courtyard facing facades.
- Rationalisation of plant at roof levels and amendments to roof terraces.
- Changes to internal flat layouts across all of the Blocks to respond to the Housing Design Standards LPG.
- The submission of a Revised Application Form, CIL form, Certificates, Design and Access Architectural Addendum, Landscaping Addendum, Construction Environmental Management Plan, Planning Statement, updated Energy Strategy, Flood Risk Strategy/Assessment and Revised Waste Management Strategy Addendum.
- An updated Transport Assessment and Travel Plan to reflect changes to the local transport network, the application site boundary and proposed S106 financial obligations.

Policy context

The Levelling Up and Regeneration Bill is now an Act following Royal Assent in October. There are a number of clauses which come into effect on 26 December 2023 and others which require secondary legislation including the change of S38(6) of the Planning and Compulsory Purchase Act 2004, which now requires, *“where in making any determination under the planning acts, regard is to be had to the development plan **and national development management policies** taken together, unless material considerations **strongly indicate otherwise**”*. The Mayor will need to have regard to new legislation as it is enacted via secondary legislation prior to any decision being issued on this application.

Whilst the Mayor’s resolution to approve the application in October 2020 is a material planning consideration, this should be given only limited weight given a decision has never been issued and since the Representation Hearing, there has been a change to the development plan and consequently planning policy, with also updates to the NPPF in July 2021 and 2023, and the adoption of the London Plan in March 2021.

The Council’s Publication (Regulation 19) Draft Local Plan (emerging Local Plan) was recently consulted on, with a public consultation having commenced on 09 June 2023 and expired 24 July 2023. As part of the emerging Local Plan and most pertinent to this application

- the application site is proposed as a Site Allocation (28).

- an Urban Design Study (UDS) 2023 has been undertaken and published to inform the emerging Local Plan, as part of the evidence base and this is a material consideration.

Given the emerging plan has now been subject to two rounds of public consultation and is nearing the examination phase, the emerging Local Plan continues to increase in weight and has been a material consideration for the purposes of decision-making on planning applications since 9 June 2023. The weight to be given to each of the emerging policies and allocations will depend on an assessment against the criteria set out in paragraph 48 of the NPPF.

The Council is in the process of collating all the Regulation 19 responses following the consultation. The representations on behalf of Avanton raise objection to the site allocation with significant concerns particularly in relation to the approach on height, scale and massing, suggesting the height constraint is not adequately evidenced. While this will be a matter for the Examination in Public and it is recognised that full 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 should be given as part of the decision-making process.

Assessment:

Site Allocation

Since the Representation Hearing in 2020 and subsequent consultations, the site has been identified as a new Site Allocation (No. 29) within the emerging Local Plan. The Site Allocation sets out the following vision for the site.

“There is opportunity for a comprehensive residential-led redevelopment of the site with a flexible range of uses, including retail, office and community/social. This should include the provision of high-quality public realm and improvements to permeability and the Manor Road Street frontage, to integrate the development into the surrounding area”.

The following list of criteria is also set out, which the Council expects to be met:

- a. The existing bus terminus to be retained on site, and provision of adequate standing capacity and drivers' facilities.
- b. Provision of a range of uses on the site, including retail, office and community.
- c. Substantial provision of new housing units including a policy compliant level of affordable housing.
- d. As recommended within the UDS, heights up to 8 storeys (middle of the site), lowering to mid-rise (5-6 storeys) at the boundaries to respects the small scale of the surrounding area.
- e. Provision of high-quality public realm, the creation of permeability through the site with sensitive landscape design that can also promote active transport.
- f. Provision of new on-site Public Open Space in addition to any external amenity space requirements.
- g. Development should have regard to the design objectives and general guidance relating to the local character of the area set out in the relevant character area profiles and design guidance in the UDS and Village Planning Guidance.

The Council recognise the development partly meets the aspirations of the site allocation vision and associated criteria, namely, retention of bus terminus, provision of a comprehensive residential led redevelopment; provision of a range of uses; enhanced street frontage along Manor Road, improved public realm and urban greening, and permeability through the site.

However, there are significant shortfalls and departures, which must be given weight in the planning balance, including:

- Failure to meet a policy compliant level of affordable housing (50%).
- Excessive height, significant exceeding the appropriate heights identified in the UDS.
- Failure to respect the small scale of the surrounding area to integrate into the surrounding area.
- Failure to have regard to the design objectives and general guidance relating to the local character of the area set out in the character area profiles and design guidance in the UDS and Village Planning Guidance.
- Lack of information showing how cycling through the site would be accommodated and how the relationship between different path/road users has been considered and would be managed.
- Lack of clarity whether this includes the provision of adequate standing capacity and drivers' facilities.
- Failure to meet the 0.4 UGF target.
- Absence of sufficient Public Open Space.

Land use – commercial:

The Council has previously not objected to the loss of the out of centre retail floor space or the location and size of the flexible retail / community / office provision. The layout of the larger commercial unit has been slightly altered to accommodate a new residential entrance and rearrangement of the substation and switch rooms. However, its size and the commercial provision remains the same overall and therefore there are no new concerns in relation to this aspect of the scheme.

Land use - Residential:

As set out in the London Plan, the borough has a 10-year target of creating 4,110 homes between 2019/20 to 2028/29.

Within the recently updated NPPF (2023), Chapter 5 continues to encourage LPAs to support the Government's objective of significantly boosting the supply of homes. This is reflected within the Local Plan and emerging Local Plan (LP34 and 10 respectively). London Plan policies H1 and H2 sets the general expectation for increasing housing supply, with incremental intensification expected in existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary.

The scheme proposes 452 new homes, of which 173 are affordable units, which remains the same as approved by the Mayor in 2020, and no change in the mix relative to the November 2021 amendments. Whilst the contribution goes towards achieving the Council's housing targets and optimises this low density retail brownfield site in a suitable location for housing (PTAL 4 and adjacent to North Sheen Station), as set out in previous responses, and as will be reiterated and reinforced within this response, the Council deems the delivery of such housing is at the cost of other material planning considerations, namely design, residential quality and amenity, play provision and waste management.

Affordable housing:

Quantum:

The scheme retains the level of affordable housing previously accepted by the Mayor in 2020, and no additional or revised viability information has been submitted, with the intention that the issue of schemes viability will not be re-opened through the course of this consultation.

As set out in the table below the scheme proposes 173 affordable housing units, 38% by units or 40% by habitable rooms. The quantum of affordable housing fails to align with policy LP36

of the Adopted Local Plan, which requires all major developments to provide 50% affordable housing onsite with a tenure mix of 80:20 (Affordable Rented to Intermediate tenure), or emerging policy 11 which requires 50% of all habitable rooms to be provided as affordable housing on the basis of a 70:30 tenure mix (Affordable Rented to Intermediate Tenure). Under local policies LP36 and 11, where a reduction to an affordable housing provision as sought, a financial viability assessment is required, which via independent examination, demonstrates the maximum reasonable amount of affordable housing is being provided. No such viability assessment has been undertaken, thereby the scheme is contrary to policies LP36 and 11.

	No. of units	Market: Number • % by hab room	Affordable: Number • % by units • % by hab room	Tenure Split – by habitable room
July 2019 resolution	385	251 units	134 units • 35% by units • 35% by hab rooms	<ul style="list-style-type: none"> • 36% Richmond Affordable Rent (RAR) • 64% intermediate shared ownership
October 2020 resolution	453	280 units • 62.25% by units	173 units • 38% by units • 40% hab room	<ul style="list-style-type: none"> • 52% London Affordable Rent • 48% Intermediate: <ul style="list-style-type: none"> - 21% Shared Ownership - 27% London Living Rent
Currently proposed	453	280 units • 61.8% by units • 59.9% by habitable rooms	173 units • 38% by units • 40% hab room	<ul style="list-style-type: none"> • 60% London Affordable Rent • 40% Intermediate tenure <ul style="list-style-type: none"> - 20% Shared Ownership and - 20% London Living Rent).

The scheme exceeds the threshold level of affordable housing (35%) as set out in policy H5 of the London Plan, and therefore has potential to be follow the Mayor's fast track route. To be eligible, and thereby not be subject to financial scrutiny, the scheme must also (a) meet or exceed the threshold level without public subsidy, (b) be consistent with the relevant tenure split (adopted policy - 62% rented / 38% intermediate, or emerging policy - 58% rented / 42% intermediate); (c) meet other policy requirements and obligations; (d) have sought grant to increase the level of affordable housing. (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).

Previously the Council has questioned whether the scheme complies with the fast-track route. In particular there was lack of clarity as to whether the 35% threshold level was achieved without grant funding. The Planning Statement confirms the proposal does not rely on grant funding to deliver 40% affordable housing, and thereby complies with (a) of H5. However, the Council questions whether the applicants have sought grant to increase the level of affordable housing (to meet (d)). This also contradicts the Mayors own advise within SPG, *"in all cases applicants should determine whether grant and other forms of subsidy area available which should be used to increase the level of affordable housing delivered"*. (Para. 12)

Whilst it is disappointing that a scheme on a strategic site such as this does not deliver 50% affordable housing in line with adopted Local Plan Policy, delivering 40% affordable housing represents a significant contribution to housing supply in the borough, which is welcomed, the proposed tenure mix is of a concern.

Tenure

Policy H6 of the London Plan sets out the required tenure, of which is 30% low cost rent (social or London Affordable Rent), 30% intermediate and 40% to be determined by the Borough. As the overriding need in Richmond, as evidenced by the Local Housing Needs Assessment (LHNA), the Council has proportioned the whole of the 40% towards low cost rented homes, and that product.

- 62% affordable rent / 38% intermediate (applying the adopted local plan tenure)
- 70% affordable rent / 30% intermediate (applying the emerging local plan tenure).

The applicant has not amended the tenure proposed since the revised mix was submitted in November 2021, which as outlined below consists of 60% London Affordable Rent to 40% Intermediate tenure (including 20% Shared Ownership to 20% London Living Rent). Whilst the difference is modest, the proposed scheme does not meet the tenure mix as set out in the adopted policy (62/38), and significantly falls short of the emerging policy (70/30). Thereby the scheme does not meet criteria (b) of policy H5.

	Mix as per October 2020 Hearing		Revised Mix (November 2021)	
	(Units)	(Hab Rooms)	(Units)	(Hab Rooms)
Shared Ownership (SO)	34	101	34 (no change)	101 (no change)
London Living Rent (LLR)	54	126	36 (-18)	83 (-43)
London Affordable Rent (LAR)	85	250	103 (+18)	293 (+43)
TOTAL	173	477	173	477

Table 6.2: Affordable Housing Offer (November 2021)

The applicant has retained London Affordable Rent (LAR) as the proposed tenure for the general needs rented homes across the site. Whilst this tenure remains broadly in line with adopted policy within both the Local Plan and London Plan, it is recommended the GLA acknowledge that the general direction of travel is to move towards social rent as the priority tenure.

