Surbiton Neighbourhood Committee

Date: Thursday 18 July 2019
Time: 7:30 pm
Place: Dysart School, Ewell Road, Surbiton KT6 6HJ

Members of the Committee

Alexandra Ward
Councillor Mark Beynon
Councillor Sam Foulder-Hughes
Councillor Sharron Falchikov-Sumner (CHAIR)

Berrylands Ward
Councillor Sushila Abraham
Councillor Anita Schaper
Councillor John Sweeney (VICE CHAIR)

St Mark’s Ward
Councillor Liz Green
Councillor Diane White
Councillor Yogan Yoganathan

Surbiton Hill Ward
Councillor Hilary Gander
Councillor Alison Holt
Councillor Malcolm Self

Everyone is welcome to attend the meeting

This agenda is available to view on: www.kingston.gov.uk
You can also access this agenda through the Modern.gov app
Agenda

1. APOLOGIES FOR ABSENCE

Apologies for absence have been received from Councillor Liz Green.

2. DECLARATIONS OF INTEREST

Members are invited to declare any disclosable pecuniary interests and any other non-pecuniary interests (personal interests) relevant to items on this agenda.

3. PETITIONS

To receive any petitions to the committee.

4. MINUTES OF PREVIOUS MEETING

To confirm the minutes of the last meeting of the Surbiton Neighbourhood Committee on 11 June 2019 as a true and accurate record.

5. PUBLIC QUESTIONS

A period of up to 30 minutes for the committee to receive questions from members of the public.

6. NEIGHBOURHOOD MANAGER’S REPORT

To consider a report to the committee from the Surbiton Neighbourhood Manager.

7. PLANNING APPLICATIONS

To consider several planning applications for the Surbiton Neighbourhood area.

8. COMMUNITY GRANTS PROGRAMME

To consider applications received for Neighbourhood Community Grants (NCG) and Councillor Ward Funding (CWF).

9. EXCLUSION OF THE PRESS AND PUBLIC

The following resolution is included as a standard item which will only be relevant if any exempt matter is to be considered at the meeting for which the Committee wish to resolve to exclude the press and public:

To exclude the public from the meeting under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it is likely that exempt information, as defined in paragraph X of Part I of Schedule 12A to the Act, would be disclosed and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10. URGENT ITEMS AUTHORISED BY THE CHAIR
The next meetings of the committee are scheduled as follows:

10 September 2019
25 September 2019
7 November 2019
5 December 2019
21 January 2020
25 February 2020
12 March 2020
28 April 2020

Please note that these dates are subject to change.

The venues of future meetings of the committee will be shared in due course.
Welcome to this meeting

The following information explains the way some things are done at the meeting and some of the procedures.

Information about the Surbiton Neighbourhood Committee

The Committee is made up of your local elected Councillors and is responsible for making decisions about local services, which can be tailored to the local area.

Accessibility

- All meetings have access for people who may have mobility difficulties. If there are stairs, a lift or stairlift is available. Disabled parking spaces are available on site.
- Toilet facilities will be easily accessible from the meeting room.
- For people who are deaf or have hearing impairments, there is an induction loop (depending on the building, this may only be available in the first 2 or 3 rows).
- **A large print copy of the agenda** can be requested in advance.

Emergency evacuation arrangements - If the fire alarm sounds, please leave the building by the nearest exit. If you require assistance please remain seated and an Officer will assist you from the building.

Neighbourhood manager's surgery - The Neighbourhood Manager will be available from 7:00pm before the meeting to answer any questions or address areas of concern.

Recording of the meeting - This meeting will be recorded and the recording will be available on the web site (www.kingston.gov.uk) with the agenda and minutes.

Filming - Residents and journalists/media wishing to film meetings are permitted to do so but are asked to give advance notice of this and respect any concerns expressed by people on being filmed.

Information for members of the public - Details on access to the meeting, asking questions, speaking on items, call in and other information are just after the list of items.

There is a **Question Time** of up to 30 minutes toward the beginning of the meeting.

Running order - Items may be taken in a different order depending on the interests of the members of the public present at the meeting. Please fill out a green slip, available at the start of the meeting, if you would like to request that a particular item is heard earlier.

Contact for further information - For further about Council Committees and meetings please contact: Matthew Stickley, tel 020 8547 5698 e-mail: matthew.stickley@kingston.gov.uk
More meeting information

Public participation during the meeting - During the course of the meeting, the Chair, at his/her discretion, may allow contributions, on items listed on the agenda. To attract the Chair’s attention please raise your hand.

Do you want to ask a question or are you here for a particular item? - There are some green slips on the chairs and there are more copies. These can be used to ask a question or to ask for an item to be taken earlier in the meeting. Please fill in the relevant part and hand this in to the Committee Secretary at the top table.

Question time - Questions may be submitted in writing before the meeting or handed in at the start of the meeting on the green forms provided. For enquiries please contact Matthew Stickley, tel 020 8547 5698 e-mail: matthew.stickley@kingston.gov.uk

Where a full reply cannot be given at the meeting, a written reply will be sent to the questioner, members of the Committee and the local press. The Chair may disallow any question which, in his/her opinion, is scurrilous, capricious, irrelevant or otherwise objectionable.

Speaking at meetings - Speaking at a meeting can be a daunting prospect and every effort is made to make this as easy as possible. Speech-friendly arrangements will take account of people who may have a speech impairment, e.g. they may have a stammer. If you have any individual requirements or feel that standing or addressing the meeting may present a difficulty, please let us know beforehand. Arrangements will be made to help you as far as reasonably possible.

Phrases used at meetings - Like all organisations, the Council has its own ‘jargon’. On the agenda and during debates you will see/hear the following phrases:

Interests - Councillors must say if they have an interest in any of the items on the agenda. Interests may be personal or pecuniary. Depending on the interests declared, it might be necessary for the Councillor to leave the meeting. The detail on interests is in Part 5A of the Constitution - Members’ Code of Conduct.

Call In - Most of the decisions made at the Committee, except on decisions on planning applications planning enforcement/tree preservation orders and any licensing applications, can be called in for review by 100 people who live, work or study in the Borough. The call in period is FIVE days after the minutes have been published (the deadline for the call in of any of these decisions will be set out in the Minutes). Decisions are not, therefore, acted upon until it is clear that they are not going to be called in.

The call in means the decision will be considered at a meeting of full Council which may either
i. agree a response to the Call in [ If Council raises no objection to the decision the decision becomes effective from the date of the Council meeting and may proceed to implementation.]; or
ii. establish a Task and Finish Group to review the decision in more detail. The Task and Finish Group will report recommendations to the original decision making Committee which may either accept them or send a recommendation to Council to (i) reject the recommendation or (ii) to accept the recommendation in part or (iii) to adopt an alternative course of action.
Speaking on Planning Applications, Enforcement, or Tree Preservation Orders

There is a registration scheme for residents wishing to speak on planning applications, tree preservation orders or enforcement cases to be determined by the Committee.

(For other items on the agenda, including planning applications on which the Neighbourhood is being consulted before the application is considered by the Development Control Committee, residents may ask questions and give their views at the discretion of the Chair.)

The arrangements for speaking on applications are based on both sides having equal time to make their points to Councillors. To make sure that the meeting runs in a way which is fair to everyone, these arrangements will be followed without any exceptions being made. The full scheme is on the Council website at the ‘Council and Decision making’ webpages.

Everyone wishing to speak on an application, Enforcement Action or Tree Preservation Order must have registered THREE days before the meeting. Objectors must have responded to the consultation on an application.

Registration deadline: 10:00am, Tuesday 16 July 2019
To register, please contact: Matthew Stickley
tel 020 8547 5698 e-mail: matthew.stickley@kingston.gov.uk

Time for speaking - FIVE minutes is allowed for each side on each application. This time has to be shared by however many there are on each side. If there are a large number of speakers, people must decide amongst themselves on a spokesperson or some other arrangement.

The Chair of the meeting has no discretion to extend the time limit.

Speakers may find it helpful to have made some notes on what they want to say, so that they make the most of the speaking time. The notes attached to the original consultation letter from the Planning Officer will have explained the things that the Committee can't take account of - loss of view, property values etc.

The order of speaking is:

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<td>18/16554/FUL</td>
<td>29 Lovelace Road, Surbiton, KT6 6NS</td>
<td>Demolition of existing dwelling and redevelopment to provide 9 residential units.</td>
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<td>A2</td>
<td>19/00720/FUL</td>
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<td>Application under Section 73A of the Town and Country Planning Act 1990 (as amended) to vary Condition 6 (Delivery Hours) of Planning Permission 97/7107/FUL (To extend the store’s permitted delivery window enabling three night-time deliveries between 10pm and 7am everyday on a permanent basis in addition to the daytime deliveries already permitted.)</td>
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<td>A3</td>
<td>19/01045/FUL</td>
<td>29 Lovelace Road, Surbiton, KT6 6NS</td>
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SURBITON NEIGHBOURHOOD COMMITTEE

18/07/2019

REPORT BY THE

Assistant Director of Strategic Planning & Infrastructure

PLANNING APPLICATIONS

All recommendations for planning permission in this section are automatically subject to the condition limiting the duration of the permission required by Sections 91 and 92 of the Town and Country Planning Act (as amended) 1990 unless permission is to be granted for a limited period or unless there is a specific recommendation that the period for such duration be other than the period referred to in the standard condition. All background papers are incorporated into Planning Application Reports.

The policies listed are those from the Royal Borough of Kingston upon Thames the Local Development Framework Core Strategy, Adopted April 2012.
Surbiton Neighbourhood Committee
Date of Meeting: 18/07/19

Ward: Surbiton Hill
Description of Proposal: Demolition of existing building on site and re-development to provide 9 residential units.
The Committee agrees that, had the application been before the Committee as the decision maker, they would have resolved to APPROVE planning permission subject to a legal agreement and the conditions set out at the end of the report.

Planning Policy

National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance (web based resource)

**Development Plan:**

Mayor for London
London Plan March 2016 (consolidated with alterations since 2011)
LDF Core Strategy Adopted April 2012
Kingston Town Centre AAP 2008

**Policies**

LONDON PLAN MARCH 2016
(consolidated with alterations since 2011)
LP 1.1 Delivering the strategic vision
LP 2.6 Outer London: vision and strategy
LP 3.3 Increasing housing supply
LP 3.4 Optimising housing potential
LP 3.5 Quality and design of housing development
LP 3.8 Housing choice
LP 5.1 Climate change mitigation
LP 5.13 Sustainable drainage
LP 5.15 Water use and supplies
LP 5.17 Waste capacity
LP 5.3 Sustainable design and construction
LP 5.7 Renewable energy
LP 5.9 Overheating and cooling
LP 6.13 Parking
LP 6.9 Cycling
LP 7.4 Local character
LP 7.6 Architecture
LP 8.2 Planning obligations
LP 8.3 Community infrastructure levy
LDF CORE STRATEGY CORE POLICIES
CS 01 Climate Change Mitigation
CS 02 Climate Change Adaptation
CS 07 Managing Vehicle Use
CS 08 Character, Heritage and Design
CS 10 Housing Delivery
LDF CORE STRATEGY DEVELOPMENT MANAGEMENT
DM01 Sustainable Design and Construction Standard
DM04 Water Management and Flood Risk
Consultations

*Initial consultation* - 17 August 2018-7 September 2018

1. 240 surrounding owner/occupiers were notified in writing of the application. 14 responses from separate addresses were received all of which were objections. The material objections are summarised as follows:

- Excessive bulk/height/overdevelopment;
- Out of character/ugly/design and materials not in keeping with the surrounding area;
- Existing building lines are not respected;
- Overlooking/loss of privacy;
- Loss of daylight/sunlight/overshadowing;
- Development would exacerbate surface water flooding in the area;
- Pressure on existing utilities;
- Lack of private amenity space;
- Noise and disturbance;
- Insufficient parking provision/removal of existing on-street car parking spaces/increased pressure on on-street car parking spaces/adverse impact upon highway safety;
- Loss of family housing;
- Lack of affordable housing;
- Loss of trees and garden land;

*Thames Water*

2. No objection regarding waste water network and waste water process infrastructure capacity. No objection regarding water network and water treatment infrastructure capacity.

*Re-consultation* - 28 February 2019-14 March 2019 *(Development reduced from 10 to 9 residential units and 8 - 7 car parking spaces and some design changes)*

3. 243 surrounding owner/occupiers were notified in writing of the application. 3 responses from separate addresses were received all of which were objections. The material objections are summarised as follows:

- Increase in on-street car parking pressure;
- Access/traffic problems;
- Excessive bulk(height);
- Inappropriate design/layout/flat roof not in keeping with the character of the area; and,
- Inaccurate elevation plans submitted.

**RBK Highways and Transportation**

4. No objection subject to the applicant entering into a legal agreement to preclude residents from applying for on street residents parking permits and a requirement to inform potential buyers/tenants of the above exclusion and to publicise the lack of parking provision in sales brochures, plus planning conditions regarding; Electric Vehicle Charging Points, a Car Park Management Plan, visibility splays, cycle parking, and a Construction Management Plan.

**Tree and Landscape Officer**

5. No objection subject to a condition enforcing the implementation of the Landscape Plan.

**Site and Surroundings**

6. The application site is located on the corner of Lovelace Gardens and Lovelace Road and comprises a two storey, three bedroom detached dwelling. The immediate surrounding area is predominantly residential in character.

7. The buildings on the site are not listed or locally listed and the site does not fall within a Conservation Area. Neither does are there any Tree Preservation Orders (TPOs) on site or in the immediate vicinity and the site does not fall within a Flood Risk Zone. The Public Transport Accessibility Level (PTAL) for the site is 4 (Good) and the site falls within the Oak Hill Controlled Parking Zone (Zone T).

**Proposal**

8. Demolition of existing dwelling and re-development to provide 9 residential units comprising 5 x 2 bedroom flats and 4 x 3 bedroom flats.

9. Since the initial consultation the proposed development has been revised and re-categorised from a “major” to minor development by reducing the number of proposed units from 10 units to 9 units, reducing the number of car parking spaces from 8 to 7, removing the undercroft entrance to the site and re-positioning the bicycle and refuse stores.

**Assessment**

The main considerations material to the determination of this application are:

- Principle of Proposed Development
- Loss of Family Housing
10. Paragraph 118 of the NPPF, 2019 directs that planning policies and decisions should “promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”

11. Paragraph 123 goes on to say that “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”

12. Paragraph 11 makes it clear that in terms of the presumption of sustainable development and in relation to decision taking development proposals which accord with an up to date development plan should be approved without delay.