In May 2023 the GLA consulted on emerging guidance (Affordable Housing LPG), which stated the priority must be to provide social rented housing as this is the tenure most needed across London. To reflect this the GLA ceased publishing LAR rent levels as of 22/23 and now encourage providers (through the funding requirements of the new Affordable Homes Programme 21-26) to deliver social rent.

The focus towards social rent reflects outstanding housing needs both in the borough of Richmond and across London, and the priority to deliver social rented housing is supported by the Council's recent LHNA Stage 2 assessment, commissioned as part of the emerging Local Plan. The LHNA (2023) includes an annual need of 1,123 affordable dwellings per annum, of which 284 dwellings should be provided as affordable home ownership products and 839 dwellings as social rented, showing the need is very high for social rented housing in the borough.

Therefore, as a result of this updated evidence since the Mayoral Hearing and previous consultations, the Council would strongly recommend the tenure mix is amended to provide social rented housing (in place of LAR) as the preferred rented affordable tenure to align with the Mayor of London's priorities and emerging Local Plan requirements which are both based on up to date evidence. Further, the delivery of social rent is pertinent in this case because if consent is approved, the homes are unlikely to be let until 2026 at the earliest, at which point

LAR rent levels could have inflated significantly given that they are linked to CPI +1% of inflation. Further detail on the background to how LAR is calculated can be found [here](#).

It is of note LAR homes are no longer eligible for grant funding, and the proposal does not rely on grant funding to deliver 40% affordable housing. The Council requests the following to be explored to clarify if the affordable housing offer is being maximised and / or to ensure the affordable housing provision meets the needs of the Borough:

- All LAR units were converted to social rent.
- The 3bed LAR units were converted to social rent, which is identified as acutely needed in the Borough and could be identified as a benefit in the planning balance.
- Whether the 5% affordable housing provision (35-40%) could be converted to social rent, with the ability to use grant funding?

Affordable housing mix

In relation to the housing mix, this has evolved substantially since the initial application was submitted in 2019, as set out below. The table also includes the amendments from the October 2020 hearing in red.

		Studio	1B2P	2B3P	2B4P	3B4P	3B5P	Total
Feb 2019 mix	LONDON AFFORDABLE RENT		6		13	1	20	40
Accommodation Schedule Feb 2019	Shared Ownership		46		48			94
	PRIVATE TOTALS		101	1	115	3	31	251
	RESIDENTIAL TOTALS		153	1	176	4	51	385

		Studio	1B2P	2B3P	2B4P	3B4P	3B5P	Total
Oct 2020 Hearing Original Mix	LONDON AFFORDABLE RENT		20	49		15		84
Homebase Manor Road Planning Statement Addendum - Nov 2021	Shared Ownership		1	33				34
	London Living Rent		36	19				55
	INTERMEDIATE TOTALS	0	37	52	0	0	0	89
	PRIVATE TOTALS	30	86		145	19		280
	RESIDENTIAL TOTALS	30	143	101	145	34	0	453

		Studio	1B2P	2B3P	2B4P	3B4P	3B5P	Total
Oct 2020 Hearing - Amended mix	LONDON AFFORDABLE RENT		31	57		15		103
Homebase Manor Road Planning Statement Addendum - Nov 2021	Shared Ownership		1	33				34
	London Living Rent		25	11				36
	INTERMEDIATE TOTALS	0	26	44	0	0	0	70
	PRIVATE TOTALS	30	86		145	19		280
	RESIDENTIAL TOTALS	30	143	101	145	34	0	453

		Studio	1B2P	2B3P	2B4P	3B4P	3B5P	Total
Sept 2023 mix	LONDON AFFORDABLE RENT	0	31	40	17	2	13	103
Area Schedule - September 2023	Shared Ownership		1	6	27			34
	London Living Rent		25	6	5			36
	INTERMEDIATE TOTALS	0	26	12	32	0	0	70
	PRIVATE TOTALS	30	86	71	74	1	18	280
	RESIDENTIAL TOTALS	30	143	123	123	3	31	453

Overall, the mix proposed as set out in the latest consultation is broadly in line with adopted policy (LP35 (A)) and emerging policy (No. 13), which requires developments in this location to provide family sized accommodation, and with 62% of the site providing family sized accommodation (dwellings larger than 2 Bed 3 Person) this does mean a large proportion of the site aligns with this policy objective. However, within the affordable housing tenure, the scheme does not meet the needs as set out in policy LP36 of the Local Plan:

- The affordable rented tenure, where family homes are much in need, includes a considerable number of 1 bed flats (No. 31), and only 15, 3 bed affordable rented properties are proposed, and is thereby not meeting the housing needs. Therefore, whilst the Council welcome much needed affordable rented accommodation, it is strongly recommended a larger proportion of the 3bed dwellings are provided within this tenure.
- The Council raises concern to the considerable increase in the 2bed 4person intermediate units, potentially raising affordability issues.

Registered Provider (RP) Engagement

In line with LP36 and Policy 11, the applicant is required to demonstrate the affordable housing mix reflects the need for larger rented family units, based on engagement with a RP to maximise delivery. Whilst the Council is aware the applicant has previously engaged with Richmond Housing Partnership, who had confirmed their interest in the previous iterations of the scheme, given the amendments to the tenure mix and layout of the scheme, and the scheme would no longer qualify for GLA funding through the previous Affordable Homes Programme, it is recommended the GLA seek evidence form the applicant of the continued discussions with a RR, and in particular confirmation that they are satisfied with the revised tenure mix and layouts.

Design and Layout of units

The submitted accommodation schedule shows some mixed tenure floors (details below). RPs would in most circumstances, for the purposes of efficient management and retaining control of service charges for future residents, look to keep different tenures within separate cores, or at the very least split between floors. Evidence should be provided to demonstrate the applicant has engaged with RPs to confirm that they are satisfied to take on the mix as proposed. If not, the applicant should consider rationalising the layouts so that individual tenures are clustered together based by core and/or floor level.

- Building A, Core A, Floor 6 – shared ownership unit AA-6-01 mixed with 5 private units.
- Building C, Core A, Floor 2 – 3 London Living Rent units (CA-2-05 - CA-2-06) mixed with 5 London Affordable Rent units
- Building C, Core A, Floor 6 – two London Affordable Rent units (CA-6-01 & CA-6-02) mixed with 6 London Living Rent units

Summary:

Whilst the delivery of affordable housing is welcomed, the scheme fails to meet the 50% threshold for affordable housing as set out in the adopted and emerging local plan, does not meet the eligible criteria for the fast track route, particularly (b) tenure mix, (d) the use of grants and (c) meeting other policy requirements and obligations, which will be discussed further in this response. Further, as set out emerging guidance concerns are raised with the provision of wholly LAR rather than social rent, of which there is an acute need for within the Borough. Despite such failings, which must be identified as a harm in the planning balance, if the Mayor is minded to approve, the following Heads of Terms within the Section 106 are recommended:

- Quantum
- Delivery and phasing
- Review of viability to consider whether, either through improvements in the financial position of the scheme or through use of Housing Capital Funding from the Council, the affordable offer could be improved – either through an uplift in numbers, tenure or mix.
- Review mechanism
- Affordability
- Marketing Plan for intermediate units
- Wheelchair accessible homes and liaison with the council's specialised occupational therapist.

Residential standards

Sunlight and daylight:

The Council previously objected on the lack of information, with only a small sample of units tested and of those tested there were significant failings when assessed against BRE guidelines with regard to daylight. Whilst a further report has been submitted to consider the scheme against the recently published 2022 version of the BRE guidelines, again the Council raises the same questions over the robustness of the assessment, with the Climate Based Daylight Model assessment only being based on 120 habitable rooms (10%), and the sunlight assessment only considering 58 Living / Kitchen / Dining rooms. With such a small sample size, this does not allow for the decision maker to conclude on the overall quality of the accommodation. Further, concern is expressed over those rooms that were tested. Out of the samples taken, only 65% meet or exceed the minimise Climate Based Daylight Model target, and 62% for sunlight exposure. The Council recommends the GLA requests a full assessment to be undertaken, and for any noncompliance to be identified as a harm to be weighed in the planning balance. The Council objects on the grounds of the above and deems this contributes to the conclusion that the scheme represents overdevelopment of the site.

Aspect

Policy 13 of the emerging Local Plan and D6 of the London Plan requires dual aspect homes to be maximised, and this is reflected in the Housing Design Standards (2023), stating, new homes should be dual aspect unless exceptional circumstances make this impractical or undesirable. Where single aspect dwellings are proposed, by exception, they should be restricted to homes with one or two bedspaces. The Council remain disappointed 43% of the units are single aspect, and a significant number of the single aspect units providing 3-, 4- and 5-person accommodation. This should be identified as a harm and weight accorded to such in the planning balance.

Visual impact and overlooking:

The Council has previously raised objections to the separating distances between the units, and the subsequent visual impact and overlooking, which still apply:

- Block A: Overlooking to the private rear terraces of the townhouses (within the internal courtyard) from units in the northernmost part of this block – suggest obscure glazing to affected windows.
- Block B: Single aspect units of Block B directly face onto Block D at a distance of only 14.5m.
- Block C: Inadequate separation (11m) between the northernmost internal units resulting in loss of privacy, overlooking or perception of overlooking.

Within the current scheme the distances between blocks are further reduced (up to 50cm at the most). The applicants argue the changes would not be perceptible and do not have any material impacts on the siting or relationship of blocks with one another. The Council strongly disagrees. The separating distances were already substandard, not meeting policies LP8 and no. 46 of the Local Plan and emerging Local Plan respectively, which sets a minimum distances guideline of 20m between habitable rooms. Any further reduction reduces the quality of accommodation, and again is representative to the overdevelopment of the site.

Internal and external standards:

The introduction of the second staircases has been accommodated through improving efficiencies in the plan layouts (i.e. circulation areas, position of risers) and through small enlargements in the building footprint and small reductions in the square meterage of some residential units (0.5m² – 1.7m²). However, overall, the residential floorspace across the development has increased by 280m².

The units meet the Housing Design Standards, published in June 2023. However, individual room and floor to ceiling heights are not provided and therefore the Council is unable to assess whether the internal rooms meet the standards set out in the Technical Housing Standards or policy D6. The GLA are advised to seek such information for assessment.

Amenity space:

The Council does not have an outstanding objection on amenity space, and the units continue to meet the external space standards. Within the current scheme, access doors on to the roof terraces of Blocks A, C and D have been introduced. There are no communal space standards, and therefore the addition of such space is welcomed, however, the GLA must ensure this space does not raise overlooking, noise or disturbance to those residential occupiers adjacent to the roof terrace.

Inclusivity

Policies D7 of the London Plan and LP 35 (E) and 13 of the adopted and emerging Local Plans set out the requirement for 90% of new housing to Building Regulation Requirement M4(2) ‘accessible and adaptable dwellings’ and 10% to M4(3) ‘wheelchair user dwellings’.