13. Regional policy supports this stance and policies 3.3 and 3.4 of the London Plan March 2016 (consolidated with alterations since 2011) emphasise that the Mayor recognises the pressing need for more homes in London and will work with relevant partners to ensure that housing need is met.

14. At the local level LDF Policy CS10 of the Council’s LDF Core Strategy, 2012 sets out the Borough’s housing targets as defined by the London Plan, 2011. These have increased since the adoption of the Core Strategy and the draft London Plan, 201 sets a target of 643 new residential dwellings per year. This application would provide 8 additional units which would make a positive contribution towards this target.

15. It should be noted that currently the Council is unable to demonstrate a five year supply of deliverable housing sites.

16. As there is no 5-year housing land supply, paragraph 11 of the NPPF indicates that planning permission should be granted unless (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. These
considerations should be given considerable weight in the assessment of this planning application.

Loss of Housing

17. Policy DM14 of the Council's LDF Core Strategy, 2012 states that: "The Council will resist the loss of existing accommodation (of all types) and, in particular, dwellings which are suitable for family accommodation." Whilst this proposal involves the demolition of an existing family sized house, there would be a net gain of 3 x 3 bedroomed family sized units proposed as part of the new development.

Housing Quality and Mix


19. Policy DM13 of the Council's LDF Core Strategy, 2012 states that the Council will ensure that the housing delivered is of high quality and the most appropriate type. The Policy also states that new residential development is expected to incorporate a mix of unit sizes and types. The Policy requires that 2.7 (30%) of the proposed units should provide family accommodation, 1 unit with 3 or more bedrooms, unless it can be robustly demonstrated that this would be unsuitable or unviable.

20. Officers acknowledge that the proposal would provide 4 (net gain of 3) new family dwellings. This provision would exceed the above requirements and in accordance with the need for family sized dwellings in the Borough identified in the Strategic Housing Market Assessment for Kingston upon Thames and North East Surrey Authorities, 2016.

21. With regards to internal space standards Policy 3.5 of the London Plan March 2016 (consolidated with alterations since 2011) states that for 2 bedroom flats and 3 bedroom flats, the minimum internal floor areas below are required:

- No. 2 bedroom (3 person bedspaces) flat = 61 sqm
- No. 2 bedroom (4 person bedspaces) flat = 70 sqm
- No. 3 bedroom (5 person bedspaces) flat = 86 sqm

22. All proposed units would comply with or exceed these minimum standards.

23. Overall, the residential accommodation proposed would provide a good standard of accommodation for future occupants of the proposed development.

Impact on Character of Area
24. Together the NPPF, 2019 and the London Plan, 2016 (consolidated with alterations since 2011) operate to secure the development of a high quality and where applicable replace poor design with better design.

25. Paragraph 127 of the NPPF, 2019 states that planning decisions should ensure developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

26. At the regional policy level Policy 3.5 of the London Plan, 2016 (consolidated with alterations since 2011) states that housing developments should be the highest quality internally, externally, and in relation to their context and to the wider environment. The design of all new housing should enhance the quality of local places, taking into account physical context and local character.

27. Local policies CS8 and DM10 of the LDF Core Strategy, 2012 support the regional position and require that proposals relate well to their surroundings, recognise distinctive local features, have regard to the historic environment and be of a high standard to achieve a more attractive, sustainable and accessible environment.

28. The proposal involves the demolition of the existing dwellinghouse and the construction of a new block of flats comprising 9 units arranged over 4 floors, plus associated car parking and amenity space. The new structure would measure a maximum of 12.5m in height above ground and have a staggered front building line, resulting in a set back from Lovelace Road by between 5m and 7m and a setback from Lovelace Gardens by between 3.2m and 6.5m, respecting the building heights and staggered front building line of adjacent properties.

29. London Plan Policy 3.4 states that for sites in urban areas (those areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes) with PTAL ratings of 4, an appropriate density equates to 45-170 units/ha.
(or 200-450 habitable rooms/ha). The proposal would provide approximately 80 units/ha (or 380 habitable rooms/ha). Therefore, the proposal would fall within the recommended ranges within Policy 3.4 of the London Plan. However, it should be emphasised that the policy’s supporting text makes clear that whilst a rigorous appreciation of housing density is crucial to realising the optimum potential of sites, it is not appropriate to apply the density ranges mechanistically.

30. In terms of design the new development would take cues such as the materiality, height and flat roof from both the existing property and similar properties in the immediate surrounding area.

31. More specifically and in terms of materials, the walls would be a combination of red and buff brick with reconstituted stone banding, the balconies would comprise steel and glass tiles and the windows would comprise grey UPVC.

32. New boundaries would be erected on all sides of the site with a low wall and associated soft landscaping fronting both Lovelace Road and Lovelace Gardens. Full details of the colour, texture and manufacturer’s specification, would be required via condition to ensure that the quality and appearance of the materials are of a sufficiently high standard.

33. Access to the new dwellings would be gained via a single entrance fronting Lovelace Gardens. Behind the back of the footway soft landscaping would be implemented to provide visual amenity and partial screening. As with materials, further details of the planting schedule and maintenance of the landscaped areas to the front and rear of the development will be required via condition to ensure that the finished appearance is satisfactory and of high quality not only for future occupants, but for neighbouring properties and the wider character of the street.

34. Overall, the proposed development is considered to be of high quality. Though clearly visible from neighbouring properties and the streetscape due to its corner plot location, it would not be visually incongruous and would simultaneously be in keeping with the surrounding area and reflect the variety in architectural styles and dwelling types. Furthermore, its impact would be minimised by the boundary treatment and associated soft landscaping, thereby complying with Paragraph 127 of the NPPF, 2019, Policies 7.4 and 7.6 of the London Plan, 2016, Core Strategy policies CS8 and DM10.

Impact on Neighbours’ Residential Amenity

35. Paragraph 127 of the NPPF, 2019 and Policy 7.6 of the London Plan, 2016 (consolidated with alterations since 2011) seek to ensure that development secures a good standard of amenity for all existing and future users (of land and buildings).

36. More specifically, Policy DM10 of the LDF Core Strategy, 2012 seeks to safeguard residential amenity with regards to privacy, outlook,
sunlight/daylight, avoidance of visual intrusion and noise and disturbance.

37. In this case the flats within Lonsdale Court, Caroline Court, Meryon Court, Ashdene House and Malborough Gardens are the principal properties to be considered.

38. With regards to outlook Officers acknowledge that whilst adjacent neighbouring properties would experience a change in context due to the erection of a 4 storey development, it should also be noted that the site is currently developed and the proposed separation distances of between 2.3m and 12.5m between properties are in keeping with the prevailing pattern of development in the area. Similarly, in terms of height the proposed dwellings would be in keeping with neighbouring properties, particularly Marlborough House opposite and although the roof ridge would exceed that of No. 38 by approximately 0.8m, it would be approximately 1m lower than the ridge height of No. 34. These factors, plus the partial screening that the proposed fences, boundary wall and soft landscaping would provide are considered not to create an unacceptable sense of enclosure or loss of outlook.

39. With regards to privacy and visual intrusion the proposed development would not create a significant adverse impact in terms of the occupants of neighbouring properties. Whilst it is acknowledged that there are a number of balconies, plus windows related to bathrooms proposed in the north eastern flank wall of the development, it is considered that any adverse impact upon neighbouring residential amenity could be resolved through the implementation of obscured glazing and privacy screens. This issue would be secured via condition.

40. Officers acknowledge the applicant's submission of a Daylight/Sunlight Assessment and agree with its findings in that whilst there would be a reduction in daylight levels and probable sunlight hours to neighbouring properties, this reduction would fall within the levels deemed acceptable by BRE guidelines.

41. With regards to noise and disturbance the proposed development would not cause harm to the amenity of the aforementioned properties above and beyond what is already associated with existing residential properties in the area. It should be emphasised that the proposal would be for a residential use in a predominantly residential area which is considered entirely appropriate.

42. Part (h) of Policy DM10 of the LDF Core Strategy, 2012 states that development proposals should ensure adequate private and/or communal amenity space. In support of this stance Policy Guidance 13 of the Residential Design SPD, 2013 requires that new flats provide at least 10sqm of private amenity space per dwelling, plus 1m for each additional occupant. Overall, a total of approximately 120sqm would be required on site. Approximately 114sqm of private outdoor amenity space would be provided. This would be predominantly in the form of balconies except for flats 1 and 2 (located on the ground floor) which would have private outdoor space. Whilst the proposed amenity space
would fall slightly short of the above local requirements the provision would significantly exceed the requirements of the London Plan, 2016 (75 sqm).

43. Despite an increase in the built form across the site, the proposal development is considered to ensure a good standard of amenity in compliance with Paragraph 127 of the NPPF, 2019, Policy 7.6 of the London Plan, 2016 and Policy DM10 of the LDF Core Strategy, 2012.

**Highways & Parking**

44. Policies DM9 and DM10 of the LDF Core Strategy seek to ensure that new development has regard to local traffic conditions and does not contribute to congestion or compromise highway safety.

45. The site has a Public Transport Accessibility Level of 4 (Good) and falls within the Oak Hill Controlled Parking Zone (Zone T).

46. As the development falls within a CPZ the proposed car parking provision would be considered acceptable and in accordance with policies DM9 and DM10 of the LDF Core Strategy, 2012 subject to the signing of a legal agreement. The legal agreement would preclude future occupants from obtaining on-street car parking permits and stipulate a requirement to inform potential buyers/tenants of the above exclusion, as well as publicise the lack of parking provision in sales brochures.

47. It should be noted that the applicant has agreed to enter into such an agreement which is currently being progressed.

48. Officers acknowledge the submission of a Transport Statement and agree with its findings in that the proposed trip generation associated with the development would not cause a noticeable impact on the surrounding highway network.

49. With regards to cycle parking spaces and in accordance with the standards set out in Table 6.3 of the London Plan March 2016 18 spaces are required. The proposed plans show a dedicated, covered bicycle store integrated within the building which would be accessed from the south western elevation and appears to show adequate capacity. However, further details would be required via condition to ensure full compliance with Policies DM9 and DM10 of the LDF Core Strategy and the Sustainable Transport SPD, 2013 are achieved.

**Trees**

50. Despite the proposal involving the removal of 3 trees and 2 hedgerows and soft landscaped area including garden lawn, Officers note that the loss of trees does not relate to any “high category” specimens and a significant amount of outdoor amenity space would be provided for the new dwellings on site. As such, it is considered that this loss can be
mitigated by replacement planting and soft landscaping and secured by way of a planning conditions.

Legal Agreements

51. The applicant has agreed to enter into a legal agreement to car cap the development, preclude future occupants from obtaining on-street car parking permits and inform potential buyers/tenants of the above exclusion and to publicise the lack of parking provision in sales brochures should the Committee resolve to grant planning permission.

52. Subject to the signing of this legal agreement the proposal would comply with policies DM9 and DM10 of the LDF Core Strategy, 2012.

Sustainability

53. Policies 5.1 and 5.2 of the London Plan, 2016 (consolidated with alterations since 2011) seek to mitigate climate change and achieve an overall reduction in London's carbon dioxide emissions through a range of measures including using less energy, supplying energy efficiently and using renewable energy.

54. In addition, Policy CS1 of the LDF Core Strategy, 2012 states that the Council will ensure that all development (including extensions, refurbishments and conversions) is designed and built to make the most efficient use of resources, reduce its lifecycle impact on the environment and contribute to climate change mitigation and adaptation. It should be noted that despite Policy DM1's requirements which encourage residential developments to achieve Code for Sustainable Homes (CfSH) Level 6 from 2016, the Code was revoked as part of the Housing Standards Review in 2015 and no longer applies. However, elements of the code were incorporated in the building regulations.

55. In this case the applicant has not submitted any information to demonstrate how the proposed development would achieve the required reductions in CO2 and internal water usage appear. As such, a detailed condition is recommended to ensure the required standards are met.

56. Sustainability standards are secured by condition, the proposal is considered to comply with Policies DM1 of the Council's LDF Core Strategy, 2012.

Other Material Considerations

57. Officers recognise that the development is a form of garden development. This issue is covered by Paragraph 70 of the NPPF, 2019 which states that “Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.” However, Kingston’s Development Plan does not include any policies to this effect. As such, each case must be assessed on its individual merits.
Conclusion/Planning Balance

58. In conclusion, it is considered that whilst the proposal would result in the loss of garden land and a change in context for neighbouring dwellings, this does not outweigh the benefit of providing 8 net additional high quality market units on site, 4 of which are family sized units. As such the “tilted balance” applies and the proposals are considered to generally comply with the NPPF, 2019, the London Plan, 2016 (consolidated with alterations since 2011), the LDF Core Strategy, 2012, the Sustainable Transport SPD, 2013 and the Residential Design SPD, 2013.

Recommendation:

The Committee agrees that, had the application been before the Committee as the decision maker, they would have resolved to APPROVE planning permission subject to a legal agreement and the following conditions:

1. The development hereby permitted shall be commenced within 3 years from the date of this decision.

Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Dwg No. 17116 S101-Site Location Plan Received 07/08/2018
- Dwg No. 17116 S102-Site Survey Received 07/08/2018
- Dwg No. 17116 S110-Existing Plans and Elevations Received 07/08/2018
- Dwg No. 17116 P120-Proposed Bin Store Plans and Elevations Received 07/08/2018
- Dwg No. 17116 P105 Rev B-Proposed Site Sections Transport Statement Part 1 Received 07/08/2018
- Dwg No. 17116 P105 Rev B-Proposed Site Sections Transport Statement Part 2 Received 07/08/2018
- Dwg No. 17116 P202 Rev B-Proposed Site Layout –Roof Plan Received 18/02/2019
- Dwg No. 17116 P214 Rev C-Proposed Schematic Floor Plans Plots 1-9 Received 18/02/2019
- Dwg No. 17116 P215 Rev B-Proposed Outline Elevations Received 18/02/2019
- Dwg No. VAN219 11B-Landscape Proposals Received 18/02/2019
3. The development shall be completed in accordance with details and samples for all facing materials which shall be submitted to and approved in writing by the Local Planning Authority before any works on site are commenced. The development shall then be built in accordance with these approved samples and completed prior to occupation.

Reason: These details are required prior to commencement of development because the details would affect subsequent design of other elements of the scheme and must be agreed at the outset and to ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

4. Prior to occupation the following details shall be submitted to and approved in writing by the Local Planning Authority and thereafter permanently retained.

(a) refuse storage facilities in accordance with the requirements of the Residential Design SPD, 2013 (including their manufacturer's specification, dimensions, colour and texture).
5. Prior to above ground works the following details shall be submitted to and approved in writing by the Local Planning Authority and thereafter permanently retained.

(a) boundary treatment, including walls, fences and gates (including their manufacturer's specification, dimensions, colour and texture).

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

6. Prior to the beneficial occupation of the development hereby permitted, any windows in the north eastern and south western elevation (and situated on the ground, first, second and third floor in relation to bathrooms and W.Cs) shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable and tamper-proof, and must be replaced in the event that it ceases to result in obscurity to level 3.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

7. Prior to the beneficial occupation of the development hereby permitted, the flanks and balustrades of the north east facing balconies on the first, second and third floors shall be constructed and retained in obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable and tamper-proof, and must be replaced in the event that it ceases to result in obscurity to level 3.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

8. Prior to occupation details of the 1 active electric vehicle charging point and 1 passive electric vehicle charging point shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter permanently retained.

Reason: In order to encourage the uptake of electric vehicles in accordance with Policy 6.13 of the London Plan, 2016.

9. A Car Park Management Plan demonstrating how the use of the car park will be controlled, including any restrictions and detailing the signage necessary within the site to direct pedestrians and vehicles shall be
submitted to and approved in writing by the local planning authority before the first occupation of any residential unit. The development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the amenities of surrounding residential occupiers and safeguard highways safety and the free flow of traffic in accordance with policies DM9 (Managing Vehicle Use for New Developments) and Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

10. Prior to occupation details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory cycle storage facilities and in the interests of highway safety in accordance with Policy DM8 (Sustainable Transport for New Developments) of the LDF Core Strategy Adopted April 2012.

11. By the time the development hereby permitted is substantially complete, pedestrian/vehicular intervisibility splays of 2.8m x 3.3m shall have been provided in each direction where the access meets the back edge of footway, and shall be permanently retained free from any obstruction to visibility higher than 1.0m above ground level.

Reason: To maintain pedestrian/vehicular intervisibility in the interest of highway safety in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

12. All works on site shall take place in accordance with the following details which shall have previously been submitted to in the form of a Construction Management Plan and approved in writing by the Local Planning Authority prior to the commencement of work:

a) Statement on how the proposed development will be built, with method statements to outline how major elements of the works would be undertaken;
b) Proposals for loading/unloading materials, site storage etc;
c) The route to and away from site for muck away and vehicles with materials;
d) Deliveries/collections to and from the site should use a route that is agreed with NRSWA team. The agreed route should be signed accordingly.
e) Protocol for managing deliveries to one vehicle at a time on sites with restricted access or space;
f) Protocol for managing vehicles that need to wait for access to the site; and
g) Whether any reversing manoeuvres are required onto or off the public highway into the site, and whether a banksman will be provided;

h) Temporary site access;

i) Signing system for works traffic;

j) Site access warning signs will be required in adjacent roads.

k) Whether it is anticipated that statutory undertaker connections will be required into the site.

l) Storage of plant, materials and operatives vehicles;

m) Measures for the laying of dust, suppression of noise and abatement of other nuisance arising from development works;

n) Location of all ancillary site buildings;

o) Means of enclosure of the site; and

p) Wheel washing equipment.

q) The parking of vehicles of site operatives and visitors.

Reason: These details are required prior to commencement of development because the relevant works would take place at the beginning of the construction phase and in order to safeguard the amenities of the surrounding residential occupiers and to safeguard highway safety and the free flow of traffic in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

13. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policy CS1 (Climate Change Mitigation) of the LDF Core Strategy Adopted April 2012.

14. Within 3 months of first occupation, evidence must be submitted to the Council confirming that the development hereby permitted has achieved no less than the C02 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4. Evidence requirements are detailed in the "Schedule of Evidence Required for Post Construction Stage from ENE1 and WAT1 of the Code for Sustainable Homes Guide. Evidence to demonstrate a 19% reduction compared to 2013 Part L regulations and internal water usage rates of 105L/day must be submitted to the Local Planning Authority, unless otherwise agreed in writing.

Reason: In order to ensure that all development is designed and built to make the most efficient use of resources, reduce its lifecycle impact on the environment and contributes to climate change mitigation and adaptation in accordance with Policy CS1 (Climate Change Mitigation) of the LDF Core Strategy Adopted April 2012.

15. No development shall take place until details of the implementation, adoption, maintenance and management of a sustainable drainage system have been submitted to and approved in writing by the local planning authority. The system shall be implemented prior to occupation and
thereafter managed and maintained in accordance with the approved
details. Those details shall include a timetable for its implementation, and
a management and maintenance plan for the lifetime of the development
which shall include the arrangements for adoption by any public body or
statutory undertaker, or any other arrangements to secure the effective
operation of the sustainable drainage system throughout its lifetime.

Reason: These details are required prior to commencement of development
because the relevant works would take place at the beginning of the
construction phase and to prevent the increased risk of flooding in
accordance with Policy CS1 (Climate Change Mitigation) of the Local
Development Framework Core Strategy Adopted April 2012.

16. The levels of buildings, roads, parking areas and pathways within the site
shall only be in accordance with details which shall have previously been
submitted to and approved in writing by the Local Planning Authority before
development is commenced.

Reason: These details are required prior to commencement of development
because the details would affect subsequent design of other elements of the
scheme and must be agreed at the outset and to ensure that the appearance
and functioning of the development is satisfactory and to safeguard the
amenities of adjoining occupiers in accordance with Policy DM10 (Design
Requirements for New Developments including House Extensions) of the
LDF Core Strategy Adopted April 2012 and comply with Supplementary
Planning Document 'Access for All' (July 2005).

17. The development hereby permitted shall be carried out in accordance with
Dwg No. VAN21968 11 B – Landscape Proposals and shall be implemented
within the first planting season following completion of the development and
the tree planting and landscaping shall thereafter be maintained for five years
to the satisfaction of the Local Planning Authority. Any trees or shrubs which
die during this period shall be replaced in the first available planting season,
and the area shown to be landscaped shall be permanently retained for that
purpose only.

Reason: In the interests of visual amenity and also that the Local Planning
Authority shall be satisfied as to the details of the development in
accordance with Policy DM10 (Design Requirements for New
Developments including House Extensions) of the LDF Core Strategy
Adopted April 2012.

18. The development hereby permitted shall be carried out in accordance with
the Arboricultural Implications Report dated July 2018.

Reason: In the interests of visual amenity and also that the Local Planning
Authority shall be satisfied as to the details of the development in
accordance with Policy DM10 (Design Requirements for New
Developments including House Extensions) of the LDF Core Strategy
Adopted April 2012.
19. The development hereby permitted shall be carried out in accordance with the approved Preliminary Ecological Assessment and Bat Emergence/re-Entry Study dated July 2018.

Reason: To safeguard and protect the sites biodiversity and nature conservation value in accordance with Policy DM6 (Biodiversity) of the LDF Core Strategy Adopted April 2012.

20. The hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policy CS1 (Climate Change Mitigation) of the LDF Core Strategy Adopted April 2012.

Informative(s)

1. The applicant is advised that should protected species be found as a result of future development he/she must fulfil his/her duties under the Wildlife and Countryside Act, 1981 (as amended) and the Conservation of Habitats and Species Regulations, 2010

2. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council’s Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

3. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

4. Your attention is drawn to the fact that planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
5. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

6. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from,
- any adjoining owner, where the building owner proposes to carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundwork's within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in “The Party Walls etc. Act 1996 - Explanatory Booklet”.

7. The applicant will be responsible for the cost of all necessary changes to road markings and signage together with the cost of amending the Traffic Order for the Controlled Parking Zone.

8. The Authority will not provide a vehicle crossover until all necessary amendments to the Traffic Regulation Orders have been made so as to provide unimpeded access to the crossover.

9. Any vehicular crossing on Lovelace Gardens must be constructed and any redundant crossing on Lovelace Road reinstated as footway in accordance with the provisions of the Highways Act, 1980 by the Service Director (Planning & Transportation) (Highways), Directorate of Environmental Services, Guildhall II, Kingston upon Thames.

10. Deliveries
- Deliveries to the site will avoid peak traffic times. This is due to existing congestion along the surrounding roads which will be exacerbated with the proposals;
- Deliveries to the site should where possible avoid waiting on the highway as this could result in a reduction to road safety and emergency access;
- Any parking that cannot be contained within the site must park considerately and safely, so as not to obstruct sightlines at junctions or site accesses. The applicant should be aware that any such parking will cause unnecessary concern and agitation within the local community;
- Should make full use of the site accesses to maximise the availability of off street parking.

11. Servicing
- Service parking and deliveries should not cause any damage to the verges or margins, and no parking is allowed on both.
- A license from the Compliance Team will be required to erect off site direction signs. This same team will issue the hoarding license (if necessary) and seek appropriate deposits.
- The applicant should be advised that a licence is needed for a tower crane, and should contact the Street Scene Compliance Team on 020 8547 5002. A traffic management arrangement for the delivery, erection, dismantling and removal of a tower crane (if it would be used) should be submitted for approval.
- The applicant should be advised to consider if a parking suspension might be needed to allow access for big delivery construction vehicles involved. To apply for parking suspension (if needed), the applicant should contact the Environment Contact Centre on 020 8547 5002.

12. Highway Cleaning

Should the access into the site during construction not be paved, spoil could be carried from the site onto the public highway. The access into the site should be paved to minimise the carryover of spoil onto adjacent roads. We would also require the applicant to sweep and wash down the adjacent roads to ensure that the public highway is kept clear of debris. This is to ensure a satisfactory road surface for road safety reasons at all times.

13. Road Condition Survey

It is highlighted that any proposed works will result in substantial movement of heavy vehicles on the highways, and therefore the Council will require the applicant to undertake a road and footway condition survey before construction begins. This will take the form of a joint inspection with a member of the Street Scene Team and will involve a photographic record and visual observation of the roads, verges and margins.

14. The applicant is therefore advised that damage to bats and or their habitat would constitute an offence and should evidence of bats being present on site be found as a result of future development he/she must fulfil his/her duties under the Wildlife and Countryside Act, 1981 (as amended) and the Conservation of Habitats and Species Regulations, 2010.

15. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

16. The development approved by this planning permission will be liable to pay the Mayor of London's Community Infrastructure Levy (MCIL) and RBK CIL.

Payment will be due once the owner/developer serves a development Commencement Notice on the Council, and a payment Demand Notice has been received by the owner. Failure to submit a Commencement Notice will incur a surcharge of 20% of the chargeable amount or £2,500, whichever is the lower amount.

When you have discharged all pre-commencement conditions the Council will issue a Liability Notice to the owner setting out the MCIL and CIL calculations. Accompanying the Liability Notice will be a blank Commencement Notice and if necessary a blank Assumption of Liability form, both of which need to be completed and returned to the Council prior to development commencing. A failure to do so will incur a surcharge.

Should you have any questions in respect of the contents of this letter or the CIL more generally, please contact the Council's Contact Centre by email cil@kingston.gov.uk or phone 0208 547 5002.
Surbiton Neighbourhood Planning Sub-Committee
Date of Meeting: 18/07/19

A2 Register No: 19/00720/FUL
Address: 15A CLAREMONT ROAD, SURBITON, KT6 4QR

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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]

Ward: St Marks
Description of Proposal: Application under Section 73A of the Town and Country Planning Act 1990 (as amended) to vary Condition 6 (Delivery Hours) of Planning Permission 97/7107 (To extend the store's permitted delivery window enabling three night-time deliveries between 10pm and 7am everyday on a permanent basis in addition to the daytime deliveries already permitted.)

Plan Type: Full Application
Expiry Date: 17/06/2019

National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance (web based resource)

Development Plan:
Mayor for London
London Plan March 2016 (consolidated with alterations since 2011)
LDF Core Strategy Adopted April 2012
Kingston Town Centre AAP 2008

Policies
LONDON PLAN MARCH 2016
LP 7.15 Reducing noise and enhancing soundscapes
LDF CORE STRATEGY CORE POLICIES
CS 07 Managing Vehicle Use
CS 12 Retail and Town Centres
LDF CORE STRATEGY DEVELOPMENT MANAGEMENT
DM09 Managing Vehicle Use for New Development
DM10 Design Requirements for New Developments

Previous Relevant History
18/16236/FUL Application under Section 73A of the Town and Country Planning Act 1990 (as amended) to carry out development without compliance with Condition 6 (Vehicle Deliveries) of planning permission 97/7107/FUL to allow a maximum of 3 vehicle deliveries before 7am and after 10pm on any day. Permit with conditions 29/06/2018

16/16066/FUL Variation of condition 6 of planning permission Permit with conditions 14/06/2017
97/7107/FUL - Redevelopment to provide new supermarket together with 2-storey car park accessed off The Crescent, involving junction alterations with The Crescent and Claremont Road and service area accessed off St. James Road

15/16863/FUL Variation of condition 6 (A maximum of three vehicle deliveries to the supermarket shall take place before 7am and after 10pm on any day) of Planning Permission 97/7107/FUL to 'Redevelopment to provide new supermarket together with 2-storey car park accessed off The Crescent, involving junction alterations with The Crescent and Claremont Road and service area accessed off St. James Road'

Refuse Full Application 18/12/2015

02/07044/FUL Relaxation of condition 6 (Ref.97/7107/JH) to extend deliveries for half an hour between 6.30am and 7.00am, Monday to Saturday.

Refused 03/04/2002

01/07475/FUL Removal of condition 6 of planning permission 97/7107 restricting hours of vehicle deliveries to the supermarket, to allow 24 hour deliveries.

Application Withdrawn 15/01/2002

97/7107/FUL Redevelopment to provide new supermarket together with 2-storey car park accessed off The Crescent, involving junction alterations with The Crescent and Claremont Road and service area accessed off St. James Road

Permit 5 Year Condition and Conditions 05/05/1998

Consultations

1. 313 surrounding owner/occupiers were consulted on the proposals. 6 responses have been received, all of which were objections. The grounds on which objections were made can be summarised as follows:

- noise and disturbance;
- fumes;
- incompatible use; and,
• vibration.

Highways and Transportation
2. No objection.

Environmental Health Officer
3. No objection.

Site and Surroundings
4. The application site is located on the western side of Claremont Road and comprises an existing retail superstore occupied by Waitrose. It falls within a mixed use area characterised by commercial units at ground floor level and both ancillary commercial floorspace and residential units on upper floors.
5. The buildings on the site are not listed or locally listed. There are no Tree Preservation Orders (TPOs) on site or in the immediate vicinity. However, the site is located within Surbiton Town Centre Conservation Area, the Surbiton District Centre and falls within a Fluvial Flood Risk Zone 1 (Low Probability).