Part M4(3)	Amount	Percentage
Adaptable	29	6%
Accessible	17	4%
	46	10%

There are 46 M4(3) homes for 453 total homes, which is correct and complies with ‘at least 10%’, as identified above. However:

- Some of these dwellings are stipulated as being M4(3) adaptable, where M4(3) is stipulated as being wheelchair accessible, M4(2) is considered as being adaptable. Therefore, the GLA should ensure confirmation 10% M4(3) wheelchair accessible units are provided.

- b. There is not an even mix across tenure (see below). It is thereby recommended the proportion is equally shared out, with a proportion to shared ownership. There are other sites within the Borough where shared ownership M4(3) homes are being sold to wheelchair users, so there does appear to be a market in Richmond for this tenure of M4(3) home and RPs will be aware of this.
1. Private: 29 out of 280 homes (10%)
 2. Affordable Rent: 17 out of 103 homes (16.5%)
 3. Shared Ownership/LLR: 0 out of 70 homes

The London Design Standards, published in June 2023, notes M4(3) homes need to be considerably larger than M4(2) homes, and therefore the NDSS is not an appropriate benchmark to take as the starting point for improvement. There is considerable concern over unit sizes for the M4(3) homes. The aspiration should be to provide suitably sized homes that are functional for the residents. It is recommended the unit sizes comply with the following as a minimum - 1b2p at 63m²+, 2b3p at 80m²+, 3b4p at 95m². There is an excessive number of 2b3p (9 in total) and 3b5p (6 in total) and therefore a better bed mix is recommended - more 1b2p and some 2b4p in the mix as well.

From the Accommodation Schedule, the majority of the private M4(3) units are 2b3p (except for a handful of 1b2p) and most are undersized. It is thereby recommended an improved bed-mix and size of home for the private M4(3) homes as well as the affordable homes.

The Council raises the following additional concerns regarding the M4 units:

- All communal doors must all be automated for M4(3)2b accessible homes (ADM1 indicates that these should be for all communal doors to all M4(3) homes). For some flats there are 4x communal doors which will require automating before even reaching the dwelling door, which is excessive (i.e. CB-G-01) and thereby recommended the access route is reconsidered. Other flats (i.e. CC) only have 2 communal doors to automate which is better, but these numbers will add up if replicated on every floor.
- Entrance to flats: Several of the flats enter directly from the communal hallway into the kitchen/living room, without a protected hallway. Has this been agreed with the RP?
- Storage: Some flats have storage directly off bedrooms, rather than hallways and awkward shapes (i.e. CB-G-01).
- M4(3) layouts:
 - Accessible layouts should be included, rather than adaptable layouts
 - Further discussions are required to ensure the layout is acceptable.
 - Storage cupboards awkward shapes and not fully accessible for wheelchair users.
 - Rooms sizes (i.e. bedroom in CC-1-02) do not comply and are not of a sufficient size or are on the absolute minimum that they are allowed to be.
- Wheelchair charge spaces: These are not all in the correct locations – some are in bedrooms, some are in-front of cupboards, some are in hallways (which can be rejected by Building Control due to fire safety risk). The charge spaces should not be included in the overall size of the room in which they are sited – this space needs to be additional space and the transfer space clear of any furniture as well.
- Any scheme should include appropriate marketing of the M4 (3) units.

Siting and design

In response to surface water flooding and flow paths, the levels have been amended across the site and finished floor levels increased by c.15cm. However, through a reduction of floor to ceiling heights (c.7.5cm), the overall maximum parapet height of the buildings are either maintained or reduced as set out in the table below.

Block	Number of Storeys	Maximum AOD Parapet Height	Height Changes of Tallest Part of Block
A	8	+35.15	0 cm
B	11	+43.525	-15 cm
C	10	+39.95	-40 cm
D	8	+35.15	0cm

Table 6.4: Maximum Heights (Current Scheme)

To accommodate the second staircase, the internal layouts of the buildings have been altered, and an increase in building footprints (yellow line as illustrated in the following images).

Block A, Core A: a 45cm increase to the south





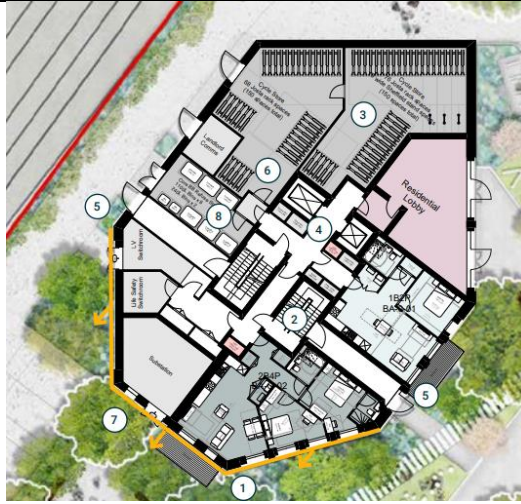
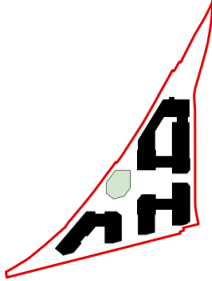

Block A, Core AD: a 22.5cm increase to the south





Building A south - ground floor plan - latest proposal

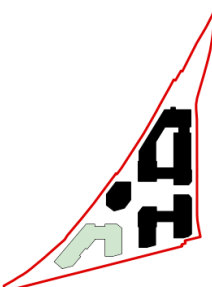
Block B: a 11.25cm extension in footprint to the south and a 11.25cm extension to the north



Block C, Core A: a 2.5cm increase to the north and north-east and a 11.25cm increase to the east (1)

And

Block C, Core C: an infill of the recessed part of the façade to the south-east; (2)





Elevational changes are also modest, with minor changes to fenestration, balconies, ground floor treatments, introduction of extension undercroft in lieu of residential lobbies, roof plant and replacement of windows with blind windows in places.

Whilst there have been comparatively minor changes to height, footprint and elevational treatment when compared to the scheme presented at the Representation Hearing, since that said Hearing, there have been two updates to the NPPF, the London Plan 2021 has been adopted, and the National Design Guide, emerging Local Plan and Urban Design Study (2023) have all been published and carry weight in the decision-making process. All exhibit the significant shift to a design-led approach to development.

The NPPF now recognises the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The Framework has strengthened the importance of creating beautiful and distinctive places, informed by design guides and codes that provide a local framework, which should have weight in the decision-making process. The Framework now exerts development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

The National Design Guide recognises a well-designed place relies upon having the right characteristics of layout, form and scale, that integrates and relates to its surroundings, based on an understanding on local character that achieves a coherent pattern of development.

Both the above are reflected in the London Plan, which requires boroughs to undertake area assessments to define an areas character, quality and value, and then use this information to establish the capacity for growth, which responds to the sites context and supporting infrastructure (policies D1 and D3). In relation to tall buildings, policy D9, also requires development plans to define what is considered a tall building, determine locations where they may be an appropriate form of development, and for tall buildings only to be developed in locations that are identified as suitable in Development Plans. When assessing proposals for such, the policy also requires an assessment against visual, functional, environmental and cumulative impacts. (The prescriptive requirement for tall buildings to be only located in locations identified for such was a response to the Secretary of State for Housing, Communities and Local Government, who set a series of directions, under Section 337 of the

Greater London Authority Act 1999, requiring amendment to the Intend to Push London Plan, and in particular Policy D9:

“I am issuing a new Direction regarding Policy D9 (Tall Buildings). There is clearly a place for tall buildings in London, especially where there are existing clusters. However, there are some areas where tall buildings don't reflect the local character. I believe boroughs should be empowered to choose where tall buildings are built within their communities. Your draft policy goes some way to dealing with this concern. In my view we should go further and I am issuing a further Direction to strengthen the policy to ensure such developments are only brought forward in appropriate and clearly defined areas, as determined by the boroughs whilst still enabling gently density across London. I am sure that you share my concern about such proposals and will make the required change which will ensure tall buildings do not come forward in inappropriate areas of the capital”.

In line with the aforementioned policies, Policy LP2 of the Local Plan defines tall and taller buildings, and informed by the Sustainable Urban Development Study, identifies the potential locations for tall and taller buildings. Outside such locations it is considered that taller or tall buildings are likely to be inappropriate and out of character with its historic context and local distinctiveness and generally requires buildings to reflect the prevailing building heights within the vicinity. Further, any buildings or features taller or bulkier than the surrounding townscape will only be acceptable where a full design justification based on a comprehensive townscape appraisal and visual assessments has demonstrated that no material harm is caused to interests of acknowledged importance and the proposal makes a wholly positive contribution to the existing townscape, streetscape, character and local distinctiveness of the area. (It should be noted, the Council has vehemently disagreed with the GLA officers previous views that policy LP2 does not follow the prescriptive approach required by policy D9. As set out above, in line with policy D9B, and to inform the Local Plan, the Council undertook a boroughwide Sustainable Urban Development Study 2009 to identify potential for higher density development, and particularly taller and tall buildings.

More recently, and again in line with the Framework and London Plan, the emerging Local Plan (policy 45) defines tall buildings (7 storeys or 21m or over) and mid-rise building (5 storeys 15m or more). The policy is explicit in that proposals for tall and mid-rise buildings will only be appropriate in Tall Building Zones where the development would not result in any adverse visual, function, environment and cumulative impact, having regard to all the criteria set out in London Plan policy D9. To follow the design led approach, to build upon evidence base, and to understand the borough's constraints and capacity for growth, an Urban Design Study (2023) was undertaken, which provides a boroughwide townscape character assessment, with an understanding of the values, character and sensitivity of the different parts of the Borough. The study draws on development capacity, existing tall buildings and consented tall buildings mapping to help inform an overall strategy for potential development and / or increased height across the borough. The identified Tall Building Zones strike a careful balance between maximising the development potential of key areas of growth and protecting the significance of valued historical assets including listed buildings and Conservation Areas. The existence of already built tall buildings where their heights and location are deemed to be inappropriate, has not been considered as a sufficient justification for the creation of further Tall Building Zones. The appropriate height ranges have been informed by a visual impact analysis, heritage asset settings, views and, where relevant, existing guidance on cluster formation and 3D modelling. Development proposals exceeding the appropriate height are not supported on design grounds and there is not a presumption in support of tall buildings outside Tall Building Zones. Tall building development must be of such a design quality that enhances the character of the place within which it is set.

Policy 28 Local Character and Design Quality of the emerging Local Plan requires all development to be of a high architectural and urban design quality, and promotes a design led approach that integrates positively within the surroundings informed by the character and heritage of the borough as identified in the borough-wide characterisation work undertaken as part of the Urban Design Study.

To achieve the vision and strategic objectives of the emerging Local Plan, the Plan divides the borough into places, based on categorisation to reflect a sense of place. Site Allocation 29 requires any development on the site to have had regard to the design objectives and general guidance relating to the local character of the area set out in the relevant character area profiles and design guidance in the Urban Design Study and Village Planning Guidance. The site falls within Richmond and Richmond Hill Place (F) and F3 'North Sheen Residential' sub area. This has a medium sensitivity to change, with some parts of the urban grain fragmented with detracting features. Positive change has the potential to enhance the character to create a sense of place and the strategy is to improve the area.