Proposal
6. The proposal relates to an application under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 6 (Delivery Hours) of Planning Permission 97/7107/FUL (To extend the store's permitted delivery window enabling three night-time deliveries between 10pm and 7am everyday on a permanent basis in addition to the daytime deliveries already permitted.)
7. Condition 6 of planning permission 97/7107/FUL states: “Vehicle deliveries to the supermarket hereby permitted shall not take place before 7.00am and after 10.00pm on any day.”
8. The applicant proposes the following amended wording to the above condition: “Vehicle deliveries to the supermarket are only permitted between the hours of 7am and 10pm on any day. In addition, a maximum of three vehicle deliveries are permitted to the supermarket before 7am and after 10pm on any day. Deliveries between 10pm and 7am will be undertaken in compliance with the Delivery Management Plan dated 13 March 2018.”

Assessment
9. The main considerations material to the determination of this application are:
   • Principle of Proposed Development
   • Impact on Neighbour’s Residential Amenity
   • Highways and Transportation
   • Legal Agreement

Principle of Development
10. The principle of extending the delivery hours and number of vehicle deliveries to a supermarket within a designated town centre is acceptable subject to compliance with Development Plan policies.

Impact on Neighbours' Residential Amenity

11. Paragraph 180 of the National Planning Policy Framework (NPPF), 2019 states that planning policies and decisions should:

- ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
  
a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

  c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

12. Paragraph 005 (Reference ID: 30-005-20140306) of the National Planning Practice Guidance (NPPG) expands on what a significant adverse impact comprises, stating "The noise causes a material change in behaviour and/or attitude, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area."

13. In the above circumstances it is recommended that this be avoided (and by inference, the development refused).

14. Paragraph 005 also identifies the difference between a significant adverse impact, and an observed adverse impact. An observed adverse impact occurs when: "Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life."

15. In the above circumstances it is recommended that this be mitigated and reduced to a minimum (usually via planning conditions).

that development secures a good standard of amenity for all existing and future users (of land and buildings).

17. More specifically, Policy DM10 of the LDF Core Strategy, 2012 seeks to safeguard residential amenity with regards to privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbance.

18. Following the temporary extension of overnight vehicle deliveries as part of planning permission on 18/16236/FUL approved on 29/06/2018 and 16/16066/FUL approved on 14/06/2017, the applicant has sought permission to permanently allow a maximum of 3 vehicle deliveries before 7am and after 10pm on any day. The additional delivery vehicles (HGVs) would enter the site from St. James' road as existing.

19. Officers note that during the temporary extensions to overnight vehicle deliveries detailed above, the Council’s Environmental Health Team have not received any formal complaints or evidence regarding noise and disturbance from neighbouring properties. As such, Officers consider that subject to compliance with the Quiet Delivery Procedures-Delivery Management Plan the proposal would safeguard neighbouring residential amenity and thereby achieve compliance with Paragraph 127 and 180 of the NPPF 2019, Policy 7.15 of the London Plan 2016 and Policy DM10 of the LDF Core Strategy 2012.

Highways and Transportation

20. Policies DM9 and DM10 of the LDF Core Strategy seek to ensure that new development has regard to local traffic conditions and does not contribute to congestion or compromise highway safety.

21. Officers consider that as the proposed permanent extension to delivery hours would be overnight, there would be no adverse impact on local traffic conditions, congestion or highway safety. In pure highways terms alone, the Council’s Engineers consider that overnight deliveries are often preferable as they are at low-traffic times.

22. As such, the proposal is considered to comply policies DM9 and DM10 of the LDF Core Strategy and the Sustainable Transport SPD, 2013 are achieved.

Legal Agreement

23. The applicant would be required to enter into a Deed of Variation regarding the original legal agreement in order that the original provisions continue to be captured.

Conclusion/Planning Balance

24. Under the provisions of s.73A of the Town and Country Planning Act 1990 (as amended), the proposed permanent extension to delivery hours and number of vehicle deliveries would not result in an unacceptable detrimental impact upon residential amenity. The amendments therefore accord with Paragraphs 127 and 180 of the NPPF, Paragraph 005 of the NPPG, Policy 7.15 of the London Plan, 2016 (consolidated with amendments since 2011) and Policies CS8 and DM10 of the Royal Borough of Kingston upon Thames LDF Core Strategy, April 2012.
Recommendation:

Approve subject to legal agreement and the following conditions:

1. Prior to commencement of the additional deliveries the measures set out in the Quiet Delivery Procedures - Delivery Management Plan dated 13 March 2018 shall be implemented and retained in perpetuity.

   Reason: The relevant works would take place prior to commencement and to safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 (Design Requirements for New Developments and House Extensions) of the LDF Core Strategy Adopted April 2012.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

   - Site Location Plan 18/03/2019
   - Cover Letter 18/03/2019
   - Planning Statement 18/03/2019
   - Quiet Delivery Procedures - Delivery Management Plan 18/03/2019
   - Noise Impact Assessment 18/03/2019
   - Noise Solutions Ltd Methodology Statement Assessment 18/03/2019
   - Delivery Noise Impact Assessment 18/03/2019
   - 318/155 Rev D 31/08/2001
   - Camera Specs 13/09/1999
   - 5097/SG-001A 14/07/1999
   - A1/104 Rev W 16/03/1999
   - A1/115 Rev G 16/03/1999
   - A1/158/Rev B 16/03/1999
   - 341/08A 14/01/1999
   - 341/03C 01/01/1999
341/01C 10/09/1998
341/06B 10/09/1998
97318/105F 01/09/1998
97318/109 01/09/1998
A1/107/K 15/06/1998
Landscape Softworks 03/06/1998
97318/106 01/05/1998
Perspective Drawings x2 23/10/1997
Transport Assessment 29/09/1997
A1/100 12/09/1997
97318/100 01/09/1997
A1/105 29/08/1997
C3021/1 Rev 1 (Site Survey) 01/03/1997

Reason: For the avoidance of doubt and in the interests of proper planning.

3 The form of the proposed works to the public highway and entrance into the car park shall be those specified on the application form and approved drawings relating to planning permission 98/7168/REM and 00/07337/REM.

Reason: In the interests of residential amenity, the free flow of traffic, in the interests of highway safety in accordance with Policy DM8 (Sustainable Transport for New Developments), DM9 (Managing Vehicle Use for New Development) and DM10 (Design requirements for New Developments (including House Extensions)) of the LDF Core Strategy Adopted April 2012.

4 The car parking, cycle parking, servicing and manoeuvring areas shown on the approved drawings shall be provided with a hard, bound, dust free surface, adequately drained before the development is occupied for the purpose hereby permitted. The respective areas shall be kept free from obstruction at all times, and shall not thereafter be used for any purpose other than those shown on the approved drawing.

Reason: To ensure the provision of satisfactory cycle storage facilities and in the interests of the free flow of traffic and highway safety in accordance with Policy DM8 (Sustainable Transport for New Developments) and DM9 (Managing Vehicle Use for New Development) of the LDF Core Strategy Adopted April 2012.
5 The car park shall only be operated as a public short stay car park for customers of the supermarket and visitors to the District Centre.

   Reason: To ensure that parking space is available for use by customers and or visitors at all times in accordance with Policy DM9 (Managing Vehicle Use for New Development) and Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

6 Existing visibility splays at all junctions within the site and existing visibility splays at all junctions within the existing road network shall be permanently retained free from obstruction to visibility higher than 1.0m above the surface of the adjoining highway.

   Reason: To maintain pedestrian/vehicular intervisibility in the interest of highway safety in accordance with Policy DM9 (Managing Vehicle Use for New Development) Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

7 Vehicle deliveries to the supermarket are only permitted between the hours of 7am and 10pm on any day. In addition, a maximum of three vehicle deliveries are permitted to the supermarket before 7am and after 10pm on any day. Deliveries between 10pm and 7am will be undertaken in compliance with the Delivery Management Plan dated 13 March 2018.

   Reason: In order to safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 (Design Requirements for New Developments and House Extensions) of the LDF Core Strategy Adopted April 2012.

8 The supermarket hereby permitted shall not be open to customers before 7.00am and after 10.00pm on any day.

   Reason: In order to safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 (Design Requirements for New Developments and House Extensions) of the LDF Core Strategy Adopted April 2012.

9 Notwithstanding the details shown on the approved drawings re. planning permission 97/7107 the final form of the canopy and associated treatment of the west facing rear elevation shall be those specified on the application form and approved drawings relating to planning permission 98/7217/REM.

   Reason: In order to ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.
10 The entrance off Claremont Road, shown on the approved drawings re. planning permission 97/7107, shall be provided prior to the first occupation of the building and thereafter be permanently retained as a customer entrance into the store, in accordance with details of overall design, width and form in accordance with planning permission 98/7217/REM.

Reason: In order to ensure and retain appropriate pedestrian access and egress to the site and the retention of active shopping frontages in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

11 A customer exit shall be provided prior to the first occupation of the building and thereafter permanently retained within the main frontage of the store (facing the car park) in the position of the fire exit shown on approved drawing No. A1/03 re. planning permission 97/7107.

Reason: In order to ensure and retain appropriate pedestrian access and egress to the site and the retention of active shopping frontages in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

12 Notwithstanding the details shown on the approved drawings re. planning permission 97/7107, the fin and canopy advertisement (and related structures) fronting Claremont Road shall be constructed in accordance with planning permission 98/7217/REM.

Reason: In order to ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

13 Notwithstanding the details of the “serpentine fencing” to the car park shown on the approved drawings re. planning permission 97/7107, the final from and appearance of the fencing to the decked car park, shall be in accordance with planning permission 98/7218/REM. The approved fencing shall be permanently retained.

Reason: In order to ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

14 All plant and machinery shall be enclosed and soundproofed in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority. Such sound insulation shall be provided before the plant and machinery is brought into use and thereafter permanently retained.
Reason: In order to safeguard the amenities of the occupiers of the
neighbouring properties in accordance with Policy DM10 (Design
Requirements for New Developments and House Extensions) of the LDF
Core Strategy Adopted April 2012.

15 Noise emitted from the buildings hereby permitted shall not exceed NR35
of the International Noise Standards Organisation noise rating curves
when measured at any point on the site boundaries
Reason: In order to safeguard the amenities of the occupiers of the
neighbouring properties in accordance with Policy DM10 (Design
Requirements for New Developments and House Extensions) of the LDF
Core Strategy Adopted April 2012.

16 The development in terms of:
   a) Materials and all external finishes to the store and car park (including
      their colour and texture);
   b) Boundary treatment (including walls, fences and gates);
   c) Treatment and layout of all parts of the site not covered by the approved
      buildings, including hard and soft landscaping; and
   d) The exact levels of all buildings, upper and lower car parks, service
      area, roads and pathways
shall be completed in accordance with planning permission
98/7218/REM
Reason: In order to safeguard the amenities of the occupiers of the
neighbouring properties and in order to achieve a satisfactory appearance
upon completion of the development in accordance with Policy DM10
(Design Requirements for New Developments and House Extensions) of
the LDF Core Strategy Adopted April 2012.

17 No external lighting shall be installed without the prior written approval of
the Local Planning Authority.
Reason: In order to safeguard the amenities of the occupiers of the
neighbouring properties and in the interest of highway safety in
accordance with Policy DM9 (Managing Vehicle Use for New
Development) and Policy DM10 (Design Requirements for New
Developments and House Extensions) of the LDF Core Strategy Adopted
April 2012.

18 The development shall be landscaped in accordance with the landscaping
scheme approved as part of planning permission 98/7218/REM and
permanently retained for that purpose only.
Reason: In order to safeguard the amenities of the occupiers of the
neighbouring properties and to ensure a satisfactory final appearance of
the development in accordance with Policy DM10 (Design Requirements
for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

19 No part of the site shall be used for open storage.
Reason: In order to safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 (Design Requirements for New Developments and House Extensions) of the LDF Core Strategy Adopted April 2012.

20 No burning of materials or refuse shall take place on the site.
Reason: In order to safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 (Design Requirements for New Developments and House Extensions) of the LDF Core Strategy Adopted April 2012.

21 The supermarket building (net sales area 1,917sqm) shall be predominantly used for the sale of groceries and for no other purpose (including any other purpose within Class A1 of the Schedule to the Town and Country Planning Use Classes Order 1987 or any other provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order).
Reason: In order that the development continues to provide locally accessible goods of an appropriate scale for the size of the Surbiton District Centre in accordance with Policy DM19 (Protecting Existing Retail Uses) of the LDF Core Strategy Adopted April 2012.

22 As shop window display shall be maintained at all times on the Claremont Road frontage.
Reason: In order to retain active shopping frontages in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April, 2012.

23 No broadcasting or amplification equipment audible outside the boundaries of the site shall be installed.
Reason: In order to safeguard the amenities of the occupiers of the neighbouring properties in accordance with Policy DM10 (Design Requirements for New Developments and House Extensions) of the LDF Core Strategy Adopted April 2012.

24 The development shall be operated in terms of the safety and security measures approved as part of planning permission 99/07235/REM.
Reason: In order to ensure the safety and security of the users of the development in accordance with Policy DM10 (Design Requirements for
New Developments and House Extensions) of the LDF Core Strategy Adopted April 2012.

25 A customer exit shall be permanently retained within the main frontage of the store (facing the car park) in the position of the fire exit and shown on approved drawing A1/103.

Reason: In the interests of pedestrian permeability and the vitality and viability of the Surbiton District Centre in accordance with Core Strategy Policy CS12 (Retail and Town Centres) of the LDF Core Strategy Adopted April 2012.

Informative(s)

1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
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[Please note that this plan is intended to assist in locating the development it is not the site plan of the proposed development which may have different boundaries. Please refer to the application documents for the proposed site boundaries.]
Ward: Surbiton Hill

Description of Proposal: Demolition of existing building and redevelopment to provide 9no. residential units, a new access from Lovelace Gardens, parking and associated works

Plan Type: Full Application
Expiry Date: 10/06/2019

Planning Policy

National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance (web based resource)

Development Plan:
Mayor for London
London Plan March 2016 (consolidated with alterations since 2011)
LDF Core Strategy Adopted April 2012

Policies

LONDON PLAN MARCH 2016
(consolidated with alterations since 2011)

LP 1.1 Delivering the strategic vision and obje
LP 2.6 Outer London: vision and strategy
LP 3.3 Increasing housing supply
LP 3.4 Optimising housing potential
LP 3.5 Quality and design of housing development
LP 3.8 Housing choice
LP 5.1 Climate change mitigation
LP 5.13 Sustainable drainage
LP 5.15 Water use and supplies
LP 5.17 Waste capacity
LP 5.3 Sustainable design and construction
LP 5.7 Renewable energy
LP 5.9 Overheating and cooling
LP 6.13 Parking
LP 6.9 Cycling
LP 7.4 Local character
LP 7.6 Architecture
LP 8.2 Planning obligations
LP 8.3 Community infrastructure levy

LDF CORE STRATEGY CORE POLICIES

CS 01 Climate Change Mitigation
CS 02 Climate Change Adaptation
CS 03 The Natural and Green Environment
CS 07 Managing Vehicle Use
CS 08 Character, Heritage and Design
CS 10 Housing Delivery

LDF CORE STRATEGY DEVELOPMENT MANAGEMENT

DM01 Sustainable Design and Construction Stan
Consultations

1. 254 surrounding owner/occupiers were notified in writing of the application. 7 responses from separate addresses were received all of which were objections. The material objections are summarised as follows:

- Excessive bulk/height/overdevelopment;
- Out of character/inappropriate design/layout;
- Overlooking/loss of privacy;
- Loss of daylight/sunlight/overshadowing;
- Noise and disturbance;
- Air pollution/dust/fumes;
- Loss of existing trees and garden land;
- Adverse impact upon biodiversity;
- Inadequate landscaping/means of enclosure;
- Access or traffic problems/Insufficient parking provision/increased pressure on on-street car parking spaces/adverse impact upon highway safety;
- Inaccuracies in drawings;
- Loss of family housing; and
- Insufficient affordable housing.

RBK Highways and Transportation

2. No objection subject to the applicant entering into a legal agreement to preclude residents from applying for on street residents parking permits and a requirement to inform potential buyers/tenants of the above exclusion and to publicise the lack of parking provision in sales brochures, plus planning conditions regarding; Electric Vehicle Charging Points, a Car Park Management Plan, visibility splays, cycle parking, and a Construction Management Plan.

Tree and Landscape Officer

3. No objection subject to a condition enforcing the implementation of the Landscape Plan.

Site and Surroundings
4. The application site is located on the corner of Lovelace Gardens and Lovelace Road and comprises a two storey, three bedroom detached dwelling. The immediate surrounding area is predominantly residential in character.

5. The buildings on the site are not listed or locally listed and the site does not fall within a Conservation Area. Neither does are there any Tree Preservation Orders (TPOs) on site or in the immediate vicinity and the site does not fall within a Flood Risk Zone. The Public Transport Accessibility Level (PTAL) for the site is 1b (Very Poor) and the site falls within the Oak Hill Controlled Parking Zone (Zone T).

Proposal

6. Demolition of existing dwelling and re-development to provide 9 residential units comprising 5 x 2 bedroom flats and 4 x 3 bedroom flats.

Assessment

The main considerations material to the determination of this application are:

- Principle of Proposed Development
- Loss of Family Housing
- Housing Quality and Mix
- Impact on Character of Area
- Impact on Neighbour’s Residential Amenity
- Highways and Transportation
- Trees
- Legal Agreements
- Sustainability
- Other Material Considerations

Principle of Proposed Development

7. Paragraph 118 of the NPPF, 2019 directs that planning policies and decisions should “promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”

8. Paragraph 123 goes on to say that “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”

9. Paragraph 11 makes it clear that in terms of the presumption of sustainable development and in relation to decision taking development proposals which accord with an up to date development plan should be approved without delay.
10. Regional policy supports this stance and policies 3.3 and 3.4 of the London Plan March 2016 (consolidated with alterations since 2011) emphasise that the Mayor recognises the pressing need for more homes in London and will work with relevant partners to ensure that housing need is met.

11. At the local level LDF Policy CS10 of the Council's LDF Core Strategy, 2012 sets out the Borough’s housing targets as defined by the London Plan, 2011. These have increased since the adoption of the Core Strategy and the London Plan, 2016 sets a target of 643 new residential dwellings per year. This application would provide 8 additional units which would make a positive contribution towards this target.

12. It should be noted that currently the Council is unable to demonstrate a five year supply of deliverable housing sites.

13. As there is no 5-year housing land supply, paragraph 11 of the NPPF indicates that planning permission should be granted unless (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole. These considerations should be given considerable weight in the assessment of this planning application.

Loss of Family Housing

14. Policy DM14 of the Council’s LDF Core Strategy, 2012 states that: "The Council will resist the loss of existing accommodation (of all types) and, in particular, dwellings which are suitable for family accommodation." Whilst this proposal involves the demolition of an existing family sized house, there would be a net gain of 3 x 3 bedroomed family sized units proposed as part of the new development.

Housing Quality and Mix

15. Paragraph 127 of the NPPF, 2019 and Policy 7.6 of the London Plan, 2016 (consolidated with alterations since 2011) seek to ensure that development secures a high standard of amenity for all existing and future users (of land and buildings).

16. Policy DM13 of the Council's LDF Core Strategy, 2012 states that the Council will ensure that the housing delivered is of high quality and the most appropriate type. The Policy also states that new residential development is expected to incorporate a mix of unit sizes and types. The Policy requires that 2.7 (30%) of the proposed units should provide family accommodation, 1 unit with 3 or more bedrooms, unless it can be robustly demonstrated that this would be unsuitable or unviable.

17. Officers acknowledge that the proposal would provide 4 (net gain of 3) new family dwellings. This provision would exceed the above requirements and accord with the need for family sized dwellings in the
Borough identified in the Strategic Housing Market Assessment for Kingston upon Thames and North East Surrey Authorities, 2016.

18. With regards to internal space standards Policy 3.5 of the London Plan March 2016 (consolidated with alterations since 2011) states that for 2 bedroom flats and 3 bedroom flats, the minimum internal floor areas below are required:

- No. 2 bedroom (3 person bedspaces) flat = 61 sqm
- No. 2 bedroom (4 person bedspaces) flat = 70 sqm
- No. 3 bedroom (5 person bedspaces) flat = 86 sqm

19. All proposed units would comply with or exceed these minimum standards.

20. Overall, the residential accommodation proposed would provide a good standard of accommodation for future occupants of the proposed development.

Impact on Character of Area

21. Together the NPPF, 2019 and the London Plan, 2016 (consolidated with alterations since 2011) operate to secure development of a high quality and where applicable replace poor design with better design.

22. Paragraph 127 of the NPPF, 2019 states that planning decisions should ensure developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

23. At the regional policy level Policy 3.5 of the London Plan, 2016 (consolidated with alterations since 2011) states that housing developments should be the highest quality internally, externally, and in relation to their context and to the wider environment. The design of all
new housing should enhance the quality of local places, taking into account physical context and local character.

24. Local policies CS8 and DM10 of the LDF Core Strategy, 2012 support the regional position and require that proposals relate well to their surroundings, recognise distinctive local features, have regard to the historic environment and be of a high standard to achieve a more attractive, sustainable and accessible environment.

25. The proposal involves the demolition of the existing dwellinghouse and the construction of a new block of flats comprising 9 units arranged over 4 floors, plus associated car parking and amenity space. The new structure would measure a maximum of 12.5m in height above ground and have a staggered front building line, resulting in a set back from Lovelace Road by between 5m and 7m and a setback from Lovelace Gardens by between 3.2m and 6.5m, respecting the building heights and staggered front building line of adjacent properties.

26. London Plan Policy 3.4 states that for sites in urban areas (those areas with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes) with PTAL ratings of 4, an appropriate density equates to 45-170 units/ha (or 200-450 habitable rooms/ha). The proposal would provide approximately 80 units/ha (or 380 habitable rooms/ha). Therefore, the proposal would fall within the recommended ranges within Policy 3.4 of the London Plan. However, it should be emphasised that the policy’s supporting text makes clear that whilst a rigorous appreciation of housing density is crucial to realising the optimum potential of sites, it is not appropriate to apply the density ranges mechanistically.

27. In terms of design the new development would take cues such as the materiality, height and flat roof from both the existing property and similar properties in the immediate surrounding area.

28. More specifically and in terms of materials, the walls would be a combination of red and buff brick with reconstituted stone banding, the balconies would comprise steel and glass tiles and the windows would comprise grey UPVC.

29. New boundaries would be erected on all sides of the site with a low wall and associated soft landscaping fronting both Lovelace Road and Lovelace Gardens. Full details of the colour, texture and manufacturer’s specification, would be required via condition to ensure that the quality and appearance of the materials are of a sufficiently high standard.

30. Access to the new dwellings would be gained via a single entrance fronting Lovelace Gardens. Behind the back of the footway soft landscaping would be implemented to provide visual amenity and partial screening. As with materials, further details of the planting schedule and maintenance of the landscaped areas to the front and rear of the development will be required via condition to ensure that the finished
appearance is satisfactory and of high quality not only for future occupants, but for neighbouring properties and the wider character of the street.

31. Overall, the proposed development is considered to be of high quality. Though clearly visible from neighbouring properties and the streetscape due to its corner plot location, it would not be visually incongruous and would simultaneously be in keeping with the surrounding area and reflect the variety in architectural styles and dwelling types. Furthermore, its impact would be minimised by the boundary treatment and associated soft landscaping, thereby complying with Paragraph 127 of the NPPF, 2019, Policies 7.4 and 7.6 of the London Plan, 2016, Core Strategy policies CS8 and DM10.

Impact on Neighbours’ Residential Amenity

32. Paragraph 127 of the NPPF, 2019 and Policy 7.6 of the London Plan, 2016 (consolidated with alterations since 2011) seek to ensure that development secures a good standard of amenity for all existing and future users (of land and buildings).

33. More specifically, Policy DM10 of the LDF Core Strategy, 2012 seeks to safeguard residential amenity with regards to privacy, outlook, sunlight/daylight, avoidance of visual intrusion and noise and disturbance.

34. In this case the flats within Lonsdale Court, Caroline Court, Meryon Court, Ashdene House and Malborough Gardens are the principal properties to be considered.

35. With regards to outlook Officers acknowledge that whilst adjacent neighbouring properties would experience a change in context due to the erection of a 4 storey development, it should also be noted that the site is currently developed and the proposed separation distances of between 2.3m and 12.5m between properties are in keeping with the prevailing pattern of development in the area. Similarly, in terms of height the proposed dwellings would be in keeping with neighbouring properties, particularly Marlborough House opposite and although the roof ridge would exceed that of No. 38 by approximately 0.8m, it would be approximately 1m lower than the ridge height of No. 34. These factors, plus the partial screening that the proposed fences, boundary wall and soft landscaping would provide are considered not to create an unacceptable sense of enclosure or loss of outlook.

36. With regards to privacy and visual intrusion the proposed development would not create a significant adverse impact in terms of the occupants of neighbouring properties. Whilst it is acknowledged that there are a number of balconies, plus windows related to bathrooms proposed in the north eastern flank wall of the development, it is considered that any adverse impact upon neighbouring residential amenity could be resolved through the implementation of obscured glazing and privacy screens. This issue would be secured via condition.
37. Officers acknowledge the applicant’s submission of a Daylight/Sunlight Assessment and agree with its findings in that whilst there would be a reduction in daylight levels and probable sunlight hours to neighbouring properties, this reduction would fall within the levels deemed acceptable by BRE guidelines.

38. With regards to noise and disturbance the proposed development would not cause harm to the amenity of the aforementioned properties above and beyond what is already associated with existing residential properties in the area. It should be emphasised that the proposal would be for a residential use in a predominantly residential area which is considered entirely appropriate.

39. Part (h) of Policy DM10 of the LDF Core Strategy, 2012 states that development proposals should ensure adequate private and/or communal amenity space. In support of this stance Policy Guidance 13 of the Residential Design SPD, 2013 requires that new flats provide at least 10sqm of private amenity space per dwelling, plus 1m for each additional occupant. Overall, a total of approximately 120sqm would be required on site. Approximately 114sqm of private outdoor amenity space would be provided. This would be predominantly in the form of balconies except for flats 1 and 2 (located on the ground floor) which would have private outdoor space. Whilst the proposed amenity space would fall slightly short of the above local requirements the provision would significantly exceed the requirements of the London Plan, 2016 (75 sqm).

40. Despite an increase in the built form across the site, the proposal development is considered to ensure a good standard of amenity in compliance with Paragraph 127 of the NPPF, 2019, Policy 7.6 of the London Plan, 2016 and Policy DM10 of the LDF Core Strategy, 2012.

Highways and Transportation

41. Policies DM9 and DM10 of the LDF Core Strategy seek to ensure that new development has regard to local traffic conditions and does not contribute to congestion or compromise highway safety.

42. The site has a Public Transport Accessibility Level of 1B (Very Poor) and falls within the Oak Hill Controlled Parking Zone (Zone T). However, Officers acknowledge that the site is approximately 1km away from Surbiton Railways Station.

43. As the development falls within a CPZ the proposed car parking provision (x 7 spaces) would be considered acceptable and in accordance with policies DM9 and DM10 of the LDF Core Strategy, 2012 subject to the signing of a legal agreement. The legal agreement would preclude future occupants from obtaining on-street car parking permits and stipulate a requirement to inform potential buyers/tenants of the above exclusion, as well as publicise the lack of parking provision in sales brochures.
44. It should be noted that the applicant has agreed to enter into such an agreement which is currently being progressed.

45. Officers acknowledge the submission of a Transport Statement and agree with its findings in that the proposed trip generation associated with the development would not cause a noticeable impact on the surrounding highway network.

46. With regards to cycle parking spaces and in accordance with the standards set out in Table 6.3 of the London Plan March 2016 18 spaces are required. The proposed plans show a dedicated, covered bicycle store to house 18 bicycles. The store would be integrated within the building which would be accessed from the south western elevation and appears to meet local guidance in terms of design and space standards. However, further details would be required via condition to ensure full compliance with Policies DM9 and DM10 of the LDF Core Strategy and the Sustainable Transport SPD, 2013 are achieved.

Trees

47. Despite the proposal involving the removal of 3 trees and 2 hedgerows and soft landscaped area including garden lawn, Officers note that the loss of trees does not relate to any “high category” specimens and a significant amount of outdoor amenity space would be provided for the new dwellings on site. As such, it is considered that this loss can be mitigated by replacement planting and soft landscaping and secured by way of a planning conditions.

Legal Agreements

48. The applicant has agreed to enter into a legal agreement to car cap the development, preclude future occupants from obtaining on-street car parking permits and inform potential buyers/tenants of the above exclusion and to publicise the lack of parking provision in sales brochures should the Committee resolve to grant planning permission.

49. Subject to the signing of this legal agreement the proposal would comply with policies DM9 and DM10 of the LDF Core Strategy, 2012.

Sustainability

50. Policies 5.1 and 5.2 of the London Plan, 2016 (consolidated with alterations since 2011) seek to mitigate climate change and achieve an overall reduction in London's carbon dioxide emissions through a range of measures including using less energy, supplying energy efficiently and using renewable energy.