In line with the Framework and Development Plan, the Council has published the following design guidance, contained within SPGs and Urban Design Studies, which must be given weight in the decision-making process and those that are not well designed nor reflect local design policies, refused.

Richmond and Richmond Hill Village Planning Guidance (SPG 2016)

- The site falls within character area 6, where there is no coherent frontage and the whole area has an irregular, adhoc character due to its industrial past. The site fronts character area 7, where Manor Grove consists of uniform stock brick two-storey terrace housing, built c. 1900. To the northwest, the site is within the setting of character areas 4 and 5. Character area 4 has a mixed character, including modest Victorian and Edwardian terraces, alongside large scale twentieth century housing and industrial and commercial buildings, however, immediately north of the site are the two storey stock brick terraces of Trinity Road and St Georges Road. Character area 5 consists of Sheendale Road Conservation Area, which is a small and distinctive development of attractive and largely unspoilt semi-detached miniature villas. The SPG requires any redevelopment to demonstrate how they positively respond to the relationship with adjoining areas, which are primarily residential in character.

Urban Design Study 2023

- The study identifies the site as land locked and disconnected from its context and unsympathetic to the wider 2 storey architecture. The 11 storey tower block estates to the northwest are recognised as a looming feature detrimental to, and out of sync with, the wider townscape, which adversely affects the character of the area. The UDS identifies there is potential for 7-8 storeys (21-24m) on site and a mid-rise zone of 5-6 storeys (15-18m), with the set back of the taller elements within the site and a mid-rise zone to provide a transition and to ensure there is not an awkward juxtaposition between smaller scale terraces on Manor Grove, as well as buildings of townscape merit (BTMs) to the north west of the Homepage site. (Refer to the plan below – where the darker colours indicate more potential for height and the light colours indicate less potential for height).

North Sheen (Lower Richmond Road): Tall Building **North Sheen (Lower Richmond Road): Mid Rise Zone**

Appropriate height: 7-8 storeys (21-24m)

Appropriate height: 5-6 storeys (15-18m)



Whilst the elevational changes are modest and there have been no increases to building heights, as set out above, since the Representation Hearing, there has been a shift in policy to a design led approach, with the need to create beautiful and distinctive places, informed by design guides and codes, and schemes that fail to reflect local design policies and government guidance on design should be refused. The Borough has published design guides, defining the sites character, quality and value, and capacity for growth that responds to the sites context and supporting infrastructure.

Contrary to such area assessments, design guides, and adopted and emerging development plan policies and the Framework, the scheme proposes a development that truly fails to reflect the design-led approach and local design policies. The building exceeds the Tall and Mid Zone areas and exceeds heights within, and shows no attempt to transition towards the more modest building form or the sympathetic receptors that surround the site or reflect the prevailing building height within the vicinity, resulting in 7-10 storeys overbearing the 2-3 storey properties in Manor Park; and 7-8 storeys overwhelming the modest two storey terraced properties within Trinity Road and Cottages, Bardolph Road, Sheendale Road and Crown Terrace. The scheme appears to rely on the presence of the Towers to inform the development, which are identified as adversely affecting the areas character and an anomaly, rather than the wider townscape, contrary to the UDS and NDG. The development does not positively respond to the relationship with the adjoining areas, with the design of the blocks making only minimal references to local context, nor enhances the character of the place within which it is set, appearing monotonous, that exacerbates the massing the bulk of the development. Overall, the scheme would have an adverse visual, function, environment and cumulative impact, particularly visual impacts, overwhelming the surrounding suburban townscape, designated BTMs in Trinity Road, existing buildings and two storey BTMs within Sheendale Road Conservation Area, and the two storey terrace properties in Manor Park.

Townscape Visual Impact Assessment

Previously the following objections and harms were derived from the Townscape Visual Impact Assessment

- The height that can be seen clearly within the long, medium and immediate townscape views.
- 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 content
- The overwhelming quantum and form of development and its conceptual proposals and impact on Manor Road,
- Wall of Development on Dee Road.
- Absence of any views showing the roof plant, and thereby reliance on inaccurate views.

The Council also previously raised objections to the extensive roof paraphernalia and questioned the accuracy of the TVIA in response to its failure to show roof plant. A revised TVIA has now been submitted. The Council strongly disagrees with the statement (para. 3.2.8 of the TVIA), "*The updated scheme proposals continue to be of a scale and mass that will not detract from the surrounding context*". The London Plan requires attention to be paid to the design of the roof of the buildings.

- Whilst the roof plant will incorporate screening to match the elevational treatment of the said building, in locations this extends to 3m above roof level. By reason of the siting and height of the roof plant and lift overruns, particularly in Views 4, 6 & 12, this will appear visually intrusive, crude and draws attention to the 'looming' height differential with adjoining areas of much smaller and finer grained townscape, including designated heritage assets (Sheen Road and Sheendale Road Conservation Areas) and Buildings of Townscape Merit (BTMs) within Trinity Road area, Manor Grove), causing less than substantial harm.
- A number of view points 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.

Public Scrutiny: Policy D4 of the London Plan requires planning decisions to demonstrate how the design review has been addressed. The Council has previously raised objection to the failure of the scheme to address the concerns raised by the London Design Review Panel and concern over the potential misleading statements in the October 2020 Hearing Report that states, "*the Scheme has evolved in an iterative manner in response to these consultations culminating in the amendments submitted in 31 July 2020*". These concerns remain, and the Council highlights during the last London Design Review Panel it was reported

- The Panel recommend the design team look at reducing the number of units to further to minimise the impact on massing.
- The Panel recommend that the design team reduce the bulk of the massing where possible.

Archaeology:

The Original Application was accompanied by an Archaeological Desk-based Assessment. The assessment concluded that the Site has limited archaeological potential and no mitigation measures were recommended. Since the original submission, Historic England published the London Borough of Richmond Archaeological Priority Areas Appraisal in March 2022. The site remains outside an Archaeological Priority Area, and therefore no further comments are made.

Access and transport:

A further transport assessment has been submitted.

Residential Trip Generation

- Regarding the forecast vehicular trip generation, from the first occupation of the development, it will be car-free apart from 14 spaces for disabled residents. This will increase to 45 disabled spaces throughout the lifetime of the development, subject to demand from residents.

- TRICS trip generation studies: In response to the age of the data (more than 3 years old), a new TRICS assessment is required.
- The following concerns are raised in the trip generation studies in the November 2021 Transport Assessment (TA):
 - The TA did not separate out different categories of public transport use.
 - The TA included households that owned 1.1-1.6 vehicles, a strange choice when searching for sites to assess this development, as most residents will not have off-street parking and, subject to a Traffic Management Order will not be able to park in the expanded CPZ.
 - Only analysed privately owned flats, not affordable ones, not allowing for surveys to be compared like with like.
- In response to the above, the Council ran a TRICS assessment with the latest TRICS data for both private and affordable flats using the same criteria that the applicant used in their first TRICS survey (residential sites on the edge of or within town centres, including households with 1 or more cars, and only including sites that had a PTAL of 4 or higher).
 - The private dwellings in the survey of 2023 generated far fewer vehicular trips (13 at the AM peak hour, in comparison to 32), 15 at the PM weekday peak hour in comparison to 24). The pedestrian, people trips remained broadly the same. However, the survey of 2023 displayed more trips by public transport (71 x two-way trips in the AM weekday peak hour v 58 in the earlier survey, and an increase of 86 x two-way person trips per 12-hour day).
 - For local authority/affordable flats, the Council has copied the exact parameters that the applicant used for their survey of November 2018. There was not a significant difference in vehicular trips or pedestrian trips. The later survey resulted in an increase of 8 x two-way pedestrian trips at the AM weekday peak hour and 6 x two-way pedestrian trips at the PM weekday peak hour. The later survey also showed an additional 18 x two-way person trips between 14.00 and 15.00 and an additional 16 x two-way person trips between 15.00 and 16.00. Overall, the later survey showed an additional 72 x two-way person trips per 12-hour day between 07.00 and 19.00. The new survey showed an increase of 13 x two-way person trips by public transport throughout the 12-hour standard assessment day of 07.00-19.00.
- Overall, it is the Council's opinion there are enough differences between the surveys of November 2018 and October 2023 to justify a new TA with the latest TRICS trip generation data for residents. The traditional AM and PM weekday peak hour trips may not differ significantly, but there are enough modes showing an increase in trips between 15.00 and 16.00 when children come home from school, for example, where a fully up to date TRICS survey would allow us to assess the overall safety of routes from local schools back to the development for pedestrians, for example. Without such, it is unclear how the application can be assessed against paragraphs 111 – 113 of the Framework, which requires decision makers to assess the likely impact of a development to ensure the development does not have an unacceptable impact on highway safety.

Trip Generation – Servicing Trips

Paragraph 2.1.9 of the TA states, "*Space is also be proposed within the site to provide parking for servicing and delivery vehicles. It is expected that such vehicles will visit the site on a daily basis. However, in terms of deliveries from online suppliers and courier firms it is noted that these are generally coordinated by the courier in order to optimise deliveries and to minimise vehicle trips. Therefore it could be expected that multiple deliveries to the site from online sources would be combined to minimise vehicle trips*".

Since the Representation Hearing, TfL now advise applicants to use a new calculation method when calculating servicing trips forecast for new residential developments. Whereas the formerly used methodology advised applicants to use TRICS, which tended to give a trip rate

of 0.2 service vehicular trips per household per day, the current methodology, which TfL has developed using the TfL Household Freight Survey (2014) assumes the following:

- *3 deliveries per household per week, equating to 0.43 deliveries per household per day.*
- *20% of deliveries will be linked trips, providing a delivery to more than one household in the development.*
- *The daily trip profile, and vehicle-type breakdown can be taken TRICS service vehicle surveys.*

Applying the new trip rates increases the likely number of residential service trips, excluding refuse collection, from 91 to 156 trips per 12-hour day:

- Given that the areas between the blocks of flats proposed are shared space areas and are provided with the aim of encouraging people who have little outdoor space to mix and do outdoor activities, it is advisable to minimise the number of service vehicles driving into the areas east of the access road to the site.
- The access road itself has a running lane width for vehicles of 4.1m, however, this narrows to 3m at some stages such as west of Block BA. The road, for the most part, is shared space, and provides pedestrian access to refuse and bike stores, as well as secondary accesses to blocks of flats. Therefore, the level pedestrian activity on this access road will be moderate. There is one potential turning area east of the road for heavy goods vehicles, which is north of Block CB, and one for vans north of Block BA. Because of the narrow carriageway, one vehicle could not pass another vehicle parked on the carriageway of the access road, except for two cars passing each other. Because of the number of floors in some of the blocks of flats proposed and the fact that they are some distance from the dedicated service road, a dwell time of more than the standard 5 minutes must be assumed, if a vehicle is delivering to more than one flat.