51. In addition, Policy CS1 of the LDF Core Strategy, 2012 states that the Council will ensure that all development (including extensions, refurbishments and conversions) is designed and built to make the most
efficient use of resources, reduce its lifecycle impact on the environment and contribute to climate change mitigation and adaptation. It should be noted that despite Policy DM1’s requirements which encourage residential developments to achieve Code for Sustainable Homes (CfSH) Level 6 from 2016, the Code was revoked as part of the Housing Standards Review in 2015 and no longer applies. However, elements of the code were incorporated in the building regulations.

52. In this case the applicant has not submitted any information to demonstrate how the proposed development would achieve the required reductions in CO2 and internal water usage appear. As such, a detailed condition is recommended to ensure the required standards are met.

53. Sustainability standards are secured by condition, the proposal is considered to comply with Policies DM1 of the Council's LDF Core Strategy, 2012.

Other Material Considerations

54. Officers recognise that the development is a form of garden development. This issue is covered by Paragraph 70 of the NPPF, 2019 which states that “Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.” However, Kingston’s Development Plan does not include any policies to this effect. As such, each case must be assessed on its individual merits.

55. Officers note that concern was raised as part of the consultation process regarding the adverse impact upon biodiversity in the area, however, no evidence has been submitted to substantiate this harm. Furthermore, the submitted Bat Emergence/Re-Entry Survey dated July 2018 concluded that there was no evidence of roosting bats on site. As such, the proposal is considered to comply with LDF Core Strategy Policies CS3 and DM6.

56. However, an Informative will be attached to this report stating that should evidence of any protected species be found on site as a result of future development the applicant must fulfil his/her duties under the Wildlife and Countryside Act, 1981 (as amended) and the Conservation of Habitats and Species Regulations, 2010.

57. Officers also note that the Bat Emergence/Re-Entry Survey includes measures which aim to mitigate any adverse impact upon biodiversity on site including the planting of native plant species to facilitate continued commuting and a foraging resource, and the installation of 2 bat boxes on the southern elevation of the proposed building.

Conclusion/Planning Balance

58. In conclusion, it is considered that whilst the proposal would result in the loss of garden land and a change in context for neighbouring dwellings, this does not outweigh the benefit of providing 9 (8 net additional) high
quality market units on site, 4 of which are family sized units. In this case the “tilted balance” applies and as no clear reason for refusing the development proposed has been identified and no adverse impacts of approving the application significantly and demonstrably outweigh the benefits the proposals are considered to generally comply with the NPPF, 2019, the London Plan, 2016 (consolidated with alterations since 2011), the LDF Core Strategy, 2012, the Sustainable Transport SPD, 2013 and the Residential Design SPD, 2013.

Recommendation:

Approve subject to a legal agreement and the following conditions:

1. The development hereby permitted shall be commenced within 3 years from the date of this decision.

   Reason: In order to comply with Section 91 of the Town and Country Planning Act, 1990. (As amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

   Dwg No. 17116 S101-Site Location Plan Received 15/04/2019
   Dwg No. 17116 S102-Site Survey Received 15/04/2019
   Dwg No. 17116 S110-Existing Site Elevations Received 15/04/2019
   Dwg No. 17116 P203 Proposed Block Plan Received 13/05/2019
   Dwg No. 17116 C201-Coloured Site Layout Received 13/05/2019
   Dwg No. 17116 P205 Proposed Site Sections Received 13/05/2019
   Dwg No. 17116 P105 Rev B-Proposed Site Sections Transport Statement Received 15/04/2019
   Dwg No. 17116 P201 Rev D-Proposed Site Layout – Ground Floor Plan Received 15/04/2019
   Dwg No. 17116 P202 Rev B-Proposed Site Layout –Roof Plan Received 15/04/2019
   Dwg No. 17116 P214 Rev C-Proposed Schematic Floor Plans Plots 1-9 Received 15/04/2019
   Dwg No. 17116 P215 Rev B-Proposed Outline Elevations Received 15/04/2019
   Dwg No. VAN219 11B-Landscape Proposals Schedule of Accommodation Received 15/04/2019
Design and Access Statement
Part 1
Design and Access Statement
Part 2
Design and Access Statement Addendum
Dwg No. 17116 C202-Coloured Elevations
Dwg No. 17116 SK41-Schematic Floor Plans
Bat Emergence/Re-Entry Survey
Daylight/Sunlight Assessment
Drainage Statement Addendum No. 1
Sustainability and Energy Statement
Soft Landscape Specification
Preliminary Ecological Appraisal Part 1
Preliminary Ecological Appraisal Part 2
Planning and Affordable Housing Statement
Arboricultural Implications Report

Received 15/04/2019
Received 15/04/2019
Received 15/04/2019
Received 15/04/2019
Received 15/04/2019
Received 15/04/2019
Received 15/04/2019
Received 15/04/2019
Received 15/04/2019
Received 15/04/2019

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development shall be completed in accordance with details and samples for all facing materials which shall be submitted to and approved in writing by the Local Planning Authority before any works on site are commenced. The development shall then be built in accordance with these approved samples and completed prior to occupation.

Reason: These details are required prior to commencement of development because the details would affect subsequent design of other elements of the scheme and must be agreed at the outset and to ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

4. Prior to occupation the following details shall be submitted to and approved in writing by the Local Planning Authority and thereafter permanently retained.

(a) refuse storage facilities in accordance with the requirements of the Residential Design SPD, 2013 (including their manufacturer's specification, dimensions, colour and texture).
5. Prior to above ground works the following details shall be submitted to and approved in writing by the Local Planning Authority and thereafter permanently retained.

(a) boundary treatment, including walls, fences and gates (including their manufacturer’s specification, dimensions, colour and texture).

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

6. Prior to the beneficial occupation of the development hereby permitted, any windows in the north eastern and south western elevation (and situated on the ground, first, second and third floor in relation to bathrooms and W.Cs) shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part below that level shall be fitted with, and retained in, obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable and tamper-proof, and must be replaced in the event that it ceases to result in obscurity to level 3.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

7. Prior to the beneficial occupation of the development hereby permitted, the flanks and balustrades of the north east facing balconies on the first, second and third floors shall be constructed and retained in obscure glazing to a minimum of level 3 on the standard scale. Any film used to achieve the requisite obscurity level shall be non-perishable and tamper-proof, and must be replaced in the event that it ceases to result in obscurity to level 3.

Reason: To safeguard the amenities of the adjoining premises from overlooking and loss of privacy.

8. Prior to occupation details of the 1 active electric vehicle charging point and 1 passive electric vehicle charging point shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter permanently retained.

Reason: In order to encourage the uptake of electric vehicles in accordance with Policy 6.13 of the London Plan, 2016.

9. A Car Park Management Plan demonstrating how the use of the car park will be controlled, including any restrictions and detailing the signage necessary within the site to direct pedestrians and vehicles shall be
submitted to and approved in writing by the local planning authority before the first occupation of any residential unit. The development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the amenities of surrounding residential occupiers and safeguard highways safety and the free flow of traffic in accordance with policies DM9 (Managing Vehicle Use for New Developments) and Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

10. Prior to occupation details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory cycle storage facilities and in the interests of highway safety in accordance with Policy DM8 (Sustainable Transport for New Developments) of the LDF Core Strategy Adopted April 2012.

11. By the time the development hereby permitted is substantially complete, pedestrian/vehicular intervisibility splays of 2.8m x 3.3m shall have been provided in each direction where the access meets the back edge of footway, and shall be permanently retained free from any obstruction to visibility higher than 1.0m above ground level.

Reason: To maintain pedestrian/vehicular intervisibility in the interest of highway safety in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

12. All works on site shall take place in accordance with the following details which shall have previously been submitted to in the form of a Construction Management Plan and approved in writing by the Local Planning Authority prior to the commencement of work:

a) Statement on how the proposed development will be built, with method statements to outline how major elements of the works would be undertaken;
b) Proposals for loading/unloading materials, site storage etc;
c) The route to and away from site for muck away and vehicles with materials;
d) Deliveries/collections to and from the site should use a route that is agreed with NRSWA team. The agreed route should be signed accordingly.
e) Protocol for managing deliveries to one vehicle at a time on sites with restricted access or space;
f) Protocol for managing vehicles that need to wait for access to the site; and
g) Whether any reversing manoeuvres are required onto or off the public highway into the site, and whether a banksman will be provided;
h) Temporary site access;
i) Signing system for works traffic;
j) Site access warning signs will be required in adjacent roads.
k) Whether it is anticipated that statutory undertaker connections will be required into the site.
l) Storage of plant, materials and operatives vehicles;
m) Measures for the laying of dust, suppression of noise and abatement of other nuisance arising from development works;
n) Location of all ancillary site buildings;
o) Means of enclosure of the site; and
p) Wheel washing equipment.
q) The parking of vehicles of site operatives and visitors.

Reason: These details are required prior to commencement of development because the relevant works would take place at the beginning of the construction phase and in order to safeguard the amenities of the surrounding residential occupiers and to safeguard highway safety and the free flow of traffic in accordance with Policy DM10 (Design Requirements for New Developments including House Extensions) of the LDF Core Strategy Adopted April 2012.

13. The hard surface hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policy CS1 (Climate Change Mitigation) of the LDF Core Strategy Adopted April 2012.

14. Within 3 months of first occupation, evidence must be submitted to the Council confirming that the development hereby permitted has achieved no less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4. Evidence requirements are detailed in the "Schedule of Evidence Required for Post Construction Stage from ENE1 and WAT1 of the Code for Sustainable Homes Guide. Evidence to demonstrate a 19% reduction compared to 2013 Part L regulations and internal water usage rates of 105L/day must be submitted to the Local Planning Authority, unless otherwise agreed in writing.

Reason: In order to ensure that all development is designed and built to make the most efficient use of resources, reduce its lifecycle impact on the environment and contributes to climate change mitigation and adaptation in accordance with Policy CS1 (Climate Change Mitigation) of the LDF Core Strategy Adopted April 2012.

15. No development shall take place until details of the implementation, adoption, maintenance and management of a sustainable drainage system have been submitted to and approved in writing by the local planning authority. The system shall be implemented prior to occupation and
thereafter managed and maintained in accordance with the approved
details. Those details shall include a timetable for its implementation, and
a management and maintenance plan for the lifetime of the development
which shall include the arrangements for adoption by any public body or
statutory undertaker, or any other arrangements to secure the effective
operation of the sustainable drainage system throughout its lifetime.

Reason: These details are required prior to commencement of development
because the relevant works would take place at the beginning of the
construction phase and to prevent the increased risk of flooding in
accordance with Policy CS1 (Climate Change Mitigation) of the Local
Development Framework Core Strategy Adopted April 2012.

16. The levels of buildings, roads, parking areas and pathways within the site
shall only be in accordance with details which shall have previously been
submitted to and approved in writing by the Local Planning Authority before
development is commenced.

Reason: These details are required prior to commencement of development
because the details would affect subsequent design of other elements of the
scheme and must be agreed at the outset and to ensure that the
appearance and functioning of the development is satisfactory and to
safeguard the amenities of adjoining occupiers in accordance with Policy
DM10 (Design Requirements for New Developments including House
Extensions) of the LDF Core Strategy Adopted April 2012 and comply with
Supplementary Planning Document 'Access for All' (July 2005).

17. The development hereby permitted shall be carried out in accordance with
Dwg No. VAN21968 11 B – Landscape Proposals and shall be
implemented within the first planting season following completion of the
development and the tree planting and landscaping shall thereafter be
maintained for five years to the satisfaction of the Local Planning Authority.
Any trees or shrubs which die during this period shall be replaced in the first
available planting season, and the area shown to be landscaped shall be
permanently retained for that purpose only.

Reason: In the interests of visual amenity and also that the Local Planning
Authority shall be satisfied as to the details of the development in
accordance with Policy DM10 (Design Requirements for New
Developments including House Extensions) of the LDF Core Strategy
Adopted April 2012.

18. The development hereby permitted shall be carried out in accordance with
the Arboricultural Implications Report dated July 2018.

Reason: In the interests of visual amenity and also that the Local Planning
Authority shall be satisfied as to the details of the development in
accordance with Policy DM10 (Design Requirements for New
Developments including House Extensions) of the LDF Core Strategy
Adopted April 2012.
19. The development hereby permitted shall be carried out in accordance with the approved Preliminary Ecological Assessment and Bat Emergence/re-Entry Study dated July 2018.

Reason: To safeguard and protect the sites biodiversity and nature conservation value in accordance with Policy DM6 (Biodiversity) of the LDF Core Strategy Adopted April 2012.

20. The hard surfaces hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property.

Reason: To reduce the risk of flooding and pollution and increase the level of sustainability of the development and to comply with Policy CS1 (Climate Change Mitigation) of the LDF Core Strategy Adopted April 2012.

Informative(s)

1. The applicant is advised that should protected species be found as a result of future development he/she must fulfil his/her duties under the Wildlife and Countryside Act, 1981 (as amended) and the Conservation of Habitats and Species Regulations, 2010

2. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council’s Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

3. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution Section.

4. Your attention is drawn to the fact that planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
5. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form or our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

6. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from,

- any adjoining owner, where the building owner proposes to carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundwork's within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in “The Party Walls etc. Act 1996 - Explanatory Booklet”.

7. The applicant will be responsible for the cost of all necessary changes to road markings and signage together with the cost of amending the Traffic Order for the Controlled Parking Zone.

8. The Authority will not provide a vehicle crossover until all necessary amendments to the Traffic Regulation Orders have been made so as to provide unimpeded access to the crossover.

9. Any vehicular crossing on Lovelace Gardens must be constructed and any redundant crossing on Lovelace Road reinstated as footway in accordance with the provisions of the Highways Act, 1980 by the Service Director (Planning & Transportation) (Highways), Directorate of Environmental Services, Guildhall II, Kingston upon Thames.

10. Deliveries

- Deliveries to the site will avoid peak traffic times. This is due to existing congestion along the surrounding roads which will be exacerbated with the proposals;
- Deliveries to the site should where possible avoid waiting on the highway as this could result in a reduction to road safety and emergency access;
- Any parking that cannot be contained within the site must park considerately and safely, so as not to obstruct sightlines at junctions or site accesses. The applicant should be aware that any such parking will cause unnecessary concern and agitation within the local community;
- Should make full use of the site accesses to maximise the availability of off street parking

11. Servicing

- Service parking and deliveries should not cause any damage to the verges or margins, and no parking is allowed on both.
- A license from the Compliance Team will be required to erect off site direction signs. This same team will issue the hoarding license (if necessary) and seek appropriate deposits.
The applicant should be advised that a licence is needed for a tower crane, and should contact the Street Scene Compliance Team on 020 8547 5002. A traffic management arrangement for the delivery, erection, dismantling and removal of a tower crane (if it would be used) should be submitted for approval.

The applicant should be advised to consider if a parking suspension might be needed to allow access for big delivery construction vehicles involved. To apply for parking suspension (if needed), the applicant should contact the Environment Contact Centre on 020 8547 5002.

12. Highway Cleaning

Should the access into the site during construction not be paved, spoil could be carried from the site onto the public highway. The access into the site should be paved to minimise the carryover of spoil onto adjacent roads. We would also require the applicant to sweep and wash down the adjacent roads to ensure that the public highway is kept clear of debris. This is to ensure a satisfactory road surface for road safety reasons at all times.

13. Road Condition Survey

It is highlighted that any proposed works will result in substantial movement of heavy vehicles on the highways, and therefore the Council will require the applicant to undertake a road and footway condition survey before construction begins. This will take the form of a joint inspection with a member of the Street Scene Team and will involve a photographic record and visual observation of the roads, verges and margins.

14. The applicant is therefore advised that damage to bats and/or their habitat would constitute an offence and should evidence of bats being present on site be found as a result of future development he/she must fulfil his/her duties under the Wildlife and Countryside Act, 1981 (as amended) and the Conservation of Habitats and Species Regulations, 2010.

15. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

16. The development approved by this planning permission will be liable to pay the Mayor of London's Community Infrastructure Levy (MCIL) and RBK CIL.

Payment will be due once the owner/developer serves a development Commencement Notice on the Council, and a payment Demand Notice has been received by the owner. Failure to submit a Commencement Notice will incur a surcharge of 20% of the chargeable amount or £2,500, whichever is the lower amount.

When you have discharged all pre-commencement conditions the Council will issue a Liability Notice to the owner setting out the MCIL and CIL calculations. Accompanying the Liability Notice will be a blank Commencement Notice and if necessary a blank Assumption of Liability form, both of which need to be completed and returned to the Council prior to development commencing. A failure to do so will incur a surcharge.

Should you have any questions in respect of the contents of this letter or the CIL more generally, please contact the Council's Contact Centre by email cil@kingston.gov.uk or phone 0208 547 5002.
Community Grants Programme
Report by the Corporate Head of Healthy & Resilient Neighbourhoods

Purpose
To consider applications received for Neighbourhood Community Grants (NCG) and Councillor Ward Funding (CWF).

Recommendations
That the committee CONSIDERS:
1. the application from Surbiton Salons for the award of a Neighbourhood Community Grant as set out in paragraphs 5-12 of the report; and
2. whether it wishes to allocate Councillor Ward Funding to Anstee Bridge as set out in paragraphs 13-17 of the report.

Benefits to the Community:
To encourage local voluntary and community sector organisations, faith groups, charities, and not-for-profit organisations to access funding and expand their capacity.

Key Points
A. There are three different funding sources under the new Community Grants Programme available for Neighbourhood Committees and Ward Members to support and encourage local voluntary and community activity in their neighbourhoods.

B. The Committee is being asked to consider a Neighbourhood Community Grant application as set out in paragraphs 5-12 and a request for Councillor Ward Funding as set out in paragraphs 13-17. The agreed guidelines for the Neighbourhood Community Grants programme are attached as Annex 1; and the agreed guidelines for Councillor Ward Funding are attached as Annex 2.

Context
1. There are three different funding sources under the new Community Grants Programme that are available for Neighbourhood Committees and Ward Members to support and encourage local voluntary and community activity in their neighbourhoods, as follows:

2. Neighbourhood Community Grants (previously known as Your Kingston Grants and New Initiatives Grants), of up to £3,000 per application, are available to fund projects, activities and services to benefit communities in each of the four Neighbourhood areas. Each Neighbourhood is awarded £20,000 per annum, which is reduced as Neighbourhood Community Grants are awarded throughout the financial year.

3. Councillor Ward Funding, at £2,000 per Councillor per financial year, will remain at the discretion of individual Ward Councillors unless the
Neighbourhood Committee have decided to pool all or part of the Councillor Ward Funding budget.

4. **Community Infrastructure Levy** (CIL) must be spent on infrastructure needed to support development in the Borough. The upper limit of funding to apply for will be the amount allocated to each Neighbourhood Area - allocation will vary by Neighbourhood and is not time limited.

**Neighbourhood Community Grant Application - Surbiton Salons Festival 2019 (£3,000)**

5. The Neighbourhood Community Grants guidelines, as set out in **Annex 1**, set a number of minimum requirements for the award of a grant. The table below sets out whether this application meets those minimum requirements.

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Met? (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the group have a written constitution or memorandum and articles or set of rules that establishes that it is a voluntary, community, faith or other not-for-profit organisation?</td>
<td>Yes</td>
</tr>
<tr>
<td>Has the group demonstrated how surpluses are re-invested if the group is a not-for-profit organisation?</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the group have a management committee or board of trustees with at least three members?</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the group have a bank or building society account in the name of the organisation?</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the group have at least two unrelated people to authorise cheques and make withdrawals?</td>
<td>Yes</td>
</tr>
<tr>
<td>Does the group have an accounting system such as annual accounts to record income and expenditure?</td>
<td>Yes</td>
</tr>
<tr>
<td>Has the group shown that it does not have an ongoing deficit that the grant application could be used to fill?</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Application Details**

6. Surbiton Salons have applied for £3,000 to support their festival which is taking place at the cornerHOUSE Arts Centre between 24th - 28th July 2019. The programme includes five evening concerts of classical music and jazz, three talks given by local speakers on a variety of subjects including the works of Jane Austen and Georgian costume, and three participatory workshops on the subjects of body percussion, a cappella jazz, and Shakespeare’s sonnets. For those participating in the a cappella jazz workshop there will also be the opportunity to perform the piece of jazz they develop together with a jazz quartet at the evening performance. Evening performers include Nicky Spence (Tenor at the Royal Opera House, Covent Garden), early music ensemble Ceruleo, and pianist Emmanuel Vass. The
festival’s aim is to provide a sociable and relaxed environment to enjoy music-making.

7. The festival aims to combat loneliness and isolation within the borough. Their application cites that there are 24,000 people aged over 65 within the borough and that this is the fastest growing cohort of the local population. The borough also has a growing BAME population with a number of community groups working specifically with BAME older people. During their marketing stage, the applicant has stated that they will actively work with several local organisations to encourage participation from the aforementioned groups and monitor their presence at the festival. These organisations include: the CornerHOUSE; U3A; Milaap Centre; Korean Elders; and Sohali Hub. The festival will seek to enable isolated individuals and those with life-limiting illnesses living in Surbiton and its surrounding areas to participate in cultural activities locally, make new friends, and bring them joy and fulfilment.

8. The festival will bring high calibre artists, the likes of whom would not usually perform in the area, to these types of audiences. Some of the workshops will enable the audience to actively participate, culminating in all attendees participating in an evening performance.

9. This mainly volunteer-led project was started by a group of people who overcame the barrier of loneliness and isolation by setting up their own choir in Surbiton through the University of the Third Age, from which the festival grew. Originally taking place during the summer at a choir member’s home when activities stopped for the school holidays, the festival has now outgrown the original venue due to its increasing popularity, requiring a relocation to a larger community space.

10. The three main outcomes that the applicant states that they want to achieve are:
   1. Reducing isolation.
   2. Expanding artistic and creative horizons for our audience.
   3. Improving community engagement and understanding by using music and performance to break down age barriers.

**Officer Comment**

11. The council’s Cultural Services team were consulted on the application and, having considered the application, made the following comments:
   - These are high calibre musicians with performance and teaching pedigree.
   - The festival appears to have grown organically from links with the U3A/Milaap and demand for summer activities.
   - Have the groups the applicant are targeting had any input into the development of the programme?
   - Is the festival free and what is the applicant’s ticketing strategy?

12. These comments were shared with the applicant and the following reply was received:

   We have visited several local community choirs to talk to them about the festival and hand out flyers, namely Encore, Singing for Fun, Strawberry Hill Choir, and the Landmark Singers. We are also offering local community organisations a special discount code to access discounted tickets for all events once the early bird sales end. Currently we will be offering this to
Achieving for Children, Doxo Deo Community Church (City Changer Projects), Milaap Elders Project, Oxygen, Man&Boy, Refugee Action Kingston, Love Kingston, and Kingston Voluntary Action. We are also working with Refugee Action Kingston to provide two free places at the Body Percussion workshop to young refugees. The venue is located on the ground floor and is wheelchair accessible, with wider access toilet facilities.

In previous years the talk and workshop programme was developed by a member of a local choir who also hosted the events at her house. She has had to take a step back this year, however both of our talks are being given by local people who sing in community choirs in the area.

Unfortunately despite all artists offering us discounts on their usual fees, the cost of artists and, in particular, the piano hire, has meant it has not been possible to make this festival free. Tickets range from £12 - £25 depending on the event type and we offer Early Bird incentives until the 30th June. We also offer a week pass which grants access to all events and represents a discount on buying individually. As mentioned above, we will also be offering discount codes to groups in the local area that we have been in touch with.

Going forward we will be looking for ways to reduce the ticket price to enable the festival to become more accessible to the local area.

We have been flyering extensively in the area, visiting choirs, libraries, community centres, cafes, shops, GPs surgeries, theatres, and churches, as well as door-to-door flyering. We will also be posting posters in 35 local community noticeboards managed by Kingston Council as well as other locations in the area.

We have a legacy donation and occasionally receive small private donations from supporters.

Councillor Ward Funding (CWF) application - Wonderland by Anstee Bridge

13. Members have been approached by Anstee Bridge (Achieving for Children) for support for their Wonderland Project and, as the Committee have decided to pool this year's allocation of Councillor Ward Funding, this request is being reported to the Committee for consideration.

14. The Councillor Ward Funding Scheme, first introduced in 2016/17, is aimed at providing local councillors with the ability to support the award of flexible, small and timely funds for local initiatives within their Ward. The scheme provides increased opportunities to improve levels of engagement and influence at a very local, street-based level addressing the 'here and now' issues. Ideally, projects/activities should enable communities to help themselves and lead on delivering local solutions. Overall, the fund should enhance the social, economic or environmental wellbeing of the Ward community and residents’ quality of life. The full guidelines are attached as Annex 2.

Application
15. For 2019/2020, Anstee Bridge will collaborate with Bounce Theatre to bring to life an imaginative reinterpretation of Alice in Wonderland. The classic tale of Alice in Wonderland will be 155 years old in 2020 and Anstee Bridge will reimagine it as a contemporary tale about identity and transformation. Addressing the concerns around the rising mental health needs in young people, students will reimagine the story for the digital generation. Merging the surreal magic of the original tale with “snapchat-able” language and contemporary design, students will be empowered to explore identity, body image and mental health (depression). They will consider how people transform, change, and remove the labels forced upon them to find their true selves.

16. As part of this project, Anstee Bridge students will create a tea party network. Bringing to life the warmth, humour, and fun of the Mad Hatter’s tea party, students will host pop-up tea parties to create intergenerational links with people across the borough. Each tea party will allow people to discuss their own experiences around the themes in the play, creating an intergenerational community of people committed to having positive conversations about mental health with each other.

17. Anstee Bridge are hoping to raise £3,000 from Councillor Ward Funding to bring to life their tea party vision in Surbiton. This will support Anstee delivering a tea party network in the neighbourhood and working with a cohort of local primary school age children who would benefit from a little bit of Anstee magic! Anstee Bridge aim to support groups of Year 6 children who may be struggling with the pressures of SATs and the transition to secondary school. Through the Mad Hatter tea parties, Anstee Bridge will work with the children throughout the year, offering support and coping strategies to maximise their chances of balancing the pressures of Year 6 with the opportunity to enjoy their childhood.

**Resource Implications**

18. No additional resources will be required. This will be delivered within budget by existing resources and operates within Financial Regulations.

19. The Committee is yet to award a grant this year; thus £20k remains within its Neighbourhood Community Grants budget and £24k remains within its Councillor Ward Funding budget.

**Legal Implications**

20. Part 11 of the Planning Act 2008 provides for the imposition of the Community Infrastructure Levy. The Community Infrastructure Levy Regulations 2010, as amended, (the Regulations) implement the detail of the CIL using powers provided in Part 11 of the Act, including specifying how the CIL should be spent by charging authorities. The Government has also issued Planning Practice Guidance on the CIL.

21. Provided the CIL is spent in accordance with the restrictions contained in the Regulations and Guidance, there should be no legal implications arising from the report.

22. The award of Neighbourhood Community Grants and Councillor Ward Funding grants by the Neighbourhood Committee or councillors should not give rise to any legal implications provided the grants are distributed in accordance with the relevant criteria to appropriate persons, bodies or organisations.

23. Under Section 149 of the Equality Act 2010 (the 2010 Act) the Council must, when exercising its functions, including considering applications for grant or CIL funding, have due regard to the need to eliminate discrimination, harassment and
victimisation and other prohibited conduct, to advance equality of opportunity and to foster good relations between those who share a ‘protected characteristic’ under the 2010 Act and those who do not. A ‘protected characteristic’ is defined as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership are also protected characteristics for the purposes of the duty to eliminate discrimination.

Equalities Impact Assessment

24. A full EQIA was carried out during the Neighbourhoods Review, which included the consideration of grants and grant allocations.

25. There are no known direct equalities impacts arising from the decisions set out in this paper. However, community groups funded through these grants will need to consider equalities when planning their projects and/or submitting bids.

Health & Air Quality Implications

26. Organisations and groups are encouraged to submit grant applications that promote the health and wellbeing of their local communities.

Road Network Implications

27. Grant awards are unlikely to impact on local road network or parking issues. However, in the event of a grant being considered where road closures may apply i.e. street play/playing out/community road party, the Neighbourhood Manager will review and liaise with Highways and road network officers.

Background papers held by author:

None other than those referenced in the report.

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Community Grants - Neighbourhood Grant and Borough Wide Grant Guidelines

Background

1. A new approach to the grants programme was agreed at Finance and Contracts Committee on 11th December 2018 making 4 new funding streams to form a new 'Community Grants Programme' available to not for profit organisations and community groups to access.

2. With effect from the financial year 2019/2020 the Your Kingston Grants (up to £750) and New Initiatives Grants (up to £3,000) will be replaced with 'Neighbourhood Community Grants' and 'Borough-wide Community Grants'.

3. **Neighbourhood Community Grants** of up to £3,000 per application, are available to fund projects/ activities/ services to benefit communities in each of the four neighbourhood areas. Each Neighbourhood is awarded £20,000 per annum, which is reduced as Neighbourhood Community Grants are awarded throughout the financial year.