A more recent Transport Assessment is required to take account of the new guidance regarding the calculation of servicing trips and an updated framework servicing and delivery plan is required to show how the forecast increase in servicing trips will be accommodated. However, if this is not practical, TfL Officers have suggested that a travel plan monitoring and implementation fee of £250,000.00 plus indexation is secured through the S106 agreement process, which will allow Richmond Council Officers to monitor the trip modes to and from the site in its first five years of full occupation, and to implement sustainable travel improvement measures if travel plan targets are not being met and it is clear that an intervention by the Council, using this fund, would help the applicant meet them. The fund will be used to ensure the strategic mode share targets set out in the London Plan (75% for walking, cycling and public transport) are achieved. The applicants appear to agree with the principle of the fund, however, the amount and detail has not been set out.

Parking provision:

The scheme retains the number of onsite spaces as proposed in previous schemes (14 disabled bays and 2 car club bays), and the Council has not formally objected to the principle of the development being car free, subject to mitigation secured through a Section 106 including implementation of a Controlled Parking Zone; restriction on future CPZ permits; Travel Plans and associated monitoring, provision of two car club bays and associated membership and improvements to public transport. This view remained the same when the PTAL rating was reduced to 4, by reason of the proximity to North Sheen station, availability of bus routes; subject to securing the aforementioned mitigation through the S106; and in response to London Borough of Richmond's designation as an Air Quality Management Area (AQMA).

The site remains to be within PTAL 4, and in line with emerging policies 47 and 48, the Council continues to raise no objections on parking grounds, subject to the aforementioned obligations being secured. Without such, it will not be possible to mitigate the effect of overspill on-street vehicular parking from the development to an acceptable degree in accordance with Para. 110d of the Framework.

Off-street Disabled vehicular Parking

Policy T6.1 of the London Plan requires 3% of dwellings (14) to have 1 designated disabled persons parking bay per dwelling from the outset and for schemes to demonstrate as part of the Parking Design and Management Plan, how an additional 7% of dwellings (31) could be provided with one designated disabled persons parking space per dwelling in future. Fourteen off-street disabled vehicular parking bays on the site plan, which are acceptable. The location of the additional 31 spaces (7%), for which there might be demand for throughout the lifespan of the development, is not identified in the TA, however, some appear to be shown on the Urban Greening Factor Plan, with these extending over landscaping and play areas, and include inaccessible spaces, similar to earlier iterations of the scheme where the Council raised an objection (see below).



The Council fails to see how such layouts can be accepted, especially when they are inaccessible, and thereby not meeting policy. Nor is the full quantum identified. If the GLA accept such layout, the scheme will compromise biodiversity, landscape, public realm and play areas with such no longer meeting required policy. The inability to accommodate the necessary adopted parking requirements again represents over development of the site, contrary to adopted policy, and must be identified as a harm in the planning balance.

Cycling

The TA confirms the scheme will meet the long and short stay minimum standards as set out in the London Plan, and the Planning Statement sets out this will include 5% enlarged spaces, both of which are supported. The GLA are requested to clarify with the applicant as to why the planning statement refers to 805 cycle spaces, when the TA refers to 817 long stay cycle parking spaces and 37 short stay.

Public transport.

The TA concludes the development is unlikely to have a material adverse effect on existing bus capacity or local retail services. The GLA are recommended to seek confirmation from TfL and Network Rail and the service provider.

Highways and pedestrian safety

The Council has previously commented on pedestrian level of comfort at the courtesy crossing south of the main access to the site. The Council registered this at only 41%, and therefore the recommendations set out in the 23 December 2021 remain.

Planning obligations and conditions

Previously £380,000 was secured towards improvements to Manor Circus roundabout. The applicants are of the view that as this has already commenced, the financial contribution is not required. However, puts forward a contribution towards improvements at North Sheen Station, including a feasibility study to explore improvements and contribution towards implementation. This will support the Place Strategy for the North Sheen Residential Area, as set out in the emerging Local Plan. The applicant also identifies there is an opportunity to consider the development against more recent policies and initiatives that have been developed such as the Women's Night Safety Charter. Both are supported.

Subject to the above objections being address, the Council request the applicant enters into a Section 106 to secure the following financial contributions:

- £250,000.00 (plus indexation) for a travel plan monitoring and sustainable travel improvement fund to allow the Council to monitor progress in the shift to sustainable modes of travel and to implement and promote improvements or initiatives aimed at increasing the relevant mode share and achieving travel plan targets and objectives in the first five years of full occupation of the site. This could include delivery of cycle or pedestrian infrastructure, i.e. a cycle wheeling ramp on the overbridge at North Sheen Station, cycle training, additional uncontrolled pedestrian crossings or a review of dropped kerb and tactile paving on local routes.
- £15,000 towards safety improvements at North Sheen railway station
- £60,000 towards pedestrian improvements at the existing level crossing on Manor Road south of the site access
- £450,000 towards a North Sheen Railway Station access feasibility and implementation
- £40,000 for passenger improvements at North Sheen Railway Station
- £50,000 towards a feasibility study for the expansion of existing or the creation of new controlled parking zones to mitigate the impact of overspill vehicular parking on streets close to and because of the proposed development.
- £50,000 towards the implementation of any controlled parking zones decided upon because of the above studies.
- The provision of 1 x car club bay with 1 x electric vehicle charging point within the curtilage of the proposed development and the provision of two years' worth of free car club membership for all new residents
- The provision of 20% active and 80% passive electric vehicle charging points at parking areas allocated within the curtilage of the proposed development.
- A clause that prohibits all occupants of the proposed development from purchasing vehicular parking permits within any existing or newly implemented controlled parking zone within the Borough of Richmond.
- Travel plans for both land uses are approved prior to the first occupation of the development.

The above S106 agreement must also secure an obligation to enter into an agreement with the Local Highway Authority and complete the following works on the highway under S38/278 of the Highways Act 1980 prior to the first occupation of the site:

- The repaving and widening of the footway on the western side of Manor Road along the eastern frontage of the site. The applicant will also need to enter into an agreement under S38 of the Highways Act 1980 should it wish to offer the net new footway for adoption as

highway maintainable at public expense. They may incur a commuted sum for the cost of maintaining the additional highway over 30 years.

- The implementation of new dropped kerbs and tactile paving at the existing and proposed vehicular access to and egress from the site.
- Tactile paving on the existing footway and at the existing pedestrian refuge south of the site access on Manor Road
- The pedestrian improvement works at the level crossing south of the site that will be funded by the £60,000 mentioned above.

The following prior to commencement conditions are recommended:

- Cycle parking.
- Servicing and delivery management plan.
- Detailed vehicular parking management plan.
- Demolition and construction management plan.

Residential amenity:

Visual impact and overlooking:

As summarised in the table below, the Council has previously objected on grounds of neighbourliness and concluded the previous reason for refusal previously remained valid:

Receptor	Cause of Harm	Identified Harm
Bardolph Road properties	Height of Block B Height of Block A and Block C	Sense of enclosure Visual intrusion
Manor Park Properties	Block D – Height	Overbearing Visually intrusive Overlooking
Calvert Court	Block C – footprint and height	Visual intrusion Overbearing Loss of privacy
Cliveden House	Height of Block A, B and C	Sense of enclosure Visual intrusion Oppressive and dominance Loss of privacy

There has not been significant change in policy regarding ‘residential amenity’ since the Representation Hearing nor an increase in height. Whilst the footprint increases are marginal increases, any increase would intensify an already unsatisfactory relationship with neighbouring properties and therefore previously objections remain.

Light:

A letter from the daylight and sunlight surveyor states the design amendments included in this latest revision of the scheme (including footprint extensions) are unlikely to materially alter the headline daylight and sunlight results presented within the July 2020 report in relation to impact surrounding residential buildings. This is wholly inadequate. The Council has previously expressed their objection to the loss of daylight and sunlight arising from the development on neighbouring residential properties. It is expected that any submission should be accompanied with up-to-date analysis to demonstrate the impact, and without such, it is unclear how the GLA or the decision maker is able to conclude whether this is a compliance or harm, and thereby afford weight in the planning balance. The Council objects to any worsening of the already unacceptable loss of light to surrounding properties and gardens.

Flooding

The Council has previously raised flood concerns by reason of the absence of sequential test, Sustainable Drainage Proforma, Basement Screening (and) Impact Assessment and Flood Emergency Plans. A suit of revised flooding documents has been submitted, considering all sources of flooding.

Sequential test:

The NPPG sets out the Sequential Test should be applied to 'Major' developments' proposed in areas at risk of flooding. Whilst the site is within Flood Zone 1, it is within 1 in 100 years surface water extent, whereby the Strategic Flood Risk Assessment (SFRA) requires development to be treated as if it were Flood Zone 3a as defined in PPG Table 1 (Paragraph 065). Accordingly, a sequential test has been undertaken, identifying alternative sites from the Local Plan (allocated sites), emerging local plan, monitoring reports and 5 year housing land supply. This concludes there are two alternative sites that have a lower risk of flooding:

1. Sainsbury's Hampton
2. Sainsburys Lower Richmond Road

However, both are currently unavailable, and (1) is unsuitable by reason of its current location within the MOL and whilst the MOL is proposed to be released as part of the emerging Local Plan, the justification for such release is for the delivery of 100% affordable housing as set out in site allocation 4; and (2) is of an insufficient size. Notwithstanding such outcome, the Council is unable 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 be met, contrary to policy. This weighs heavily against the proposal.

Exception Test:

In line with paragraph 164, the Council has adopted the approach as set out in the SFRA, whereby a site is within Flood Zone 3a (by reason of its surface water flood risk), and thereby an exception test is required. No such test has been undertaken, which would be contrary to policy in a case where the Sequential Test is passed. As it stands the Council's view is that the Sequential Test assessment cannot be completed for the reasons set out above; in such a situation it would be incorrect to move on to consider the Exception Test.

Paragraph 67 of the NPPF:

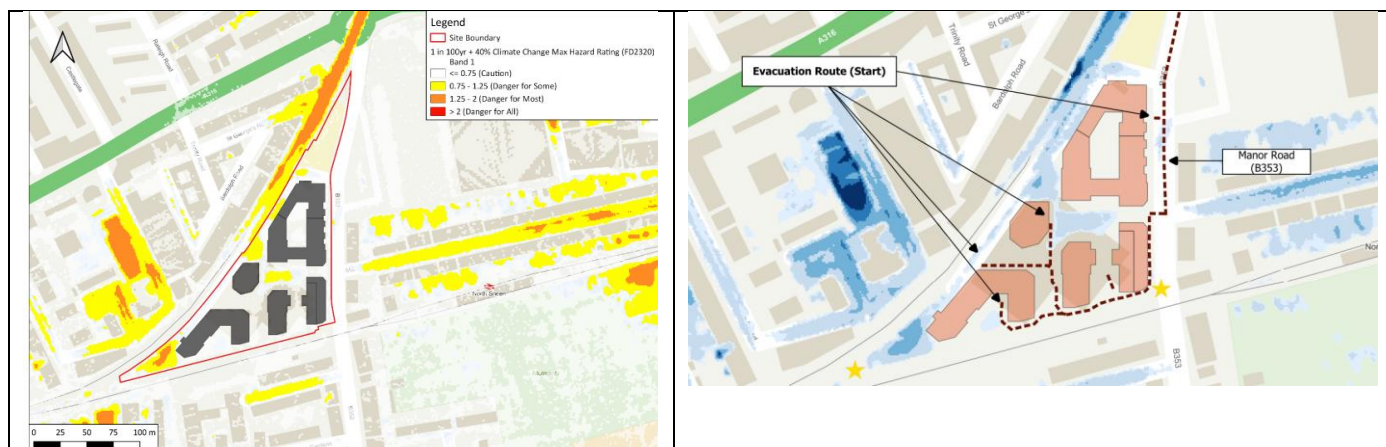
In addition to the need to pass the sequential and exception test, paragraph 67 sets out development should only be allowed in areas at risk of flooding where it can be demonstrated (a) within the site, the most vulnerable development is located in areas of lowest flood risk; (b) the development is appropriately flood resistant and resilient; (c) it incorporates sustainable drainage systems; (d) any residual risk can be safely managed; and (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

Whilst details have been provided to demonstrate the development will be flood resistant and resilient and incorporates sustainable drainage systems, there is no evidence to indicate the development is located within the areas of the site with lowest risk of surface water flooding (a) and there are concerns with the residual risk and whether safe access and escape routes can be achieved (d and e).

The NPPG requires "*appropriate evacuation procedures and flood response infrastructure are in place to manage the residual risk associated with an extreme flood event*". The Council has published Guidance on producing Flood Emergency Plans (2011). Within such, it states, the Council and the EA have agreed that the EA will continue to object to any future development that may have the access/egress above the "very low hazard" rating, but with an advisory note that the objection can be overcome if the LPA decides that a flood emergency plan is sufficient to keep people safe and not exposed to flood hazards. Upon confirmation from the LPA that

the flood emergency plan is acceptable, the EA may then be able to remove an objection to a proposed development.

A Flood Warning and Evacuation Plan has been submitted. This identifies the hazard ratings for the site, with the majority of onsite flooding to be classified as lowest hazard described as "Caution - Flood zone with shallow flowing water or deep standing water". However, there are three areas indicated to be Moderate or Significant Hazard ('Dangerous for some (i.e. children)' and 'Dangerous for most people respectively'), these areas are located in the south west corner of the site, in the central courtyard and to the west of Block A (plan on left below). As such, potential evacuation routes have been shown to avoid these areas of higher risks (right image). Notwithstanding such, the evacuation route does not all cover all access points to buildings, including the west / south of Block A, and as identified above, 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.



Basement impact assessment

The site lies within an area which is 75% or more susceptible to groundwater flooding and within a throughflow catchment area and therefore in line with the SFRA a basement screening and impact assessment has been undertaken. In line with the SFRA, this was undertaken by a Chartered Civil and Structural Engineer and involved a number of borehole investigations between April 2021 and August 2022. This concludes whilst the development could lead to changes in groundwater levels, with potential for levels to rise upstream, the small isolated basement will not impact on the underlying aquifer, as the basement is above the water table. The report informs TfL and Network Rail have been contacted to confirm the works will not interfere with any of neighbouring infrastructure, however, the submission does not detail the outcome of such, or if any mitigation is required. The GLA is recommended to clarify such.

Drainage

The Council has consulted the Lead Local Flood Authority, who raise the following objections:

- **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: *'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'*. 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.

Notwithstanding the above, the drainage strategy includes the maintenance tasks and frequencies for each drainage component proposed, and states who will own the maintenance tasks.

Public realm and landscape:

Since the Representation Hearing, in addition to the changes to the red line of the site and footprint of the buildings, a number of alterations are made to the public realm and landscaping. Whilst there is no reduction of trees and new planters are incorporated on Manor Road, which is welcomed, the loss of landscaping area on Manor Road and throughout the site are regrettable. It is requested conditions are imposed to ensure the public realm to accord with the Public London Character and provision of water foundations within the public realm. (Policy D8 of the London Plan)

Trees

The site is not within a conservation area, however, there are two area Tree Preservation Orders (TPOs), which cover the north and south parts of the site are subject to statutory protection via TPO (Ref: 0411). The amended proposal removes no more trees than the GLA July 2020 scheme. Whilst the loss of 42 trees is regrettable (39 of which are included in the Area TPO), in response to their quality, and the development mitigating their loss with 141 trees, the gain offsets the loss of existing trees. However:

- a condition for tree planting, including a detailed plan including species and size to be planted, aftercare and maintenance regime for 5 years, and replacement plan in case of tree failure for 5 years after planting is recommended.
- Concerns remain over the species selection for street side tree planting for an urban footway, namely the Gleditsia's, given their reactions to future pruning regimes from epicormic basal growth and large thorns which protrude into the footway, which make future management almost impossible. This can be addressed through the tree planting condition.

Officers are unable to locate the positioning of any tree protection fencing, in particular for trees 41-51 along the southern boundary, and any changes to soil levels along this boundary will need to account for the presence of tree roots. These matters can be secured via condition.

In summary, there is no objection in relation to tree impacts, subject to the following conditions:

- Hard and Soft Landscaping Works (Plan required).
- Site Monitoring Procedures and recording methods required.
- Tree planting scheme required.
- Replacement planting should any tree fail within 5 years of planting
- Heads of Terms for maintenance costs for any trees within the highway boundary.

- Arboricultural Method Statement (AMS) required, referring to industry standards, including BS: 3998 (2010) Tree work – Recommendations and BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendation.

Biodiversity:

The Council has previously raised objections on the reliance on out-of-date data; failure to achieve an Urban Greening factor (UGF) of 0.4; absence of Biodiversity Net Gain calculation; impact upon green corridors; and outstanding questions on the green roof.

An updated site walkover was undertaken in October 2022 and a review of the proposal.

The UGF has increased to 0.36, short of the 0.4 aspirations of London Plan policy G5 and emerging local plan policy 38, a symptom of overdevelopment of the site. The applicants justify this by noting the inclusion of the access road and bus area, which limits the UGF and refers to the UGF London Plan Guidance that states, " *Where land within the site boundary is not under the control of the applicant, for instance adopted roads, these should still be included in the total site area. This may constrain the area available for urban greening. In such instances the applicant should seek to make up for the constraint by including more high-quality urban greening across the wider site.*"

Whilst the post-development biodiversity value of the site is calculated at 18.31 habitat units, an +279.94% net gain in biodiversity value, the scheme results in the loss of 0.40 habitat units from the removal of mixed scrub that is not due to be replaced with the same broad habitat type or a higher distinctiveness habitat, thereby does not satisfy the trading regulations. It is recommended some of the semi natural vegetation along the southern boundary line (behind the car park) is replaced with scrub habitat, which is an important habitat for birds, mammals and invertebrates.

Emerging policy 38 requires applicants to provide appropriate information on how the urban greening elements will be maintained and managed over the lifetime of the development. However, contrary to this and aforementioned policies, the GLA is advised the UGF and BNG level would be further reduced if the additional 7% disabled parking bays are implemented, and therefore increasing the level of harm (see image below).



URBAN GREENING FACTOR PLAN - AMENDED SCHEME



The Council previously objected to the significant reduction in the green roof. It appears extensive brown roofs are proposed. It is recommended details and m2 / % of roof cover of such are sought to ensure they comply with policy. Of note, policy 38 requires the installation of roof level solar technologies over a green roof to form a bio solar roof.

The Council recommends the following conditions if planning permission is approved.

- Construction Ecological Management Plan (CEMP)
- Bat friendly roofing design details

- Hard and Soft Landscaping Works (Plan required)
- External lighting (Plan required)
- Ecology Survey - All recommendations as per the Tyler Grange Ecological Impact assessment and Biodiversity Net Gain Report 'Addendum' (dated 25th May 2023) to be implemented in full. Should works not start prior to April 2025, up to date surveys will be required.
- Biodiverse green with brown features roof/s details
- Ecological Enhancements details (Plan required)
- Full details of all ecological enhancements, including but not be limited to
 - 12 x integrated bird bricks (of a variety of types but must include sparrow terraces, swift bricks and black redstart boxes) for each block A, C and D and 8no for block B
 - 12 x integrated bat bricks to be installed into blocks A, C and D and 6no per block B
 - 6 x Invertebrate habitats to be included within the landscaping
 - 6 x Stag beetle loggeries to be included within the landscaping
 - Hedgehog/ mammal gaps to be included within all walls and fences
 - *All plant species to be native or wildlife friendly
 - specific location (including proposed aspect and height) on a plan in context with the development.
 - specific product/dimensions
- A biodiversity strategy and management plan, including actions from the London and Richmond Biodiversity Action Plans, with a rolling 5 year management plan in perpetuity https://habitatsandheritage.org.uk/wp-content/uploads/2020/10/Biodiversity-Action-Plan-Richmond_compressed.pdf
- The Biodiversity Net Gain to be implemented as per the plan, and submission of a 30 year Biodiversity Net Gain maintenance plan.

Energy:

An Energy Strategy (including low and zero carbon technology feasibility study), Sustainability Statement, Carbon Emissions Reporting Spreadsheet and Whole Life Cycle Assessment, have been submitted. The scheme proposes a reverse cycle air source heat pump system for the development, and 380m² photovoltaic panels proposed at roof level. The headline credentials of the development are summarised below. The Council request the GLA clarifies the % of carbon dioxide savings via Be Lean measures (the Energy Strategy indicates a 11% and 3% onsite saving for residential and commercial respectively, however, this contradicts the savings set out in the Carbon Emissions Reporting Spreadsheet). Further, the scheme does not meet the necessary Be Lean targets for non-commercial buildings nor is accompanied with a Sustainable Construction Checklist, which should be identified as harms in the planning balance. If the GLA are minded to recommended approval, conditions and heads of terms should be secured to ensure delivery of the credentials set out, and for phasing and delivery of the energy centre and to ensure this provides for connections to zero carbon heat generators or district networks.

The Council notes the carbon offset contribution of £423,000 set out in the GLA Hearing Report (1 October 2020) was based on the former energy strategy for the Site. The Current Scheme incorporates a new energy strategy and reduces carbon emissions. As such, the cash-in-lieu contribution for carbon offset should be reduced to £381,164 as set out in the Planning and Energy Statement. (It is noted the cash in lieu value as set out in the Carbon Emissions Reporting spreadsheet is £315,878, and therefore the GLA should verify the calculations and value).