4. **Borough-wide Community Grants** of up to £3,000, per application, are available to fund projects/ activities/ services to benefit communities across the Borough. There is a £20,000 allocation per annum, which is reduced as the Borough-wide grants are awarded throughout the year.

Neighbourhood Community Grants programme (from May 2019)

5. Neighbourhood Community Grants are to be made available to support local activity that engages communities in meeting priorities identified by the Neighbourhood, which may also be in the respective Neighbourhood Community Plans. Community plans are likely to be in place in the Autumn 2019. Maximum award amounts for each initiative/project/activity are up to £3,000. All Neighbourhood Community Grants will be available on a rolling programme throughout the year.

6. The Neighbourhood Manager and grant budget holder will be responsible for gathering monitoring reports from the successful organisations' projects/activities/events and how the grant has been spent.

7. Organisations will be able to submit up to two grant applications per financial year if the applications are for completely separate projects/activities/events, not just a repeat of the previous application and must meet the grant criteria to be considered for a grant. Please note, applications may be deferred to another Committee later in the year if there are multiple applications made at once from the same organisation.

8. Neighbourhood Managers will report applications and recommend grant allocations to the appropriate Neighbourhood Committee for a final decision.

9. The overall budget for Neighbourhood Community Grants for 2019/2020 will be up to £80,000. Therefore, £20,000 will be made available to each Neighbourhood Committee to decide which projects/activities/events, in the relevant geographical area, should receive an award.

Borough Wide Community Grants
10. The overall budget for Borough-wide Community Grants is up to £20,000. Maximum award amounts for each initiative/project/activity are up to £3,000.

11. An additional £20,000 will be allocated for Borough-wide projects with the relevant strategic Corporate Head of Service or Service Director signing off the final grant award decision under their delegated authority.

12. Organisations will be able to submit up to two grant applications per financial year if the applications are for completely separate projects/activities/events, not just a repeat of the previous application and must meet the grant criteria to be considered for a grant. Please note, applications may be deferred to another point later in the year if there are multiple applications made at once from the same organisation.

Criteria: Neighbourhood Community Grants and Borough Wide Community Grants (up to £3,000)

13. Both the Neighbourhood Community Grant and Borough Wide Community Grants have the same criteria except the Neighbourhood Community Grant is for activity in that locality and the Borough Wide grant is for activity that crosses Neighbourhood Boundaries or may benefit a specific population group.

14. For example, the Borough Wide Grant would be suitable to apply for if a project targets certain population groups who may live anywhere in the borough i.e. refugees, carers, older people at risk of certain long term conditions or people on a low income.

15. These are annual grants for costs towards the running of events, projects and activities which can include a contribution to project overheads but cannot be used for the day-to-day running costs of the organisation.

16. Events can include:
   - events in community halls to celebrate or raise awareness of important causes
   - events to support community markets to take place or local businesses to thrive

17. Funding towards projects or activities can include:
   - start up, ‘pump-priming’, developmental or piloting activities to see how they work
   - one-off projects but they must be completed within 12 months of starting
   - costs towards venue hire or equipment to run the activity
   - costs towards staffing on the specific project applied for

18. This grant funding is to support local activity that engages communities in events, projects or activities that have to contribute to meeting one or more of the Council’s Strategic Outcomes and Priorities to 2023, which are:
   - Healthy, independent and resilient residents with effective support to those who need it most.
- A safe borough which celebrates our diverse and vibrant communities, with local priorities shaped through participatory democracy.

- A sustainable approach to new homes, development and infrastructure which benefits our communities, in a well maintained borough.

19. Neighbourhood Community Grants and Borough-wide Community Grants are especially for the benefit of community-based groups, or organisations that need a small amount of funds to enable them to have a big impact on their local community.

20. We welcome projects, events or activities that:

- focus on meeting the needs of marginalised or isolated people or communities

- focus on funding local initiatives provided for community benefit

In addition, for Neighbourhood Community Grants we welcome applications that:

- contribute towards priorities:
  - identified by the Neighbourhood
  - which appear in the local Neighbourhood Community Plan

Who can apply

21. Eligible groups are:

- not-for-profit organisations

- voluntary or community sector organisations

- faith groups

Grant applications process

22. The Officer or Neighbourhood Committee decision on all Community Grant applications is final. To apply the applicant needs to include the following:

- have a written constitution or memorandum and articles or set of rules that establishes that it is a voluntary, community, faith or other not-for-profit organisation

- be able to say how surpluses are re-invested if the group is a not-for-profit organisation

- have a management committee or board of trustees with at least three members

- have a bank or building society account in the name of the organisation

- have at least two unrelated people to authorise cheques and make withdrawals (including debit card or internet purchases or cash withdrawals)

- have an accounting system such as annual accounts to record income and expenditure

- not have an ongoing deficit that the grant application could be used to fill
23. The organisation needs to have all of these aspects to apply. In the application form the group will also need to provide as much of the following as is possible:

- describe what the grant request will be used for
- show there is a need or demand for the suggested activity (if possible)
- show how the suggested activities contribute to meeting at least one of our Strategic Outcomes and/or local neighbourhood community plan priorities identified (showing how the project or activity promotes community integration or inclusion and/or focuses on reducing inequalities, closing the gap for disadvantaged, isolated people and/or groups will also be advantageous)
- show that the organisations is open to the whole community, no matter the gender, race, disability, religion, age, marital status or any other protected characteristic group.
- describe how the project, event or activities will continue once the funding has ended, or how any legacy from the project or activities will be passed on, if appropriate.
- have a significant proportion of beneficiaries resident in the Neighbourhood in which it submits its application if the group is submitting a Neighbourhood Community Grant application
- provide evidence of its fundraising/match funding plans as part of its application to ensure the best value for money possible for any Community Grant contribution
- demonstrate that these activities are additional and do not duplicate existing work
- demonstrate added value i.e. social and environmental considerations
- show how the group will engage and consult regularly with users or members in developing and monitoring events, activities or services to identifying the need for changes

24. The organisation will also have to commit:

- good practice in terms of equality legislation, health and safety, safeguarding (children and vulnerable adults) and promoting environmental good practice
- that it will collect and use performance management data to measure the event, activity or project's impact and to monitor and improve effective delivery
- that it has adequate financial information including a budget for the event, project or activities in the application
- a clear indication of the state of the organisation's reserves, including designated and restricted funds and the reason that they are designated or restricted
What the grants will not fund

25. Groups can't apply for the grant:

- on behalf of an individual or commercial organisation
- if it is a repeat application from the same organisation for the same or similar activities. However, we will consider repeat applications where the organisation can demonstrate that its activities deliver significant community benefit and can provide evidence of efforts to fundraise and/or apply for grants from elsewhere.
- for projects or activities whose primary purpose is to promote religion or belief. However, applications are welcomed from faith organisations to carry out work with the community that is not primarily of a religious nature and does not exclude people from other faiths, or those who have no faith
- if the application is related to a current planning application, licensing application or other application yet to be determined by the Council
- Applicants should be aware that funds will be accessible only once and projects should not have ongoing running costs for the council. If ongoing costs are likely, then permissions from the relevant service Director at the Council will be required, in writing. Applicants are encouraged to support project maintenance and to seek additional forms of funding, if necessary, e.g. through crowdfunding to match the amount.

26. Grants cannot be used to pay for:

- major building works
- a minibus or minibuses
- political activities
- teaching community languages
- activities that are part of normal day-to-day running (though not capacity building)
- activities that are normally undertaken by Statutory organisations
- organisational fundraising activities
- endowments (to provide a source of income)
- retrospective events/ activities

Grant conditions

27. If the organisation is awarded a grant it will need to agree to the Council’s standard grant conditions which are to:

- use the grant only for the purpose for which it was awarded
- complete a grant monitoring form about its use of the grant (we'll send the group the form)
- operate with a commitment to Equal Opportunities issues in relation to its workers, volunteers, members and users and other relevant policies such as Safeguarding (children and vulnerable adults), Health and Safety and good environmental practice
• comply with the Local Government Act 1986 (Section 2) which prohibits local authorities from giving funding or assistance to others to publish material that appears to influence people’s support for a political party

• tell us if the organisation either closes or does not operate for any significant period during the grant aid year

• acknowledge the borough’s financial support in any related publicity material

• not use any grant awarded to promote religion or belief

• seek our permission if grant monies are carried forward into the next financial year or if any changes to the purpose are required

28. The Council may add special conditions to a group’s grant award. If this happens these will be laid out in the offer letter.

How to apply

29. Complete and submit your application form. Please send this to the Council as soon as possible before the event or project is due to start. Please submit the application as soon as possible and to the email identified on the correspondence you have received, thank you

Your application will be assessed

30. If your application is not complete, the Council will send this back to you and give 10 working days to provide any missing information. You may also be contacted for further clarification.

Notification of decision (Borough-wide grants)

31. The Council aims to let applicants know the outcome of the decision within 6 weeks of receiving an application.

32. If the council offers your organisation a grant it will be conditional on you signing the offer letter and accepting the terms and conditions of the grant. If your application is unsuccessful the relevant Council Officer may be able to provide you feedback upon request, as to why it was unsuccessful.

Notification of decision (Neighbourhood Community Grants)

33. The Council will let applicants know when their application will be considered by the relevant Committee and applicants will be able to attend the Committee meeting where their application will be determined. Applicants will be informed of the outcome within 10 working days of the meeting.

34. If the council offers your organisation a grant it will be conditional on you signing the offer letter and accepting our terms and conditions of the grant. If your application is unsuccessful the relevant Neighbourhood Manager or Council Officer may be able to provide you feedback, upon request, as to why it was unsuccessful.

Offer letter

35. Please sign and return the documents within 10 days of receiving the Council’s offer letter.
Start your event/activity or project

36. You will be asked to complete an end of year report against your outputs and outcomes and the budget you set for the activity applied for. If there are differences during the project, please get in touch with your Neighbourhood and Communities Manager or Community Development Lead.

Help and Advice

37. If you are unsure of which grant funding to apply for due the nature of your project, please get in touch with your Neighbourhood Manager. neighbourhood_management@kingston.gov.uk

38. If you require help with your governance arrangements, filling out your application or other funding streams you could access outside of the Council, please contact Kingston Voluntary Action Tel: 0208 255 3335; your local voluntary sector umbrella organisation, who can assist you.
Councillor Ward Funding - Guidelines

Background

1. The Ward Funding Scheme was first introduced in 2016/17 aimed at providing local Councillors with the ability to support the award of flexible, small and timely funds for local initiatives within their Ward. The scheme provides increased opportunities to improve levels of engagement and influence at a very local street-based level addressing the ‘here and now’ issues. Ideally, projects/activities should enable communities to help themselves and lead on delivering local solutions. Overall the fund should enhance the social, economic or environmental well being of the Ward community and residents quality of life.

Ward Funding Review

2. A review of the first year of operating the scheme was undertaken and circulated by email to Councillors on 20th April 2017 and a number of recommendations were made to clarify the process and make it easier to manage. As recommended then the following information sets out a step by step guide to the process.

2019/20 Information and process to be followed by Ward Councillor

3. The budget for 2019/20 has been agreed and Ward Funding remains at £2,000 allocation per Councillor. The Neighbourhood Committees may agree to pool or divide the fund, to be determined at the March 2019 Committees, the options available to the Neighbourhood Committees are:
   - retaining the existing Councillor Ward Funding scheme.
   - pooling the Neighbourhood’s entire Councillor Ward Funding budget so that it can be allocated as additional funding for Neighbourhood Community Grants.
   - pooling the Neighbourhood’s entire Councillor Ward Funding budget so that it can be allocated to larger versions of the type of projects that are currently supported by Councillor Ward Funding. If this option is pursued then the Committee should note, given the larger value, that these allocations will be subject to these projects being reported to the Committee for approval.

Key Points

4. A new budget of £2,000 per Councillor will available for allocation from 1 April 2019.

5. Ideally in the first financial quarter (April - June) Ward Members will engage directly with the community and consider their approach and options for the allocation of funds based on the arrangements agreed at the Neighbourhood Committees in March.

6. The Ward funding scheme will be promoted in Ward by Councillors and Officers. Promoting and publicising the Councillor Ward Funding will be at the individual Councillor’s discretion but, to help to get a wider reach in the local community, the following communication methods will also be used:
   - posters/leaflets in Neighbourhood Noticeboards
   - social Media
   - promotion at local community events on stalls
   - local media press releases
   - Council Community Grant Funding pages
Governance and administration

Neighbourhoods retaining the existing scheme where each Member allocates £2,000 individually:

7. Supported schemes/activities to be identified and approved with funding allocated by Ward Councillor ideally between April and October and by no later than January. (Any funds unallocated by 1st January may be declared available for redistribution by the Neighbourhood Committee.)

8. Once allocation is decided, Ward Councillor to complete, sign and submit funding template (example attached) to Neighbourhood Manager to be processed.

9. Ward Councillors to encourage local communities to raise funds, seek external grants and pursue new social media forms such as crowdfunding to boost the value of supported activities within their Ward. The Council's External Funding Team will be available to provide advice on external funding streams.

External Community Projects

10. If the scheme/activity/project is externally funded with payment directly to the community then Ward Councillor(s) are to liaise with residents to confirm by letter or email their support, the level of funding to be given and to request an electronic invoice from the community be sent to the Council’s Communities Support Officer by email to nick.spicer@kingston.gov.uk

11. Communities Support Officer to process payment and take any enquiries relating to invoicing or payment.

Internal RBK Projects

12. If the scheme/activity is to be internal funding, Neighbourhood Manager will identify and advise Councillor(s) of the Lead Officer from the appropriate service area.

13. Ward Councillor(s) liaise directly with Lead Officer and once activity details and timetable is agreed and any other issues resolved, the Ward Funding template is finalised and signed by Councillor(s).

14. If required, Councillor informs residents of their Ward improvement.

15. Once the funding allocation is confirmed the Communities Support Officer will complete an internal journal transfer to reallocate funds to the service area so that funds are held and expended by the appropriate responsible Officer.

16. Throughout the process the Communities Support Officer will maintain an audit trail of expenditure. The respective Neighbourhood Manager will monitor the overall budget and individual Councillors expenditure and provide regular reports to Neighbourhood Committee.

Neighbourhoods with pooled Councillor Ward Funding

17. The process will be same as the individual scheme as outlined above but the allocation will be subject to the allocations also being reported to the appropriate Neighbourhood Committee for consideration and approval.
If you would like any further information or advice, please get in touch with your Neighbourhood Manager by using the following mailbox:

neighbourhood_management@kingston.gov.uk