	Credentials
Residential	<ul style="list-style-type: none"> - 69% carbon dioxide savings on site - 20% carbon dioxide savings via Be Lean measures (target 10%) - Cash in lieu £375,863

	<ul style="list-style-type: none"> - Pass overheating assessment for moderately warm summer - Will meet a water consumption rate of 105 litres per person per day
Commercial	<ul style="list-style-type: none"> - 8% carbon dioxide savings on site - 3% carbon dioxide savings via Be Lean measures (target 15%) - Cash in lieu £5,301 - BREEAM excellent – 81.5% (potential score 86.4%)
Site wide	<ul style="list-style-type: none"> - 62% carbon dioxide savings on site (minimum target on site 35%) - Cash in lieu £381,164 - Circular economy – following the retain, reuse and recycle framework. With target to recycle 95% from excavation and contribution and 65% from municipal waste in line with policy - Whole Life Cycle Assessment – below GLA benchmark.

Air Quality:

The Site is located within Richmond Air Quality Management Area (AQMA) and in proximity to two Air Quality focus Areas (AQFAs).

In line with policy, the scheme will be air quality neutral, both for building emissions (in response to the energy strategy to be all electric), and transport (given the trip rate remaining below the benchmark). Whilst recognising such compliance, policy SI 21 seek opportunities to deliver further improvements to air quality, and the Council’s Air Quality SPD 2020 sets out the following expectations, which the GLA are recommended to take into consideration.

- All disabled parking bays must be provided with Electric Vehicle Charging Infrastructure, with 20% passive and 80% active.

The Council’s main concerns remain around dust during the construction phase and transport during the construction and occupational phases. The submission recognises the risk of dust soiling and fine PM concentrations due to construction activities. Mitigation measures are recommended to ensure the residual impacts are not significant. These must be secured via condition or planning obligations:

Construction:	<ul style="list-style-type: none"> • Mitigation measures set out in Table 11 Air Quality Assessment Addendum • Construction logistics plan and / or Construction Environmental Management Plan. <ul style="list-style-type: none"> ○ construction delivery times (not permitted term-time 8:00-9:30 and 15:00–16:30) ○ System to manage movement of construction vehicles ○ holding bays to be identified on and off site. ○ no engine idling. ○ wheel washing ○ PM10 monitors ○ Prohibition of bonfires ○ No diesel generators to be used. ○ Plug in power form existing buildings or a zero emission compliant generate to be used. • Dust control and monitoring • Non road mobile machinery (NRMM) <ul style="list-style-type: none"> ○ shall meet or exceed the standards set out on http://nrmm.london. This is to apply to both variable and constant speed engines for both N0x and PM. ○ Shall be registered on the above website.
Operational:	<ul style="list-style-type: none"> • Air Quality neutral

	<ul style="list-style-type: none"> • Car club provision and membership for all residents (2 years) • Cycle parking provision – long and short stay, including for larger cycles. • No engine idling signage alongside commercial / retail space. • Servicing and delivery plan • Travel Plan • Emissions Control Scheme – details for the • Non-combustion for heating and cooling. • Electric Vehicle Charging Points
Mitigation set out in previous correspondence	<ul style="list-style-type: none"> • Behavioural change funding for cycle training/cycle maintenance courses of £5,000 over 2 year • Proportionate contribution to the Council's replacement air quality unit of £10,500 (total cost approx. £57,500) • Proportionate contribution to 2 x years running costs of LBRUT's air quality monitoring stations - £3,750 pa x 2, total £7,500 required to continue to monitor and measure pollutant levels to ensure that this development does not lead to further deterioration of existing poor air quality or create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits • Robust service and delivery plans • No access to any existing or future nearby CPZ.

Contaminated land:

Recommend conditions for preliminary risk assessment, site investigations, remediation method statements, and verification report.

Noise:

Previously the Council identified the need for further mitigation for the ball court. This remains relevant.

An Acoustic Report has been submitted detailing noise survey results to ensure acceptable internal noise criteria can be achieved. Mechanical plant has yet to be selected and given their potential to impact on proposed receptors within the development and existing noise sensitive properties, appropriate conditions are recommended, with commissioning testing. The Council has no adverse comment on this approach, however, a further condition on emergency plant and generators is recommended to protect existing and proposed occupiers:

1. Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.
2. The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.
3. Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Regarding specification for buildings and amenity spaces to achieve suitable noise levels, and noise transmission from commercial use to noise sensitive receivers together with proposed construction details, with the requirement for a commissioning report to provide further reassurance, the Council has no adverse comment. In respect of further potentially 'noisy' commercial occupiers it is noted the proposals to deal with these through tenancy agreements. It is recommended this is secured by condition/agreement.

The acoustic report identifies:

- noise levels on balconies exceed the noise level recommendation, however, appears to accept such failings with the justification the balconies will be used for pot plants and drying washing.
- buildings need windows to remain closed to provide good internal acoustic conditions, thereby resulting are large areas of high and medium risk of overheating, and noise levels exceeding Approved Document O.

Both (a) and (b) diminish the quality of accommodation and should be identified as a harm.

Wind microclimate:

The Council has previously not raised an objection on grounds of wind microclimate. The assessment concludes the revised scheme is not expected to change the wind conditions for existing residential buildings around the site; and there would be acceptable wind conditions at ground level and planting would improve the comfort level of amenity and play areas throughout the site. No objections are raised, subject to mitigation measures for balconies and terraces to be secured via condition.

Health:

The Council has previously not raised an objection on the impact on health services, subject to £193,500 being secured to cater for the uplift in population yield. A Health Impact Assessment has been submitted confirming the ratio of registered patients to FTE GPs within the local catchment, following the development, would remain below the HUDU benchmark of 1,800 and therefore assumes capacity to absorb additional patients.

It is understood the GLA has not consulted the NHS South West London (South West London Integrated Care System) and London HUDU as part of the revisions. This is essential to understand if the assumptions made in the HIA area correct, and where necessary secure appropriate mitigation to ensure no adverse impact in line with emerging policy 49 and Planning Obligations SPD. (It is noted the HUDU model was updated in 2022).

Education:

Richmond Council's [School Place Planning Strategy](#), was revised most recently in March 2023, sets out the current and forecast demand for school places within the borough - in 10 discrete planning areas at primary level and in two areas (coterminous with the two halves of the borough) for secondary. The revised numbers of units would, using the Department for Education (DfE)'s [new formula for estimating pupil yields](#), produce an initial 'pupil yield' of 83 primary-phase and 28 secondary-phase children.

Richmond Council's lead officer for school place planning at Achieving for Children has reviewed the application. At primary level, there is currently a surplus of places which is forecast to continue, including at the two closest primary schools to the Homebase site - Holy Trinity C of E Primary and Darell Primary. At secondary level, however, the situation is much more difficult. The site is close to Christ's School, a faith school. However, the school is heavily oversubscribed and is full in all year-groups. Of the other two state-funded secondary schools in the eastern half of the borough, Grey Court is also full in all year-groups, and Richmond Park Academy is full in two year-groups and has a small number of vacancies in the three other year-groups, but that spare capacity is expected to be filled during the current (2023/2024) school year.

There is a secondary free school - Livingstone Academy - proposed to open on part of the Stag Brewery site in Mortlake, which, if its planning application were to be fully approved, would provide enough additional capacity to meet the forecast demand from families who would occupy the proposed Homebase units and for those living further afield who would consequently be unable to obtain places at the closest secondary school to the site. But if Livingstone Academy does not achieve planning permission, Richmond Council's ability to

provide enough state-funded secondary school places for families occupying the proposed Homebase units would be severely compromised.

The Councils Planning Obligations sets out “*where a development generates a need for new school places, developer contributions towards additional capacity may be required, including providing both funding for construction and land where applicable, in accordance with Government guidance and Policy LP 29 Education and Training*”. Policy 50 of the emerging local plan also requires early engagement with Achieving for Children to demonstrate how needs will be met as part of any submission. The GLA is therefore advised the Council has grave concerns over the ability to school the additional secondary school pupils within the three existing schools on this side of the Borough, and mitigation should be secured to ensure there are the necessary teaching facilities to allow the Borough to undertake its statutory educational duty.

Fire Risk

A Fire Statement and Gateway One Fire Statement form have been submitted. The scheme provides the second staircase pursuant to the Government’s announcement of the Long-term Plan for Housing. The Council recommends the GLA ensures the aforementioned documents meet the requirements of adopted policy, namely policy D12 of the London Plan, and for the scheme to meet the requirements of the Health and Safety Executive. Whilst the Council notes the documents set out many of the requirements of D12 (passive safety measures, evacuation strategy, features to reduce the risk of life, access and process associated to future modifications), the Council does question the suitability of the evacuation assembly points, which are either land locked in the south-west corner of the site (which may prevent evacuation from the site) or on the east side of Manor Road (thereby needing to cross a road, raising potential safety and inclusivity issues). Further the access route fails to show turning circles and appears to travel directly over soft landscaping / public realm and therefore the usability is questioned. Such matters should not be left to condition to ensure both critical elements are achievable with the layout. A Fire Safety Strategy is also recommended.

Waste

The Council has previously raised objections to capacity, reliance on twice weekly collections, and further information on routing, manoeuvring, drop kerbs etc. A Waste Management Strategy Addendum has been submitted, however, the following objections remain and fail to take account Council’s SPD ‘Refuse and Recycling: Storage and Access Requirements for New Developments (2022) that has been adopted since the Representation Hearing.

- The storage capacity arrangement for the waste is reliant on two waste collections per week. One to be provided by the Council and the other via a private contractor. As set out in the SPD, a material planning consideration, “*the Council operates weekly collections....and proposals for it to provide more frequent collections will not be supported*”. The reliance on a private contractor is not accepted, which has potential to increase service charge, result in a poor level of service, and may ultimately fall back to the Council to rectify, in which they have a statutory duty to collect. Therefore, it is essential the scheme is amended to ensure sufficient storage space to allow for weekly collection in line with the SPD.
- The strategy must demonstrate the holding area is sufficiently sized to hold the bins stored in cores AB, AC, DA and DB, for one collection per week.
- The Council is unable to confirm that there is sufficient waste storage capacity in each core without knowing the number of properties per core, broken down by number of bedrooms. (It is noted the submitted strategy is based on the area schedule dated July 2020, and this has since been updated). The required level of detail is not included in the Revised Waste Management Strategy Addendum.
- The strategy is for the bins to be moved to the holding areas by the facilities team on collection day. Bin stores cannot be left empty, therefore one bin of each type needs to

be provided in addition to the SPD minimum requirement to remain in the bin store whilst the rest are removed to the holding area.

- This management arrangement needs to be formalised with a binding agreement to uphold it in perpetuity.
- The strategy states all bins will be held within 20m of the pick-up spots and refuse vehicles using the perimeter route will not need to reverse more than 12m. This is contrary to the SPD, which sets a maximum push distance of 10m.
- A Council refuse vehicle to access and egress the development, a refuse vehicle could get within 20m of the ground-floor bin stores for blocks AA, AD, BA, CA, and CB. However, the submission has tracked an 11.1m x 2.5m vehicle rather than a 10.4m x 2.5m. (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 as a kerb to kerb turning radius of 9.25m whereas 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).
- The secondary turning area will not be available for other vehicles to turn in until the bins were emptied and returned.

Play strategy:

The Council has previously raised objection on the play strategy, which supports the Council's view the development represents overdevelopment of the site, including:

- Required provision of U11 play space not being fully provided on site
- Financial contribution necessary to off-set onsite shortfall of under 11 and over 12s playspace.
- Concerns over safety and appropriateness of the siting of the half ball court in the SW corner of the site, given its isolation and lack of natural surveillance.
- The distribution of playspace throughout the site in small areas and within landscaping and trees, thereby diminishing their value and useability
- Need for further information to demonstrate play provision and equipment can cater for development need and has safety clearance space
- Condition for accessible play and site management controls.

Whilst the submission meets the play provision for 0-11 years on site and provides a plan identifying the broad location of such, the above objections remain. In addition:

- The submission should demonstrate that such small areas can provide the necessary play equipment provision to cater for the needs of the development prior to a decision being made.
- Lack of detail to demonstrate play equipment will have sufficient safety clearance space from trees within the smaller play areas

To serve the development, 245m² of playspace is required for children aged 12 and older and this is to be provided off site. To facilitate this, previously the Council sought the following contributions, secured via a section 106. The Council is currently awaiting an updated figure and will report this to you once confirmed.

- £54,154 on commencement to enhance local play provision;
- £10,045 on occupation (or on commencement with the above if convenient) as a contribution towards play maintenance for a period of five years.

On-site play areas should be accessible to all residents. It is recommended a condition be secured setting out the operational policy, accessibility and any site management controls.

The Council objects to the location of the 'additional 7%' disabled parking bays, as required by policy T6.1. These extend into dedicated play areas, and further reduce the onsite play provision (removal of the ball park). This reflects the overdevelopment of the site.

Construction:

A revised Construction Environmental and Management Plan. The Council notes the main contractor has not yet been appointed and therefore recommend a condition to be secured for the final document to be submitted, which should also include the following details:

- Size, number, routing and manoeuvring tracking.
- Number of vehicles expected.
- Access routes.
- Travel Plan for construction workers.
- Condition surveys.
- Details and location where plant / materials will be loaded, unloaded and stores.
- Suspensions.
- Highway license and traffic orders.
- Programme.
- Communication strategy and liaison with surrounding residential.
- Restriction on construction deliveries – the document advises vehicle movement / deliveries will be reduced during peak hours, however, the Council question how this will be enforcement. Thereby recommend no between school peak hours.

CIL

The Council's CIL officers have reviewed the application, and phasing plan MNR-AA-ALL-GF-DR-A-2100 R6 to determine the necessary CIL liability, which is summarised in the tables below. Under normal circumstances, demolition credit would apply to the first commenced phase, with any remainder carried over to the next commenced phase and so on until it's all been used up. The Council has applied the demolition credit to phases 1A and 1B as it is unclear which phase will be commenced first, but this will materially affect the CIL charge if the phases are not commenced in numerical order. The estimate also uses 2023 index rates so if the permission isn't granted until 2024, the amounts will be different. It is also noted:

- for the existing plans, the latest revisions are listed as R4 on the drawing register, however, the Council only has R3 submitted 25 November 2021, so this is what has been reviewed.
- There is no Proposed Roof Plan MNR AA ALL 11 DR A 2011 R32.
- The GF plans for Blocks B and C do not have scale bars, so the Council has set the scale per what is stated on the plans but cannot verify the accuracy.

Whether the development is implemented as one phase or multiple phases, the actual amount of CIL can only be confirmed once all relevant details are approved, and any relief claimed.

Phase 1A: .

Community Infrastructure Levy (CIL) estimate	
Mayoral CIL	£0.00
Borough CIL	£0.00

Phase 1B:

Community Infrastructure Levy (CIL) estimate		With Social Housing relief applied
Mayoral CIL	£611,572.48	£0.00
Borough CIL	£2,638,845.71	£0.00

Phase 2:

Community Infrastructure Levy (CIL) estimate

Mayoral CIL	£696,849.94
Borough CIL	£2,873,012.03

Phase 3:

Community Infrastructure Levy (CIL) estimate	
Mayoral CIL	£477,696.61
Borough CIL	£2,061,190.90

Phase 4:

Community Infrastructure Levy (CIL) estimate		With Social Housing relief applied
Mayoral CIL	£1,192,997.94	£929,230.79
Borough CIL	£5,097,220.71	£3,959,104.08

Other comments:

1. The Representation Hearing was held in October 2020. Since then, there has been the adoption of the London Plan, and the publication of the emerging Local Plan that carries material weight, and a series of new guidance. In light of such, the Council expects that any recommendation will be heard at a further Representation Hearing rather than an updated report to the Mayor.
2. The Planning Statement refers to the GLA update report 2022 and appears to rely on the GLA conclusions are set out in this report. It should be noted, whilst published, no decision was made based on this report, and therefore it should not be given any weight.
3. The Planning Statement relies on the Council's negative screening opinion in 2018 to justify why specific policies in the Lonon Plan are not applicable, namely Air Quality Positive. As set out in previous correspondence, in light of the changes to the PTAL, site boundaries, heights and regional and national policy, the Council requests the GLA to give full consideration as to whether a further screening opinion should be undertaken prior to a decision. This will also determine the relevance of specific adopted policies.
4. The GLA is requested to take into consideration:
 - All representations submitted to the Council on this application, notably in relation to the most recent consultation.
 - Thames Water comments (Appendix 4).
 - Cadentgas comments (Appendix 5).

Summary

The NPPF sets out the purpose of the planning system is to contribute to achieving sustainable development, which includes three overarching economic, social and environmental objectives which should be pursued in mutually supportive way. The 2023 version of the Framework seeks the creation of high quality, beautiful and sustainable buildings and places being fundamental to what the planning and development process should achieve, and recognises design is a key aspect of sustainable development. To foster good design, the government has published National Design Guide, which recognises well designed places is reliant upon delivering the right layout, form and scale, and based upon an understanding of the areas context, identity and local built form. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and SPDs.

The proposed development site is located outside an area identified as appropriate for tall buildings within the adopted 2018 Local Plan and 2021 Urban Development Study, and exceeds the heights deemed suitable for this site as out in the emerging Local Plan and 2023 Urban Design Study, which has been informed by character assessments. Notwithstanding such failings, the Council recognises that recent case law acknowledges it is possible for policy D9B(3) not to be followed if it was outweighed by other policies in the development plan, or by material considerations (para. 84 of judgement). However, as this letter has clearly set out there are a number of significant areas of policy conflict and areas where information has not been provided to enable an assessment against policy, and therefore it is deemed the development conflicts with the development plan as a whole, and non-compliance with two of the overarching objectives (social and environmental) as set out in the Framework that are key to achieving sustainable development, and thereby warrants a refusal of planning permission.

In this instance, the scheme appears to be driven by housing targets, rather than the wider ambition of sustainable development the NPPF seeks. Given the Borough's current housing delivery performance and the benefit of a 5 year housing supply pipeline, the significant harm to townscape, residential amenity and heritage assets borne from the excessive and insensitive height and harm through the non-compliance with affordable housing, wheelchair housing, energy, flooding, ecology, residential standards, and waste policies indicates that planning permission should be refused and there are no material planning considerations which indicate otherwise.

In summary, the Council raises the following objections to the scheme.

- Shortfalls and departures from Site Allocation 29.
- Affordable housing – The scheme does not meet the eligibility criteria for the fast track route; tenure mix; unit size mix; lack of Registered Provider Engagement; Design and layout of units.
- Residential standards – lack of information on sunlight and daylight; aspect; visual impact and overlooking.
- Accessibility – Quantum and distribution of M4(2) and M4(3) homes and layout.
- Siting, design and height – with reference to the Urban Design Study and Regulation 19 Local Plan - and consequential impact on townscape and heritage assets.
- Transport – Absence of an updated Transport Assessment and location of the additional 7% of the disabled parking bays.
- Residential amenity – Visual impact, sense of enclosure, overlooking and lack of updated information on sunlight and daylight.
- Flooding – Sequential and exception test, residual risk, flood emergency plan, Basement Impact Assessment and drainage strategy.
- Biodiversity – Urban Greening Factor and loss of distinctiveness habitat. Further loss of landscaping through the location of the additional disabled parking bays.
- Energy – Contradictions in the savings and cash in lieu, failure to meet the Be Lean targets.
- Education – Insufficient school places to cater for the secondary school pupil yield.
- Waste – Insufficient capacity to cater for the needs off the development, reversing distances of vehicles, incorrect vehicles applied to the manoeuvring plans.
- Play – Lack of and quality of provision on site. Again, worsened through the location of the additional 7% disabled parking bays.

If the GLA Officer is minded to recommend approval, despite the above objections, the following heads of terms are sought, and the Council is willing, subject to a PPA, to engage in discussions concerning such:

- Affordable housing
 - Quantum
 - Delivery and phasing
 - Review of viability to consider whether, either through improvements in the financial position of the scheme or through use of Housing Capital Funding from the Council, the affordable offer could be improved – either through an uplift in numbers, tenure or mix.
 - Review mechanism
 - Affordability
 - Marketing Plan for intermediate units
 - Wheelchair accessible homes and liaison with the council's specialised occupational therapist.
- Transport
 - £250,000.00 (plus indexation) for a travel plan monitoring and sustainable travel improvement fund.
 - £15,000 towards safety improvements at North Sheen railway station
 - £60,000 towards pedestrian improvements at the existing level crossing on Manor Road south of the site access
 - £450,000 towards a North Sheen Railway Station access feasibility and implementation
 - £40,000 for passenger improvements at North Sheen Railway Station
 - £50,000 towards a feasibility study for the expansion of existing or the creation of new controlled parking zones to mitigate the impact of overspill vehicular parking on streets close to and because of the proposed development.
 - £50,000 towards the implementation of any controlled parking zones.
 - The provision of 1 x car club bay with 1 x electric vehicle charging point and the provision of two years' worth of free car club membership for all new residents
 - The provision of 20% active and 80% passive electric vehicle charging points
 - Vehicular parking permits restriction
 - Travel plans and monitoring.
 - Highway works under S38/278 of the Highways Act 1980
- Carbon offset contribution of £381,164
- Air Quality
 - (a) £10,000 towards Behavioural change funding for cycle training/cycle maintenance courses
 - (b) £57,500 towards contribution to the Council's replacement air quality unit
 - (c) £7,500 towards to 2 x years running costs of LBRUT's air quality monitoring stations -
- Health contribution if deemed necessary
- Education contribution if deemed necessary
- Offsite play contribution
- Construction Environmental and Management Plan – liaison officers

Yours sincerely



Jenifer Jackson
Assistant Director of Environment & Community Services (Planning and Transport)